

Municipality of Lakeshore

Regular Council Meeting Agenda



Tuesday, May 20, 2025, 5:00 PM

Council Chambers, 419 Notre Dame Street, Belle River

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(2)(c) of the *Municipal Act, 2001* to discuss a proposed or pending acquisition or disposition of land by the municipality relating to municipal land inventory.
- b. Paragraph 239(2)(b) of the *Municipal Act, 2001* to discuss personal matters about an identifiable individual, including municipal or local board employees, relating to the 2024 Lakeshore Sports Excellence Hall of Fame inductees.

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-01-2025) – 0 County Road 27 and 0 King Street

6

Recommendation:

Approve Zoning By-law Amendment Application ZBA-01-2025 to amend Zoning By-law 2-2012 as it relates to:

1) The lands municipally addressed as 0 County Road 27 [legally described as Lots 8-12 Plan 259 Maidstone; Part of Lot 24 Concession 1, Maidstone as in R1440914, designated as Part 1 on Plan 12R17625; subject to an interest as in R1511570; Town of Lakeshore, being all of the Property Identifier Number 75021-0136], to change the existing zone for Parts 1 to 4 as shown on Reference Plan 12R-29319 from Hamlet Commercial, Zone Exception 10 (HC-10) to Hamlet Residential (HR), and to change the existing zone for Part 5 as shown on Reference Plan 12R-29319 from Hamlet Commercial Zone Exception 10 (HC-10) to Environmental Protection (EP).

2) The lands municipally known as 0 King Street [legally described as Lots 27-31, Plan 259 Maidstone; Part of Lot 24 Concession 1 Maidstone, designated as Parts 1 and 2 on Plan 12R22060; Lakeshore, being all of the PIN 75021-0132(LT); Part of Lot 24, Concession 1 Maidstone, designated as Part 3 on Plan 12R22060; Lakeshore, being all of the PIN 75021-0133(LT); and Part of King Street, Plan 259 Maidstone, designated as Part 4 on Plan 12R22060; subject to the interest of the Municipality; Lakeshore, being all of the PIN 75021-0171 (LT)] to change the existing zone from Agriculture (A) and Hamlet Residential (HR) to Environmental Protection (EP); and

Direct the Clerk to read By-law 39-2025 during the Consideration of By-laws, all as presented at the May 20, 2025 Council meeting.

10. Public Presentations

1. Tourism Windsor Essex Pelee Island - Municipal Accommodation Tax

25

11. Delegations

12. Completion of Unfinished Business

13. Approval of Minutes

Recommendation:

Approve minutes of the previous meetings as listed on the agenda.

1. April 29, 2025 Regular Council Meeting Minutes

56

2.	May 6, 2025 Regular Council Meeting Minutes	63
14.	Consent Agenda	
	Recommendation:	
	Receive the items as listed on the Consent Agenda.	
1.	Closed Meeting Quarterly Report – Q1 2025	69
2.	Accessibility Advisory Committee Minutes January 22, 2025	73
3.	Executive Committee Meeting January 27, 2025	75
4.	Drainage Board Meeting Minutes April 7, 2025	78
15.	Reports for Direction	
1.	Stoney Point Library – Temporary Facility	81
	Recommendation:	
	Direct Administration to transfer up to \$80,000 from the Parks Fixtures and Facilities reserve for the temporary library facility and washroom facility to be located at Stoney Point Park for up to 12 months, as presented at the May 20, 2025 Council meeting.	
2.	Short-Term Rentals – update on Ontario Land Tribunal appeal and options for regulation and enforcement of STRs	84
	Recommendation:	
	Direct Administration to proceed with Option ____ for regulating Short-Term Rental Accommodations, as presented at the May 20, 2025 Council meeting.	
16.	Notices of Motion	

1. Deputy Mayor Walstedt 107

Recommendation:

Whereas it has been the practice of the Municipality of Lakeshore to name various municipality owned properties and structures after former members of council who have significantly contributed to making Lakeshore the best and most envied municipality in the Province of Ontario:

And whereas Linda McKinlay served many years as a valued member of council for the former Township of Tilbury West and more recently the Municipality of Lakeshore providing exemplary service to residents:

Therefore, be it resolved that the municipal property recently developed as a place for rest and relaxation for Lakeshore residents on the Main Street in Comber be designated and named as "Linda McKinlay Square".

2. Councillor McNamara - Stoney Point Library Facility 108

Recommendation:

Direct Administration to bring a report regarding options for a semi-permanent solution to house the library at Stoney Point until such time as the Municipality has implemented the solution for the Stoney Point Lagoon and have sanitary capacity.

17. Reports from County Council Representatives

18. Report from Closed Session

19. Consideration of By-laws

Recommendation:

By-laws 39-2025 and 40-2025 be read and passed in open session on May 20, 2025.

1. By-law 39-2025, Being a By-law to amend By-law 2-2012, the Zoning By-law for the Municipality of Lakeshore (ZBA-01-2025) 109

2. By-law 40-2025, Being a By-law Confirming the Proceedings of the April 29, 2025 and May 6, 2025 Council Meetings 112

20. Non-Agenda Business

21. Addendum

22. Adjournment

Recommendation:

Adjourn the meeting at ____ PM.

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Planning Services



To: Mayor and Members of Council

From: Urvi Prajapati, Team Lead - Community Planning

Date: April 23, 2025

Subject: Zoning By-law Amendment (ZBA-01-2025) – 0 County Road 27 and 0 King Street

Recommendation

Approve Zoning By-law Amendment Application ZBA-01-2025 to amend Zoning By-law 2-2012 as it relates to:

1) The lands municipally addressed as 0 County Road 27 [legally described as Lots 8-12 Plan 259 Maidstone; Part of Lot 24 Concession 1, Maidstone as in R1440914, designated as Part 1 on Plan 12R17625; subject to an interest as in R1511570; Town of Lakeshore, being all of the Property Identifier Number 75021-0136], to change the existing zone for Parts 1 to 4 as shown on Reference Plan 12R-29319 from Hamlet Commercial, Zone Exception 10 (HC-10) to Hamlet Residential (HR), and to change the existing zone for Part 5 as shown on Reference Plan 12R-29319 from Hamlet Commercial Zone Exception 10 (HC-10) to Environmental Protection (EP).

2) The lands municipally known as 0 King Street [legally described as Lots 27-31, Plan 259 Maidstone; Part of Lot 24 Concession 1 Maidstone, designated as Parts 1 and 2 on Plan 12R22060; Lakeshore, being all of the PIN 75021-0132(LT); Part of Lot 24, Concession 1 Maidstone, designated as Part 3 on Plan 12R22060; Lakeshore, being all of the PIN 75021-0133(LT); and Part of King Street, Plan 259 Maidstone, designated as Part 4 on Plan 12R22060; subject to the interest of the Municipality; Lakeshore, being all of the PIN 75021-0171 (LT)] to change the existing zone from Agriculture (A) and Hamlet Residential (HR) to Environmental Protection (EP); and

Direct the Clerk to read By-law 39-2025 during the Consideration of By-laws, all as presented at the May 20, 2025 Council meeting.

Strategic Objectives

This report does not relate to any Strategic Objective.

Background

The proposed development consists of two properties located at 0 County Road 27 and 0 King Street (Appendix A), in the former community of Maidstone in South Woodslee, in the Municipality of Lakeshore.

The purpose of this Zoning By-law amendment is to allow for the construction of residential dwellings fronting on to County Road 27 (Part 1 to 4), and to rezone the rear portion of 0 County Road 27 (Part 5) and the 0 King Street parcel for conservation purposes.

Subject Property A is irregularly shaped, with approximately 78 metres frontage on County Road 27 and a depth of 93 metres with an area of approximately 0.7 hectares. The property is currently vacant with mowed lawn, scattered trees and remnant concrete paved areas with no buildings or structures. Subject Property A consist of 5 parcels (Appendix B). Parts 1-4 front onto County Road 27. Part 5 is the backlot parcel abutting the Belle River which consists of natural heritage features.

Subject Property A has remained vacant for approximately thirty (30) years. Previous uses include an agricultural supply store (1960 to 1994), a grain mill and possibly retail fuel outlet (1952 to 1960), and inferred agricultural or other use (1856 to 1952).

Subject Property A is currently zoned “Hamlet Commercial Zone Exception 10 (HC-10)” which permits a converted dwelling with a maximum of three dwelling units along with a variety of commercial uses. The applicant wishes to rezone Parts 1-4 for residential development (single-detached or semi-detached dwellings), and to rezone Part 5 for environmental conservation.

Subject Property B, municipally known as 0 King Street, is adjacent to Subject Property A. The two parcels are in separate legal names. It is currently zoned “Agriculture” (A) and “Hamlet Residential (HR)” and consists entirely of natural heritage features. The current proposal is that 0 King Street will be merged and sold with Part 4 of 0 County Road 27.

A Zoning By-law Amendment will rezone Parts 1-4 to Hamlet Residential (HR), and rezone both Part 5 of 0 County Road 27 and 0 King Street to Environmental Protection (EP).

Subject Property A:	<ul style="list-style-type: none">• Address: 0 County Road 27; South Woodslee, Ontario, N0R 1V0.• Legal Description: Lots 8-12 Plan 259 Maidstone; Part of Lot 24 Concession 1, Maidstone as in R1440914, designated as Part 1 on Plan 12R17625; subject to an interest as in R1511570; Town of Lakeshore, being all of the Property Identifier Number 75021-0136.• Existing Use: Vacant land.
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	<ul style="list-style-type: none"> • Access: access from Belle River Road (County Road 27) • Services: municipal water, municipal sewage, municipal stormwater
Subject Property B:	<ul style="list-style-type: none"> • Address: 0 King Street, Woodslee, ON, N0R 1V0 • Legal Description: Lots 27-31, Plan 259 Maidstone; Part of Lot 24 Concession 1 Maidstone, designated as Parts 1 and 2 on Plan 12R22060; Lakeshore, being all of the PIN 75021-0132(LT); Part of Lot 24, Concession 1 Maidstone, designated as Part 3 on Plan 12R22060; Lakeshore, being all of the PIN 75021-0133(LT); and Part of King Street, Plan 259 Maidstone, designated as Part 4 on Plan 12R22060; subject to the interest of the Municipality; Lakeshore, being all of the PIN 75021-0171 (LT). • Existing use: Vacant land. • Access: King Street • Services: municipal water, municipal sewage, municipal stormwater
Neighbouring Land Uses:	<ul style="list-style-type: none"> • North: residential development, agricultural land. • East: residential development, and further to the east, municipal recreational land use including a community center, library, and parkland. • South: residential development, commercial, and parkland. • West: institutional, including a church followed by agricultural lands.
Municipality of Lakeshore Official Plan:	<ul style="list-style-type: none"> • Designated “Hamlet” • Regulated under the Essex Region Conservation Authority.
Existing Zoning:	<ul style="list-style-type: none"> • 0 County Road 27: Hamlet Commercial Zone Exception 10 (HC-10). • 0 King Street: Agriculture (A) and Hamlet Residential (HR)
Proposed Zoning By-law Amendment:	<ul style="list-style-type: none"> • 0 County Road 27: Hamlet Residential, to permit residential development. • Backlot of 0 County Road 27 and 0 King Street: Environmental Protection, to protect the land for conservation purposes.

Comments

Written comments received from circulation to departments and agencies are summarized below. The full comments are contained in Appendix C.

Essex Region Conservation Authority (ERCA)

- ERCA reviewed a previously received and reviewed Hydraulic Impact Assessment prepared by Landmark Engineering Inc., dated November 30, 2023, and is in support of this application.
- ERCA notes that their office understands the proposed setback reduction is referring to a reduced setback to the Brandt Outlet Drain along the north side of the property, which is an enclosed municipal drain and is not subject to regulation by ERCA.
- The parcel falls within the regulated area of the Belle River. The property owner will be required to obtain an approval from ERCA prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.
- Additionally, development on this site will be subject to appropriate setback from the natural hazard.

County of Essex

- The Applicant will be required to comply with the following County Road regulation:
 - *County By-Law Number 2481 – A By-Law to Provide for the Protection of Highways and to Provide for the Installation of Entrance Ways.*
 - *County By-Law Number 2480 – A By-Law of the Corporation of the County of Essex to Regulate the Location of Buildings and Structures on Land Adjacent to County Roads.*
- The minimum setback for any proposed structures on this property must be 26 feet from the property limit. Permits are necessary for any changes to existing entrances and structures, or the construction of new entrances or structures.

Building Services

- The Building Department indicated no comments at this time.

Fire Services

- The Fire Department indicated no comments at this time.

Engineering Services

- The minimum setback between any building or structure from a covered municipal drain shall be 8.0 m from the centreline of the covered municipal drain for future maintenance as per our Zoning By-law 2012. Based on the past installation of structures (pre-2000), access to the easement is limited to the north. Based on the above by-law and past noted restriction (pre-by-law), the minimum setback of 8.0 meters should be adhered to in this case.
- The subject property area is located within the South Woodslee Service Area which has the sanitary treatment and conveyance capacity available to service the proposed lots. It should be noted that this area requires the installation of individual sewage holding tanks for each property/unit to connect to the Municipal sanitary sewer system (which consists of a sanitary forcemain). These tanks are required to be supplied and installed by Lakeshore's approved third-party contractor (unless otherwise approved) at the sole cost and expense of the developer/property owner. Buy in fees related to sanitary system are also applicable. After primary installation, the sanitary tanks will be the responsibility of Lakeshore to maintain, and all associated maintenance costs will be the responsibility of Lakeshore.

Planning Provincial Planning Statement (2024)

The Provincial Planning Statement, 2024 (PPS) sets the policy foundation for regulating development and land use planning in Ontario. All planning decisions are required to be consistent with the PPS.

Section 2.2.1.c. states that planning authorities shall promote densities for new housing which efficiently use land. Section 2.3.1.1. states that *Settlement Areas* shall be the focus of growth and development. Furthermore, Section 2.3.1.2 states that land use patterns within *settlement areas* should be based on densities and a mix of land uses which efficiently use land and resources and optimize existing and planned *infrastructure* and *public service facilities*.

The Zoning By-law Amendment would permit low density residential development along County Road 27 on the currently vacant land. The proposed development is located in a settlement area and is consistent with the PPS.

Section 4.1.1 of the PPS states that natural features and areas shall be protected for the long term. According to 4.1.5, development and site alteration shall not be permitted in natural heritage areas including significant woodlands and significant wildlife habitat, and significant valleylands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. As per 4.1.8, development and site alteration shall not be permitted on adjacent lands to the natural heritage features defined in the PPS, unless the ecological function of the adjacent lands has been evaluated, and it has been demonstrated that there will be no negative

impacts on the natural features or on their ecological functions. Furthermore, 4.1.6 states that development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. These sections apply to Part 5 of 0 County Road 27 and 0 King Street.

An Environmental Impact Assessment (EIA) was prepared on March 16, 2023 outlining that there is a Significant Woodland on the rear portion of Subject Property A (Part 5). No development is proposed within this area. Mitigation measures to avoid negative impacts and to further protect and enhance the remaining woodland feature have been recommended in the EIA.

ERCA identified a Significant Valleyland feature on the Subject Property A. The boundaries of this feature currently encroach into the area where residential development is proposed. The EIA describes the area as relatively flat topography, directly affecting the nature of a flood event. The EIA determined that development may proceed, provided that the proposed dwellings are appropriately floodproofed, appropriate emergency access is provided, and that the development only takes place in areas that are not susceptible to hazards.

Both Subject Properties A and B contains Fish Habitat as defined by the PPS. A naturalized area of 30 m should remain intact as a buffer to provide shade and habitat for fish, control erosion, and aid in flood attenuation. This can be accommodated by the proposed Environmental Protection zoning. Mitigation and construction recommendations identified in the EIA, including a Restoration Planting Plan, buffer, and other ecological enhancements on the site will lead to an increase in the ecological function of the remaining woodland, and downstream receiving habitat. The recommended buffer will create a visual and physical barrier between the adjacent development and natural features, adding natural value to the development.

The proposed Environmental Protection zone for the Subject Property A (Part 5) and Subject Property B is consistent with the policies of the PPS and will allow for natural heritage features identified on the site to be protected for the long-term.

County of Essex Official Plan

The County of Essex Official Plan (County OP) establishes a comprehensive policy framework for managing growth, protecting resources and providing direction on land use decisions. All planning decisions within the Municipality of Lakeshore are required to conform with the County OP.

Secondary Settlement Area Designation

Subject Property A and B are currently designated as 'Settlement Area' and 'Secondary Settlement Area' in the County of Essex Official Plan (County OP, Schedule A2). Section 4.A.3.7(b) of the County OP states that within Secondary Settlement Areas, new development will generally be limited to infilling, redevelopment on existing lots of record, and limited residential intensification. Subject Property A has frontage on a public road and access to municipal water and sewage services.

County Road 27

As per Section 4.A.3.8(c), new development shall not have a negative impact on traffic management, turning movement, or the overall function of a Provincial Highway or County Road. The County of Essex has provided comments, as included in this report, to address any potential impacts of the proposed development.

Natural Environment Designation

A large portion of Subject Property A and B is identified in the County OP as lands designated “Natural Environment” (Schedule A1), and “Natural Heritage System” (Schedule B). As per County policy, development and site alteration shall not be permitted unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. As previously identified, the Subject Properties contains multiple natural heritage features including Significant Woodlands, Significant Woodlands, and Fish Habitat. The suggested mitigation measures of the EIA include construction timing, site selection, operation of machinery, vegetated protection buffers for natural features, mitigation measures to protect fish and fish habitat, mitigation for potential SAR, restoration planting, homeowner education and best management practices for construction. These measures will allow the proposed development to not only avoid negative impacts on the natural features but also to enhance their ecological functions of the Natural Heritage System Overlay of the Subject Properties.

The EIA concludes that the five existing lots of record on Subject Property A can support residential development if the remaining rear portion of the property is enhanced through a set of mitigation and restoration recommendations. In a Pre-Consultation meeting for the proposed development, it was suggested that the natural heritage features could be transferred to a public entity such as the Municipality or ERCA. These portions of the properties should be rezoned to Environmental Protection.

Intake Protection Zone and Events-Based Area

The County OP identifies the entirety of Subject Property A and B as being an Events-Based Area (EBA, SWP) under Clean Water Act (Schedule C4), as well as an Intake Protection Zone 3 (Schedule C3). According to 7.B.2.8, reference must be made to the Source Protection Plan and accompanying Assessment Report for more complete details and explanations regarding the IPZ-3 and EBA, the threats to drinking water sources, and associated policies. The local municipality should be satisfied that the proposal will not include activities which would be a significant threat in the location proposed.

Flood Prone Area – Inland Watercourses

A large portion of the site is designated as “Area Susceptible to Flooding” in Schedule C1, and contains both flood prone area and inland flood prone area overlays. This is further discussed in the section below under “Inland Flood Prone Areas”. The 1:100 Year Flood Line has been mapped on the Subject Properties and a Hydraulic Impact Assessment has determined that the proposed residential development will not have an

adverse impact on the adjacent Belle River and will not pose a risk to human health and safety provided appropriate measures are taken to flood-proof the dwellings.

The proposed zoning by-law amendment conforms with the County OP.

Municipality of Lakeshore Official Plan

The Municipality of Lakeshore Official Plan (Lakeshore OP) establishes the growth management and land use structure for the Municipality to the year 2031.

Hamlet Designation

The Lakeshore OP designates Subject Properties A and B as 'Hamlet'. As per Section 3.3.3, Hamlet Areas are small rural, predominantly residential Secondary Settlement Areas. The Hamlet Areas may continue to experience limited growth through appropriate *infilling* and development of vacant lands. In Hamlet Areas, development should maintain a rural settlement character and evolve as service and residential centres for the surrounding agricultural community. Permitted residential uses include low density residential dwellings (Section 6.3.1). The proposal to rezone the Parts 1 to 4 of Subject Property A from Hamlet Commercial Zone Exception 10 (HC-10) to Hamlet Residential (HR) to allow for residential dwellings on the currently vacant and underutilized lands conforms with the policies of the Hamlet Area designation.

Natural Heritage Features

As per Section 6.3, Development within the Hamlet Designation will also be subject to the policies of Section 5.0 and Schedule B to identify any natural resources, natural heritage features and areas, and natural hazards, which may be a constraint to development. Subject Properties A and B contains designated 'Significant Valley Lands', and 'Woodland'. In areas marked Significant Valleylands, development and site alteration shall not be permitted unless it has been demonstrated through an EIA that there will be no negative impacts on the natural features or their ecological functions. An EIA has been prepared in support of the application.

Inland Floodprone Area

Subject Properties A and B contains designated 'Inland Floodprone Areas'. As per Section 5.4.1.2(g), any new development permitted within the Inland Floodprone Area must meet minimum flood protection standards to the satisfaction of the Municipality and the appropriate Conservation Authority. This has been addressed through Hydraulic Assessment submitted with the application. It was confirmed that the proposed development would not encroach into the floodway, and there would be no impact to water levels of the Belle River. The Hydraulic Assessment also indicated that property is at a higher elevation at the south end and lower elevation at the north end. All proposed homes were found to be above the floodproofing elevation.

The proposed zoning by-law amendment conforms with the Municipality's OP.

Lakeshore Zoning By-law 2-2012

Subject Property A is currently zoned Hamlet Commercial Zone Exception 10 (HC-10) in the Lakeshore Zoning By-law 2-2012. Within the Hamlet Commercial (HC) zone, residential uses are not permitted, except for accessory dwelling unit(s) in combination with a non-residential use.

A Zoning By-law Amendment is required to change the existing zone for Parts 1 to 4 of Subject Property A from Hamlet Commercial Zone Exception 10 (HC-10) to Hamlet Residential (HR) to permit the construction of residential dwellings. Within the Hamlet Residential (HR) Zone, the Zoning By-law permits single detached dwellings and semi-detached dwellings.

The proposed Zoning rezoning to Hamlet Residential will permit the applicant to construct single-family residential development consisting of single-detached and semi-detached residential dwellings.

The following zoning provisions apply to the existing Hamlet Commercial Zone Exception 10 (HC-10) and the proposed Hamlet Residential (HR) zones:

Provision	Existing Zone (HC)	Proposed Zoning (HR)
Minimum Lot Area	2,000 m ²	<i>detached dwelling</i> , where municipal sanitary servicing is available); or 2,000 m ² (<i>single detached dwelling</i> , where municipal sanitary servicing is unavailable); or 270 m ² (<i>semi-detached dwelling</i> , where municipal sanitary servicing is available); or 1,100 m ² (<i>semi-detached dwelling</i> , where municipal sanitary servicing is unavailable)
Minimum Lot Frontage	23.0 m	<i>detached dwelling</i> , where servicing available); or 23.0 m (<i>single detached dwelling</i> , where municipal sanitary servicing is unavailable); or 9.0 m, except on a <i>corner lot</i> where it shall be 12.0 m (<i>semi-detached dwelling</i> , where servicing available); or

		12.0 m, except on a <i>corner lot</i> where it shall be 15.0 m (<i>semi-detached dwelling</i> , where municipal sanitary servicing is unavailable)
Maximum Lot Coverage (including accessory buildings)	30%	35%
Minimum Landscaped Open Space	25%	30%
Minimum Setbacks (main buildings):		
Front Yard*	3.0 m	7.5 m
Rear Yard	10.5 m (where the <i>building</i> contains residential <i>dwelling</i> s); or 9.0 m (where the yard abuts a residential <i>zone</i>); or 7.5 m for all other cases	7.5 m
Interior Side Yard	6.0 m (where the <i>building</i> contains residential <i>dwelling</i> s); or 9.0 m (where the yard abuts a residential <i>zone</i>); or 3.0 m for all other cases	1.5 m (where a private <i>garage</i> is <i>attached</i> or <i>detached</i> from the <i>main building</i>); or 3.0 m on one side and 1.5 m on the other side (where no private <i>garage</i> is <i>attached</i> or <i>detached</i> from the <i>main building</i>)
Exterior Side Yard	3.0 m	4.5 m
Maximum Height of Buildings and Structures	10.5 m	10.5 m
Other Provisions	<i>Buffer Strip</i> : 4.5 m shall be provided abutting the side and <i>rear lot lines</i> , where <i>zone</i> abuts a residential, institutional or recreational <i>zone</i>	

The rear portion of Subject Property A and Subject Property B contain “Inland Floodplain Development Control” overlays. Section 6.34 Fill and Flood Control

Regulations for (a) Inland Floodplain Development Control Area states:

- i) With the exception of a permeable fence of a design satisfactory to the applicable Conservation Authority, the construction or reconstruction of any building or structure, within the floodway is prohibited; and
- ii) Lands that are within the Inland Floodplain Development Control Area, as shown on Schedule A of this By-law, but outside of the floodway, may be used in accordance with the provisions of the underlying zone in which the lot is located. However, all habitable spaces of buildings shall be flood-proofed in a manner satisfactory to the Town in consultation with the applicable Conservation Authority in accordance with all applicable Ontario Regulations to ensure that building openings are located above the elevation of the 1:100 Year flood level at the building location. satisfactory to the Town in consultation with the applicable Conservation Authority in accordance with all applicable Ontario Regulations to ensure that building openings are located above the elevation of the 1:100 Year flood level at the building location.

The rear portion of Subject Property A and including Subject Property B contains 'Woodlands' and 'Significant Valleylands (ERCA)' overlays. The overlays are subject to the General Provisions of Section 6.5: Natural Heritage Overlay (which includes Woodlands and Significant Valleylands, as identified in the Town of Lakeshore Official Plan). Where the Natural Heritage Overlay is shown on Schedule A, the following provisions shall apply:

- a) Notwithstanding any other provisions of this By-law to the contrary, no person shall remove or alter a woodland or other Provincially identified significant natural heritage feature or area except in a manner specified by the Town in consultation with the applicable Conversation Authority.
- b) Development may be subject to the completion of an Environmental Impact Assessment in accordance with the policies of the Official Plan and shall be subject to approval by the Town in consultation with the applicable Conservation Authority.
- c) Subject to subparagraphs (a) and (b) above, all permitted uses, lot and building requirements shall be in accordance with the underlying zone where the Natural Heritage Overlay is shown and in accordance with any other applicable provisions of this By-law.

Subject to the regulations set out in the Lakeshore Zoning By-law, the proposed zoning by-law amendment shall conform with the Municipality's Zoning By-law.

Part Lot Control

Following rezoning of Subject Properties A and B, the permitted uses of the lots fronting on County Road 27 will include single-detached and semi-detached Dwellings. If the

proponent or a subsequent purchaser of the lands chooses to construct semi-detached dwellings, a Part Lot Control application may be required to divide the lot along the shared wall of the semi-detached dwellings.

Conclusion

In addition to this rezoning application, the applicant has also requested a reduced setback from the Municipal drain located to the north of Subject Property A to accommodate development of the site. As noted by Operations in their comments, there is a significant risk for future maintenance and repairing of the closed drain with this large of a setback. It is not recommended to permit the reduced setback from the drain based on these concerns at this time for the rezoning application since the layout of the homes is not finalized. Once the lot layout is decided, the reduced setback can be reconsidered. In addition, when the development proposal is submitted, the recommendations of the EIA for natural heritage or flooding concerns will be implemented through a development agreement with the Municipality and the owner.

It is recommended that Council approve Zoning By-law Amendment Application ZBA-01-2025 on the basis that the proposed rezoning is appropriate and suitable for the Subject Properties and is consistent with the Provincial Planning Statement and conforms with the County of Essex Official Plan and the Lakeshore Official Plan.

Others Consulted

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

Financial Impacts

There are no adverse financial budget impacts resulting from the recommendation. Additional costs may arise in the case of an appeal to the Ontario Land Tribunal.

This report was prepared by Matt Alexander, Planning Consultant (WSP)

Attachments

Appendix A – Key Map
Appendix B – Draft 12R for 0 County Road 27
Appendix C – Agency and Department comments

Report Approval Details

Document Title:	Zoning By-law Amendment - ZBA-01-2025 - 0 County Road 27.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - Key Map.pdf- Appendix B - Draft 12R for 0 County Road 27.pdf- Appendix C - Agency Comments.pdf
Final Approval Date:	May 12, 2025

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

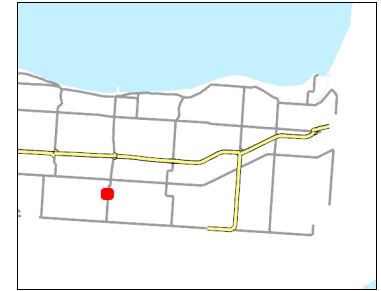
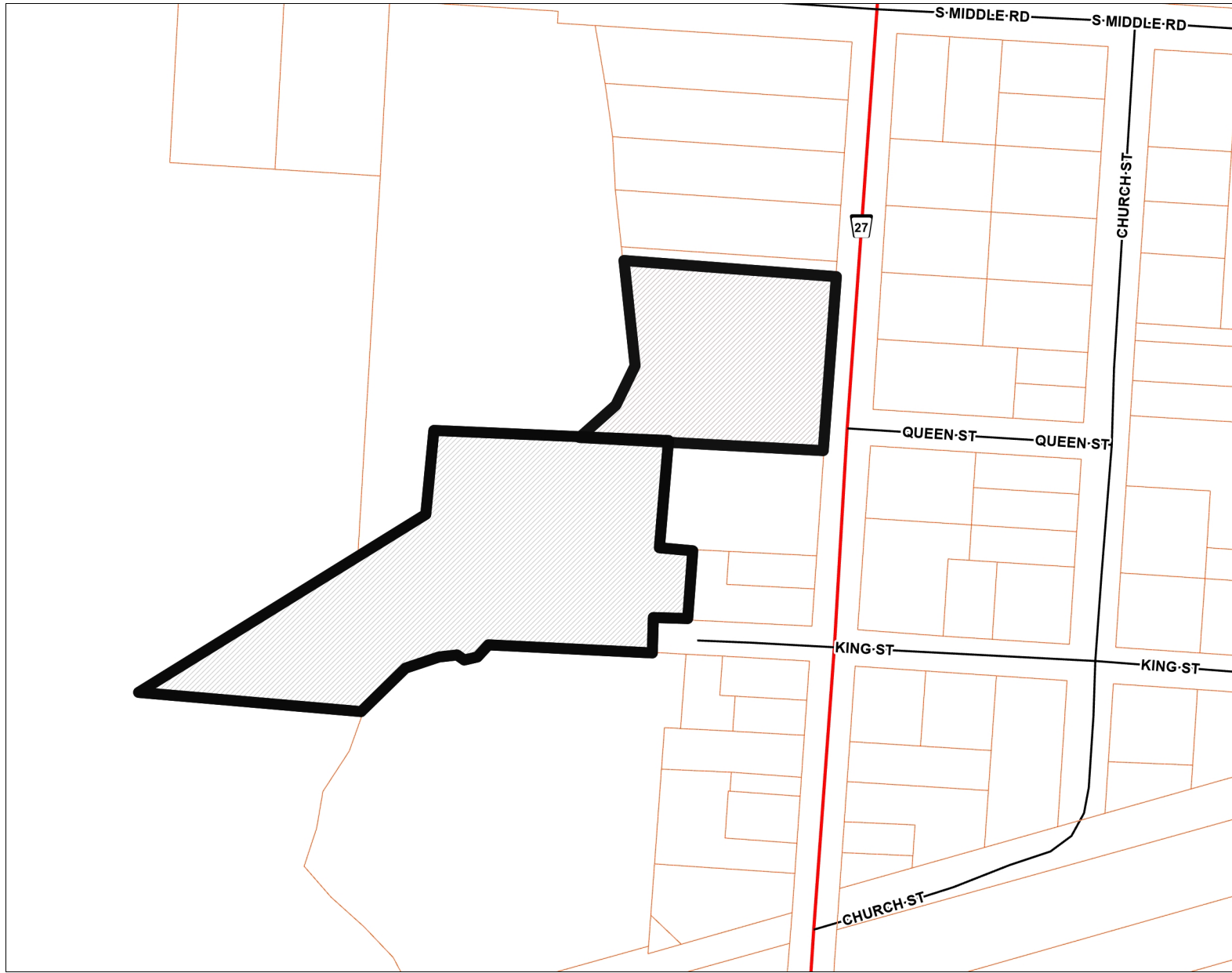
Prepared by Urvi Prajapati

Submitted by Daniel Mercer and Tammie Ryall

Approved by the Corporate Leadership Team



ZBA-01-2024 (0 County Road 27 & 0 King Street)



Legend

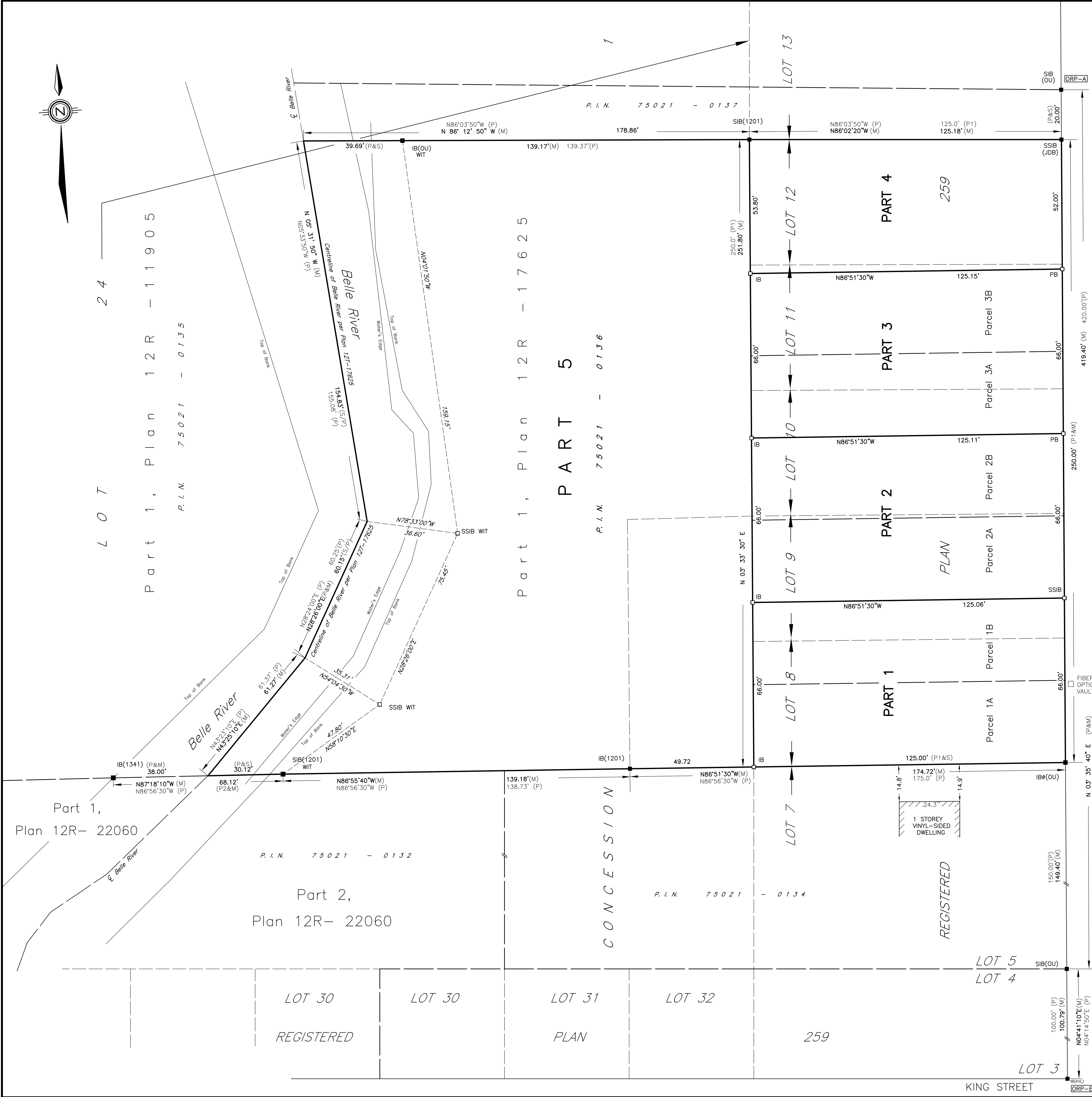
- Tax Parcel
- WorkingParcel
- Street Centreline
 - CNTY
 - LAK
 - PRIV
 - PROV
 - <all other values>

1:2,565



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



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE MARCH 6, 2023

ANDREW S. MANTHA
ONTARIO LAND SURVEYOR

PLAN 12R-
RECEIVED AND DEPOSITED

DATE

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

PARTS SCHEDULE

PART	LOT	CON/PLAN	P.I.N.	AREA
1	LOT 8 & PART LOT 9	REGISTERED PLAN 259	ALL OF 75021-0136	8252 Sq.Ft.
2	PART LOTS 9 and 10			8256 Sq.Ft.
3	PART LOTS 10 & 11			8258 Sq.Ft.
4	LOT 12 and PART LOT 11			6620 Sq.Ft.
5	PART OF LOT 24	CONCESSION 1		1.00 Ac.

PLAN OF SURVEY
OF
LOTS 8 to 12, (Incl.)
REGISTERED PLAN 259
AND
PART OF LOT 24
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF MAIDSTONE
NOW IN THE
TOWN OF LAKESHORE
COUNTY OF ESSEX, ONTARIO
VERHAEGEN LAND SURVEYORS - A DIVISION OF J.D. BARNES LTD.

SCALE : 1"=20'
0 10.0 20.0 40.0 60.0 FEET 100.0

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

NOTES
BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).
DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999824.

LEGEND
■ DENOTES SURVEY MONUMENT FOUND
□ DENOTES SURVEY MONUMENT SET
SIB DENOTES STANDARD IRON BAR
SSIB DENOTES SHORT STANDARD IRON BAR
IB DENOTES IRON BAR
PK DENOTES CONCRETE NAIL
PB DENOTES PLASTIC BAR
WIT DENOTES WITNESS
M DENOTES MEASURED
S DENOTES SET
JDB DENOTES J.D. BARNES LIMITED
ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.REG. 525/91.
(S/P) DENOTES SET PROPORTIONALLY (OU) DENOTES ORIGIN UNKNOWN
(P) DENOTES PLAN 12R-17625 (P1) DENOTES R.P. 259
(P2) DENOTES PLAN 12R-22060
(1744) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.
(1341) DENOTES RICHARD W. MURRAY, O.L.S.
(1201) DENOTES CLARKE SURVEYORS INC., O.L.S.
(KVL) DENOTES VERHAEGEN AND BEZAIRE LIMITED, O.L.S.

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0). COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) O.REG. 216/10		
POINT	ID	NORTHING
ORP-A		N15333340.80
ORP-B		N15332944.75
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

FOR BEARING COMPARISON, A ROTATION OF 1° 10' 00" CLOCKWISE WAS APPLIED TO PLAN 12R-17625 TO CONVERT TO GRID BEARINGS.
THE RESULTANT TIE BETWEEN ORP 'A' AND ORP 'B' IS 520.18' (GROUND), N03°48'20"E.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 14th DAY OF FEBRUARY, 2023.

DATE JUNE 19, 2023
ANDREW S. MANTHA
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS SUBMISSION FORM NUMBER 2162957.

VERHAEGEN
LAND SURVEYORS
A DIVISION OF J.D. BARNES LTD.
944 OTTAWA STREET, WINDSOR, ON, N8X 2E1
T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

DRAWN BY: A.S.M.	CHECKED BY: A.S.M.	REFERENCE NO.: 21-47-338-02
FILE: 21-47-338-02.dwg	E-259-0	CAD Date: June 19, 2023 11:02 AM CAD File: 21-47-338-02.dwg

3000 x 2000 x 2000 (31.42)



2025-05-09

File Number: 1068-25

Urvi Prajapati
Municipality of Lakeshore
419 Notre Dame Street,
Belle River, ON
N8L 0P8

planning@erca.org

P.519.776.5209

F.519.776.8688

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

RE: Rezone to EP and HR
COUNTY RD 27
Municipal File Number: ZBA-01-2025

The Municipality of Lakeshore has received Application for Zoning By-Law Amendment ZBA-01-2025 for the above noted subject lands. The subject lands are designated "Hamlet" in the Lakeshore Official Plan and zoned "Hamlet Commercial zone exception 10 (HC-10)", "Agriculture (A)" and "Hamlet Residential (HR)" under the Lakeshore Zoning By-law 2-2012.

The applicant proposes to change the zoning of five (5) existing lots of record fronting onto County Road 27 from Hamlet Commercial exception 10 (HC-10) to Hamlet Residential (HR-12) to permit residential development with a reduced setback from a municipal drain, and to change the zoning of an existing backlot parcel from Hamlet Commercial exception 10 (HC-10) to Environmental Protection (EP) for conservation purposes.

The proposal also includes the rezoning of 0 King Street from Agriculture (A) and Hamlet Residential (HR) to Environmental Protection (EP).

Council will consider an amendment to Lakeshore Zoning By-law 2-2012, as amended (File: ZBA-23-2024), under Section 34 of the Planning Act, R.S.O.1990, c.P.13.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT. O. REG 686/21

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the Conservation Authorities Act.

The above noted lands are subject to our Regulation under the Conservation Authorities Act (Ontario Regulation No. 41/24). The parcel falls within the regulated area of the Belle River. If any new construction is proposed, the property owner will be required to obtain an approval from the Essex Region

Urvi Prajapati
May 9, 2025

Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.

We note that our office understands the proposed setback reduction is referring to a reduced setback to the Brandt Outlet Drain along the north side of the property, which is an enclosed municipal drain and is not subject to regulation by ERCA. Our office notes that we have previously received and reviewed a Hydraulic Impact Assessment, prepared by Landmark Engineering Inc., and dated November 30, 2023, in support of this application. Future development on this site will be subject to appropriate setbacks from the natural hazard.

FINAL RECOMMENDATION

Please continue to circulate our office with future Planning Act applications for this site, as we may have further comments to provide regarding stormwater management or other natural hazard matters. As noted above, the property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act. Additionally, future development on this site will be subject to appropriate setbacks from the natural hazard.

Sincerely,



Alicia Good
Watershed Planner



April 1, 2025

Mr. Matt Alexander
Municipality of Lakeshore
419 Notre Dame Street
Belle River, Ontario
N0R 1A0

Re: Zoning By-law Amendment, ZBA-01-2025

Please be advised that the County has reviewed the aforementioned application. Comments are engineering-related only, and the application has not been reviewed from a planning perspective. The subject lands have frontage on County Road 27. The Applicant will be required to comply with the following County Road regulation:

County By-Law Number 2481 – A By-Law to Provide for the Protection of Highways and to Provide for the Installation of Entrance Ways.

County By-Law Number 2480 – A By-Law of the Corporation of the County of Essex to Regulate the Location of Buildings and Structures on Land Adjacent to County Roads.

The minimum setback for any proposed structures on this property must be 26 feet from the property limit. Permits are necessary for any changes to existing entrances and structures, or the construction of new entrances or structures.

We are requesting a copy of the Decision of the aforementioned application. Thank you for your assistance and cooperation in this matter.

Should you require further information, please contact the undersigned by email at kbalallo@countyofessex.ca or by phone at extension 1564.

Regards,

Kristoffer Balallo
Engineering Technologist

519-776-6441
TTY 1-877-624-4832

360 Fairview Ave. W.
Essex, ON N8M 1Y6

 countyofessex.ca

Date: May 9, 2025
From: Vaibhav Desai – Team Leader – Development Engineering & Approvals
To: Community Planning Division
Re: ZBA-01-2025 – 0 County Road 27 (Beside 2517 County Road 27)
Municipality of Lakeshore

We received the following documents and drawings for ZBA-01-2025 and have outlined our comments below:

- Report on Proposed Drain Setback dated February 4th, 2025
- Environmental Impact Assessment dated March 16th, 2023
- Hydraulic Impact Assessment dated November 30th, 2023
- RSC Acknowledgement Letter dated August 25th, 2023
- Plan of Survey of Lots 8 to 12 dated June 19th, 2023

Engineering Comments:

- The minimum setback between any building or structure from a covered municipal drain shall be 8.0 m from the centreline of the covered municipal drain for future maintenance as per our Zoning By-law 2012. Based on the past installation of structures (pre-2000), access to the easement is limited to the north. Based on the above by-law and past noted restriction (pre-by-law), the minimum setback of 8.0 meters should be adhered to in this case.
- The subject property area is located within the South Woodslee Service Area which has the sanitary treatment and conveyance capacity available to service the proposed lots. It should be noted that this area requires the installation of individual sewage holding tanks for each property/unit to connect to the Municipal sanitary sewer system (which consists of a sanitary forcemain). These tanks are required to be supplied and installed by Lakeshore's approved third-party contractor (unless otherwise approved) at the sole cost and expense of the developer/property owner. Buy in fees related to sanitary system are also applicable. After primary installation, the sanitary tanks will be the responsibility of Lakeshore to maintain, and all associated maintenance cost will be the responsibility of Lakeshore.

Vaibhav Desai

Team Leader – Development Engineering & Approvals

Approved by: Krystal Kalbol, P.Eng.

PRESENTATION TO

Municipality of Lakeshore Council

Tuesday, May 20th, 2025



WE GO *Together*

[visitwindsoressex.com](https://www.visitwindsoressex.com)



Page 25 of 112

Our Mission

We are the leading tourism industry collaborative committed to enhancing the economy and quality of life through:

- **Supporting industry development and individual operators**
- **Actively facilitating partner engagement**
- **Effectively marketing our destination**

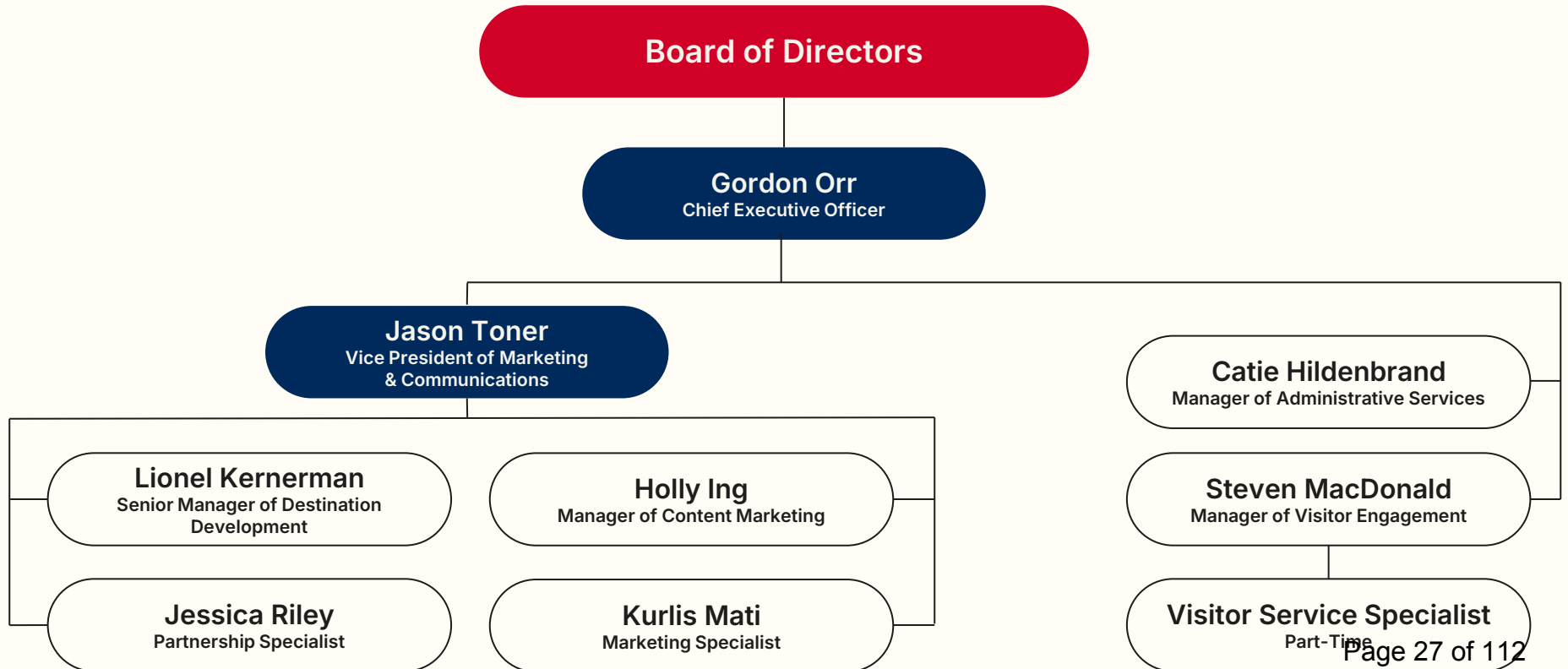


The official Destination Marketing Organization for our region's tourism industry.



ACCREDITED BY:  **DESTINATIONS INTERNATIONAL**

Organizational Chart



Board of Directors



Executive

Mayor Crystal Meloche

Town of LaSalle, Chair

Councillor Renaldo Agostino

City of Windsor, Vice-Chair

Gordon Orr*

Tourism Windsor Essex Pelee Island,
Secretary Treasurer

**Non-voting member*

Directors

Mayor Drew Dilkens

City of Windsor

Councillor Angelo Marignani

City of Windsor

Jordan Goure

President and CEO Picsume

Warden Hilda MacDonald

County of Essex

Mayor Dennis Rogers

Town of Kingsville

Scott Wilkins

Owner Dancing Swallows Vineyard

Mayor Cathy Miller

Township of Pelee

Natalie Lepine

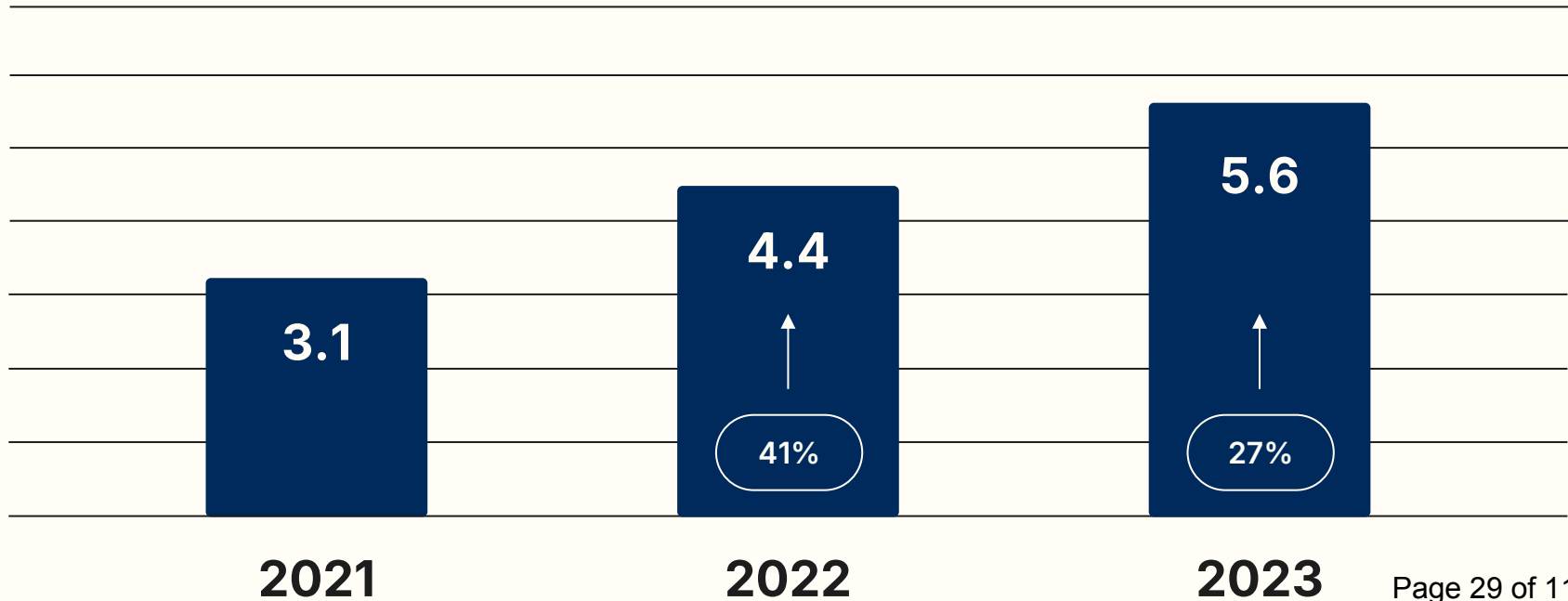
Director, Hotel Sales and Hotel
Operations, Caesars Windsor

Patti Lauzon

Executive Director Windsor
Symphony Orchestra

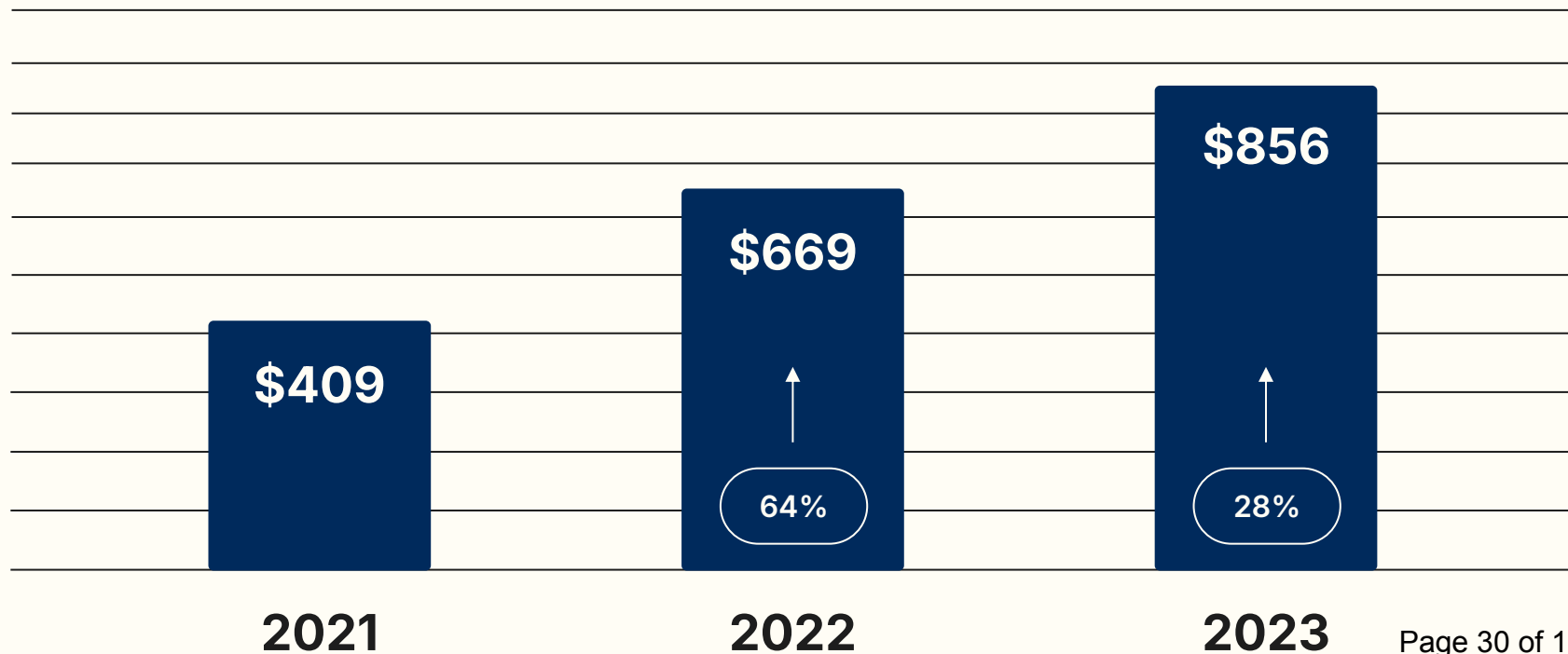
Visitors

Amount of Visitors in Millions



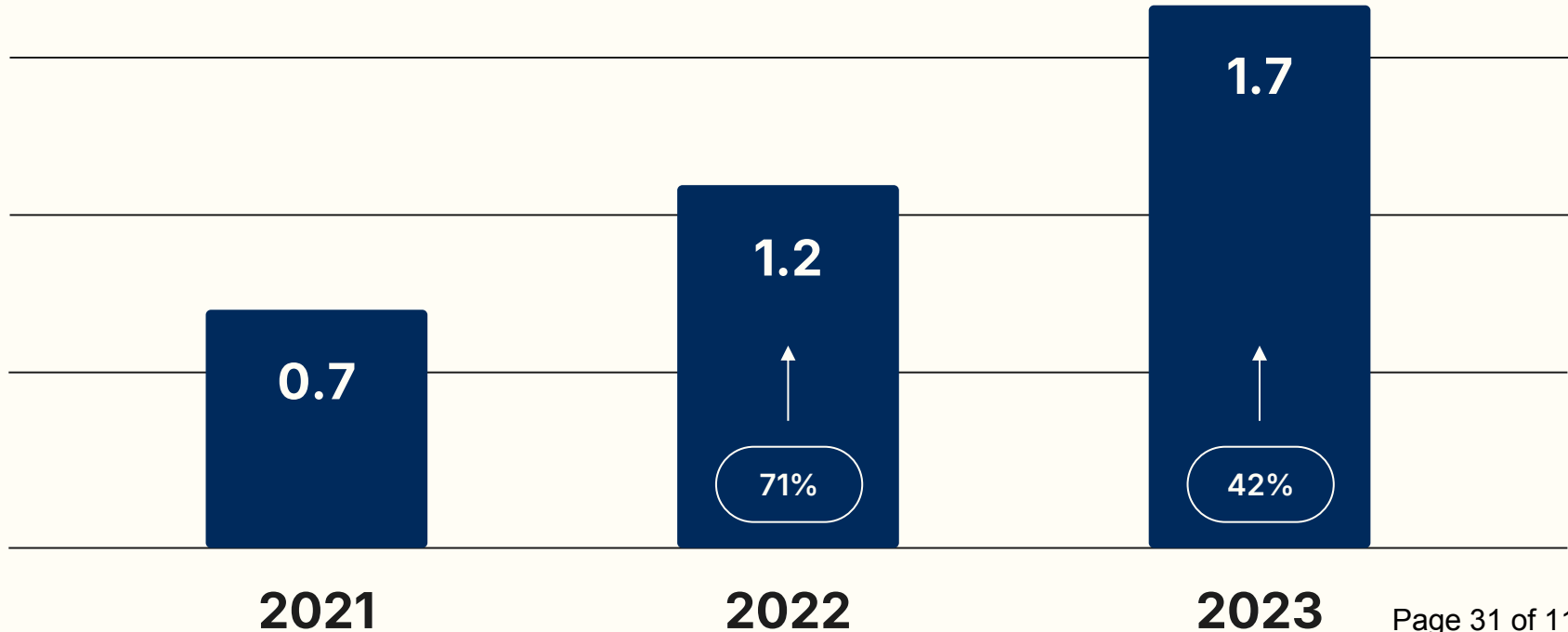
Visitor Spend

Amount in \$ Millions

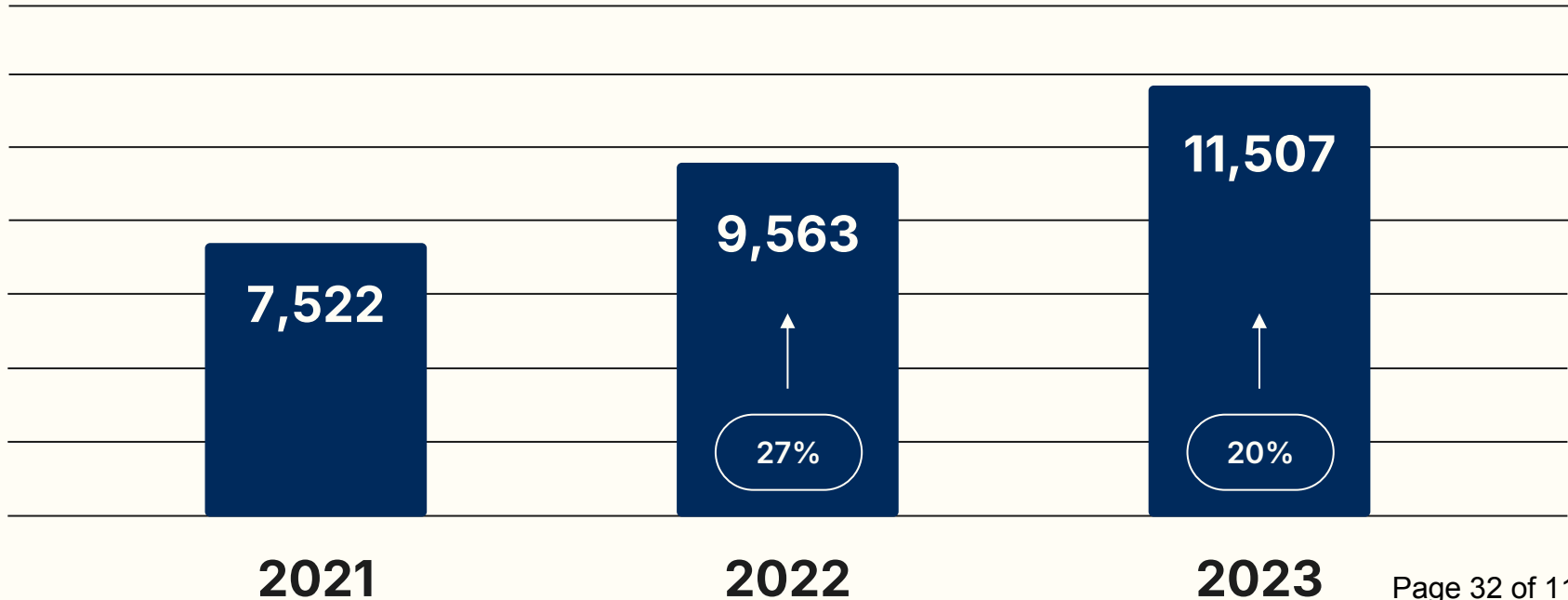


U.S. / International Visitors

Amount of Visitors in Millions



Tourism Workforce



Hotel Indicators

Occupancy Rate

69.8%

Up 0.14%

Average Daily Rate

\$149.62

Up \$5.58

*Note: YOY December 31, 2024 vs December 31, 2023



Total Social Reach

76.6k



26.6k



16.8k



2.6k



9.8k



20.8k

Destination Playbook

DINE
#YQG BARRELS
& BOWLS
#CRAFTBEER

WINE
Country

FOOD & DRINK
#BARREL
TRAIL

PLAY
-IN-
YQG

VISITWINDSORSESSEX.COM

ARTS & CULTURE

TUFTED TITMOUSE



History
POUKS
FROM THIS
PLACE

#WHISKY

WINDSOR • AMHERSTBURG • ESSEX • KINGSVILLE • LAKESHORE
LASALLE • LEAMINGTON • TECUMSEH • PEELEE ISLAND

2025

TOURISM WINDSOR ESSEX PEELEE ISLAND
**DESTINATION
PLAYBOOK**



World Class
GAMING

WHERE THE PAST
Meets the Present



**BEST OF
WINDSOR
ESSEX**



**TWO-NATION
DESTINATION**



COFFEE
CULTURE

MUSEUMS WITHOUT WALLS

Lake to
PLATE

GONE FISHIN'

ISLAND LIFE

Outdoor
ADVENTURE



2-WHEELED
ADVENTURE

TIP OF CANADA

FOLLOW THE
FLAVOURS



ONE OF A
KIND Finds

#WEMADEIT

Pedal & Paddle
BIRDING



WE LOCAL



Food & Drink



Arts & Culture



Outdoor Adventure



Entertainment



2024/2025 Official Visitor Guide

259k

Digital Page Views

40k

Print Distribution

276

Advertising Partners

2025/2026 Official Visitor Guide

Release date: Thursday April 24th



Night **MARKET** **HOP**

The graphic features the text "Night MARKET HOP" in a stylized font. "Night" is in a white script font, while "MARKET" and "HOP" are in a bold, white, distressed sans-serif font. The text is centered on a dark red background with a subtle grid pattern. Below the word "HOP", there is a white dotted arc with a small white bird icon at its base. Five white location pin icons are scattered around the text: one in the top right, one in the middle right, one in the bottom right, one in the bottom left, and one in the middle left.

Destination Ontario Partnerships



2024 U.S. Digital Campaign:

510k

Unique Visitors

2024 U.S. Broadcast Partnership:

21.7m

Viewers

2025 Partnerships:

Winter Seasonal Spotlight - Rest & Relax
January & February

U.S. Digital Campaign
May - July & August - September

Canadian Broadcast Partnership
June

U.S. Broadcast Partnership
April & September

ANNUAL GENERAL MEETING

Save the Date

Thursday June 12th



Municipal Accommodation Tax (MAT) Purpose & Benefits

- In 2017, the province enacted **O. Reg. 435/17 ('Transient Accommodation Tax')**, which granted municipalities authority to implement a MAT if they choose to:
- **Purpose of the MAT**
 - To support local tourism growth and development while providing municipalities with another source of revenue.
 - Amplifying existing tourism investments through marketing and product development.
- **MAT Benefits**
 - Developing and sustaining local tourism economics - economic resilience.
 - Increasing the ROI of local tourism offerings through diversified income.
 - Revenue/seed funding for municipalities.

MAT - Regulatory Overview

- **Spending Restrictions on Tourism Entity Portion of MAT?**
 - Yes. Their portion of MAT must be spent on activities that promote tourism, which includes the development of tourism products.
- **Spending Restrictions on Municipal Portion of MAT?**
 - No. The municipality retains discretion on how to spend its portion of MAT revenues with an aim to support tourism.

MAT By-Law Requirements

As per Municipal Act, section 400.1

- **A MAT By-Law Must State:**

- Subject of the tax to be imposed
- Tax rate or amount of tax payable
- How the tax is to be collected

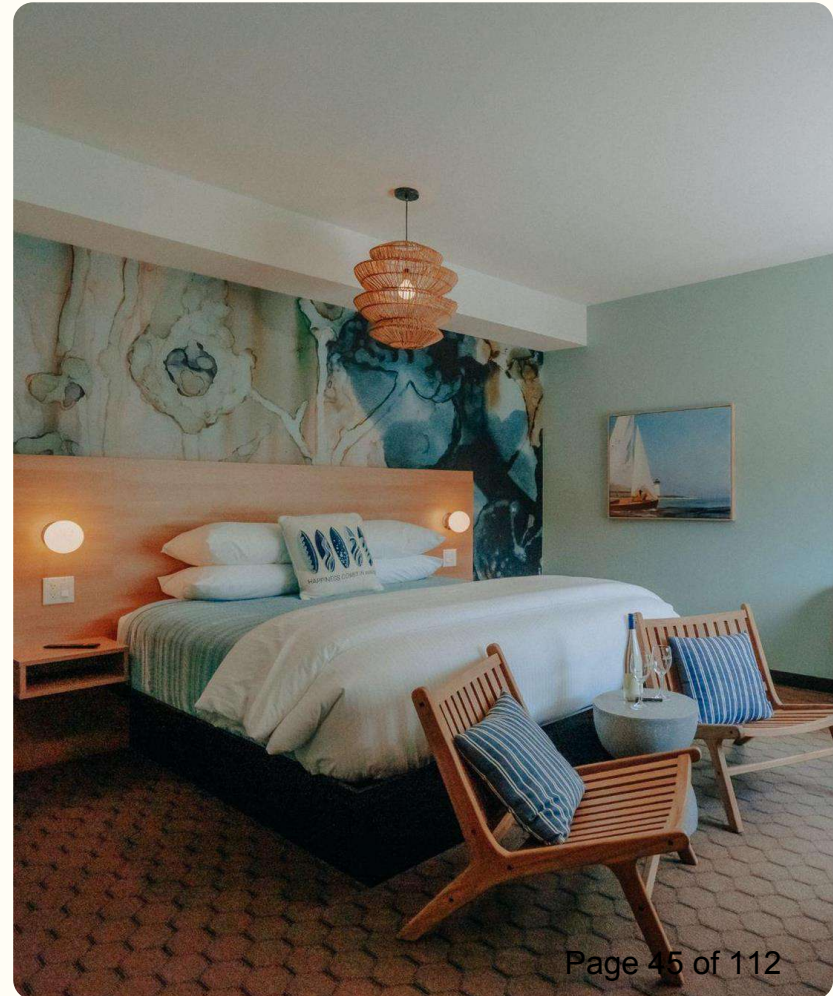
- **Other By-Law Contents**

- Exemptions
- Rebates
- Penalties, interest on outstanding taxes/penalties, assessment of outstanding tax/penalties/interest
- Audit and inspection powers
- Dispute resolution mechanism
- Enforcement measures

Board Direction

Received direction from our board to investigate the implication of a MAT for Essex County towns/municipalities.

1. **May 2024 - CAO Regional Meeting**
2. **June 2024 - Hosted a MAT Tax Workshop with TIAO**
3. **January 2025 - Hosted a follow-up meeting**
4. **Next Step: April/May 2025 - Visit each municipality/town council meeting**



MAT- Municipality of Lakeshore

165

Accommodation Listings
Short Term Rentals & Hotels/Motels

MAT- Municipality of Lakeshore

50%

Occupancy Rate

MAT – Municipality of Lakeshore

\$8.6m

Total Estimated Revenue

MAT – Municipality of Lakeshore

\$344k

MAT 4%

\$518k

MAT 6%

\$172k

Lakeshore Share

\$259k

Lakeshore Share

\$172k

TWEPI Share

\$259k

TWEPI Share

MAT- County of Essex

1,243

Accommodation Listings

\$41.9m

Total Estimated Revenue

\$1.7m

MAT 4%

\$2.5m

MAT 6%

Proposed Mechanics

1

Collection Agency - Regional Shared Service with City of Windsor

- 2% or 3% to the municipality/town
- 2% or 3% to Tourism Windsor Essex Pelee Island

2

By-law - City of Windsor template

Sample By-law

Corporation of the City of Windsor

BY-LAW NUMBER 133-2018

A BY-LAW TO ESTABLISH A MUNICIPAL ACCOMMODATION TAX IN THE CITY OF WINDSOR

Passed the 17th day of September, 2018.

WHEREAS section 400.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the "Act"), provides that the council of a local municipality may pass by-laws imposing a tax in respect of the purchase of transient accommodation within the municipality;

AND WHEREAS pursuant to section 400.1 of the *Act* and Ontario Regulation 435/17, the Council of the Corporation of the City of Windsor has approved the imposition of a new Municipal Accommodation Tax on the purchase of transient accommodation in the City of Windsor;

THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

DEFINITIONS

1. In this by-law,

"Accommodation" means Lodging, and the right to use Lodging, that is provided for monetary compensation, whether or not the lodging is actually used, for a continuous period of thirty days or less;

"Bed and Breakfast" means a home-based business for the temporary Accommodation of the traveling public located within a single detached

Growth in Municipal Funding

City of Windsor

- MAT in City of Windsor at 4% started on October 1, 2018 and funding has grown since 2019 by 27%
- Increase to 6% MAT effective April 1, 2025
- City/County Funding - based on 2011 census per capita
 - 2011 - City 55% County 45%
 - 2024 - City 66% County 34%

In Closing

Motion from the Board of Directors

That the Board of Directors ENDORSES the need to implement a Municipal Accommodation Tax (MAT), throughout the towns/municipalities in Essex County, and encourages all Councils do so in an effort to benefit from the revenue stream derived, thereby supporting tourism infrastructure and marketing programs. FURTHER, that Tourism Windsor Essex Pelee Island be the designated tourism entity to receive 50% of the monies collected (distribution of revenues to be 50/50 based on the net revenues (total revenues less cost/expenses of collection agency); the City of Windsor to be the collection agency and that Town/Municipal responses are respectfully received by August 31, 2025 in order to plan a path forward.



*Thank
You!*



TOURISM
**WINDSOR
ESSEX**
PELEE ISLAND

Windsor • Amherstburg • Essex • Kingsville • Lakeshore • LaSalle • Leamington • Pelee Island • Tecumseh

Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, April 29, 2025, 5:00 PM

Council Chambers, 419 Notre Dame Street, Belle River



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

Staff Present: Chief Administrative Officer Tyson Cragg, Deputy Chief Administrative Officer - Chief Financial 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, Chief Workforce Development Officer Lisa Granger, Division Leader - Bylaw Robert Sassine, Division Leader - Capital Projects Wayne Ormshaw, Division Leader - Communication and Engagement Alex Denonville, Division Leader - Legislative Services Brianna Coughlin, Division Leader - Public Works Jeff Wilson, Fire Chief Jason Suchiu, Team Leader - Legislative Services Cindy Lanoue, IT Technical Analyst Erik Pelland

1. Call to Order

Mayor Bailey called the meeting to order at 5:08 PM in Council Chambers.

2. Closed Session

109-04-2025

Moved By Councillor Vogler

Seconded By Councillor Hoffman

Move into closed session in Council Chambers at 5:08 PM in accordance with:

- a. Paragraph 239(2)(c) of the *Municipal Act, 2001* to discuss a proposed or pending acquisition or disposition of land by the municipality relating to the Notre Dame Street area.

- b. Paragraph 239(2)(c) of the *Municipal Act, 2001* to discuss a proposed or pending acquisition or disposition of land by the municipality relating to the Tecumseh Road area.

Carried Unanimously

Council returned to open session at 5:15 PM. Mayor Bailey called a recess at this time and reconvened the meeting at 6:03 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**
- 10. **Public Presentations**

1. 927 St. Joachim L'Association - Funding Request

Mr. Paul Mullins, representing the not-for-profit 927 St. Joachim L'Association, presented a funding request on behalf of the association.

Mr. Mullins amended the request that was submitted in the agenda, noting that they would like to amend item #3 to waive the fee for removing the hold symbol, remove #4 and request that item #5 be considered by Council at the next budget meeting.

110-04-2025

Moved By Mayor Bailey

Seconded By Deputy Mayor Walstedt

That 927 St. Joachim L'Association be provided the annual support of \$11,500 grant, aligned with the grants to local museums.

Carried Unanimously

111-04-2025

Moved By Councillor Vogler

Seconded By Councillor McNamara

Direct Administration to bring forward a request regarding the issuance of charity donation receipts for not-for-profit organizations and the steps required to do so.

Carried Unanimously

11. Delegations

12. Completion of Unfinished Business

13. Approval of Minutes

112-04-2025

Moved By Deputy Mayor Walstedt

Seconded By Councillor McNamara

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

1. April 8, 2025 Regular Council Meeting Minutes

Carried Unanimously

14. Consent Agenda

113-04-2025

Moved By Councillor Kerr

Seconded By Councillor Vogler

Receive the items as listed on the Consent Agenda.

1. Rat Abatement Program
2. Strong Mayor Powers under the *Municipal Act, 2001*

Carried Unanimously

15. Reports for Direction

1. 2025 Contract Award for the Purchase of Two Large Fleet Vehicle

Councillor McNamara declared a conflict of interest on this matter and left the Council Chambers at 6:45 PM.

114-04-2025

Moved By Councillor Ruston

Seconded By Deputy Mayor Walstedt

Award the contract to Viking-Cives Ltd for the purchase of two (2) 2026 47 x Tandem Axle, Cab, Chassis, One Way Plow and Wing from Western Star Team Truck Center in the amount of \$972,133.63 (including applicable HST); and

Approve the disposal of the Public Works Service Trucks Unit #623 and 618 in accordance with the Sale of Corporate Vehicles Policy AD-209, returning the applicable disposal funds to the Vehicle and Equipment Reserve, as presented at the April 29, 2025 Council meeting.

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

Conflict (1): Councillor McNamara

Carried

Councillor McNamara returned to the Council Chambers at 6:47 PM.

2. 2026 Contract Award for the Purchase of One Motor Grader and Attachments

115-04-2025

Moved By Councillor Santarossa

Seconded By Councillor Ruston

Award the contract for the purchase of a 2026 Motor Grader Model #140LVR and attachments to Toromont Cat in the amount of \$599,620.80 and;

Approve the disposal of the Public Works Motor Grader Unit #304 in accordance with the Sale of Corporate Vehicles Policy AD-209, returning the applicable disposal funds to the Vehicle and Equipment Reserve, as presented at the April 29, 2025 Council meeting.

Carried Unanimously

3. Tender Award - 2025 Supply and Place Gravel Program

116-04-2025

Moved By Councillor Kerr

Seconded By Councillor McNamara

Award the 2025 Supply and Place Gravel Program in the total amount of \$428,877.70, including applicable HST, based on the below schedules:

Schedule 1 – Supply and Place Gravel to Shepley Excavating & Road Maintenance Ltd. in the amount of \$284,989.06, including applicable HST; and

Schedule 2 – Supply and Stockpile Gravel to Quinlan Inc. in the amount of \$143,888.64 including applicable HST; and further,

Approve the overage amount of \$33,877.70 to be funded from the Roads Reserves, all as presented at the April 29, 2025 meeting all as presented at the April 29, 2025 meeting.

Carried Unanimously

4. RFT for Comber Gathering Centre (Design Build)

117-04-2025

Moved By Councillor Vogler

Seconded By Councillor Hoffman

Award the tender for RFT for the Comber Gathering Centre (Design Build) to Barrinetti Construction Ltd. for a total tender cost of \$315,837.60, including applicable HST as presented at the April 29, 2025 Council meeting.

Carried Unanimously

5. Lakeshore Pickleball Association Agreement

118-04-2025

Moved By Councillor Santarossa

Seconded By Councillor Kerr

Direct the Clerk to read By-law 35-2025, being a by-law to authorize the Mayor and Clerk to execute a Facility Agreement between the Municipality of Lakeshore and the Lakeshore Pickleball Association, all as presented at the Regular Council meeting of April 29, 2025.

Carried Unanimously

16. Notices of Motion

17. Reports from County Council Representatives

Mayor Bailey provided Council with a copy of a County Council report regarding the Road Safety Management Program, for information only.

Deputy Mayor Walstedt advised of upcoming public open houses by the County of Essex regarding development changes. One open house will be held in Lakeshore Council Chambers on June 3, 2025.

18. Report from Closed Session

19. Consideration of By-laws

119-04-2025

Moved By Councillor Vogler

Seconded By Councillor Ruston

By-laws 35-2025 and 37-2025 be read and passed in open session on April 25, 2025.

Carried Unanimously

1. By-law 35-2025, Being a By-law to Authorize a Facility Agreement with the Lakeshore Pickleball Association

2. By-law 37-2025, Being a By-law to Confirm the Proceedings of the April 8, 2025 Council Meeting

20. Non-Agenda Business

21. Addendum

22. Adjournment**120-04-2025****Moved By** Councillor McNamara**Seconded By** Deputy Mayor Walstedt

Adjourn the meeting at 7:09 PM.

Carried Unanimously

Tracey Bailey
Mayor

Brianna Coughlin
Clerk

Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, May 6, 2025, 6:00 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: Chief Administrative Officer Tyson Cragg, Corporate Leader - Community Health and Safety Services Frank Jeney, Corporate Leader - General Counsel Susan Hirota, Corporate Leader - Growth and Sustainability Tammie Ryall, Interim Chief Financial Officer Kate Rowe, Division Leader - Communications and Engagement Alex Denonville, Division Leader - Community Planning Daniel Mercer, Division Leader - Legislative Services Brianna Coughlin, Team Leader - Community Planning Urvi Prajapati, Team Leader - Legislative Services Cindy Lanoue, IT Technical Analyst Simon Barno

1. Call to Order

Mayor Bailey called the meeting to order at 6:04 PM in Council Chambers.

2. Closed Session

3. Singing of O Canada

4. Land Acknowledgement

5. Moment of Reflection

6. Disclosures of Pecuniary Interest

7. Public Meetings under the Planning Act

1. Delegation of Authority for Minor Zoning By-law Amendments and Pre-Consultation and Amendments to the Official Plan

Mayor Bailey opened the public meeting at 6:10 PM.

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

Leo Oriet was registered to speak however was having technical difficulties joining the meeting. Mayor Bailey called a recess at 6:22 PM.

Mayor Bailey reconvened the meeting at 6:24 PM and confirmed that Mr. Oriet withdrew his request to speak on the amendment.

The public meeting concluded at 6:25 PM.

121-05-2025

Moved By Deputy Mayor Walstedt

Seconded By Councillor McNamara

Adopt Official Plan Amendment OPA No. 21 to the Municipality of Lakeshore Official Plan to update policies to enable the delegation of authority for Minor Zoning By-law Amendments and policies related to pre-consultation; and to adopt the implementing by-law (By-law 38-2025); and

Direct Administration to submit the Amendment to the County of Essex for approval; all as presented at the May 6, 2025 Council meeting.

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

Opposed (1): Councillor Vogler

Carried

8. Delegations

9. Consent Agenda

122-05-2025

Moved By Councillor Vogler

Seconded By Councillor McNamara

Receive the items as listed on the Consent Agenda.

1. Community Planning Division Quarterly Status Update – Q1 2025
2. Heritage Planning - St. Joachim Church (2722 County Road 42)

Carried Unanimously

10. Reports for Direction

1. Heritage Planning – Stoney Point Church (7119 Tecumseh Road)

123-05-2025

Moved By Deputy Mayor Walstedt

Seconded By Councillor Ruston

Direct Administration to publish notice of the intent to repeal the by-law designating the property at 7119 Tecumseh Road in accordance with the requirements of the *Ontario Heritage Act*, as presented at the May 6, 2025 Council meeting.

Carried Unanimously

2. PLC-01-2025 – Part Lot Control Exemption Extension – Mocerì Subdivision

124-05-2025

Moved By Councillor Santarossa

Seconded By Councillor Hoffman

Direct the Clerk to read By-law 36-2025, during the “Consideration of By-laws” to approve the application to extend Part Lot Control exemption for Blocks 1 and 2 on Plan 12M-640 and Part of Block 3, Plan 12M640 designated as Parts 2 to 9 on Plan 12R-28249, as presented at the May 6, 2025 Council meeting.

Carried Unanimously

11. Notice of Motion

1. Councillor Santarossa - Pre-Zoning of County Road 22 Properties

125-05-2025

Moved By Councillor Santarossa

Seconded By Mayor Bailey

Whereas pre-zoning areas slated for intensification can:

- Encourage development by reducing the need for developers to apply and pay for the rezoning of their property in order to build on it; and
- Encourage better and more sustainable utilization of available lands; and

- Increase transparency to the public and development community where land is slated for increased density; and
- Align Official Plans and Zoning Bylaws around identified goals and strategic priorities.

And whereas:

- The Municipality of Lakeshore is forecasted to grow by an additional 35,000 people by 2051; and
- According to the Official Plan draft, "[t]he County Road 22 Mixed Use Corridor is envisaged as a higher intensity mixed use and future transit supportive corridor extending through the Municipality between Manning Road and Belle River Urban Areas."; and
- The partnership with C4C will allow for Design Charettes for the County Road 22 Corridor; and
- The Council of the Municipality of Lakeshore values public engagement, consultation, and input as the community develops; and
- As-of-right zoning will be encouraged following these design charettes; and
- Future development will be subject to the future Waste Water Treatment Allocation Policy and servicing capacity made available through the Water & Waste Water Master Plan implementation;

Therefore, the Council of the Municipality of Lakeshore support, in principle, the pre-zoning of County Road 22 properties between West Belle River Road and West Pike Creek in alignment with the Special Planning Corridor in the Official Plan;

And that this information be provided during public consultations with residents, developers, and the relevant property owners.

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

Opposed (1): Councillor Kerr

Carried

12. Report from Closed Session

13. Consideration of By-laws

126-05-2025

Moved By Councillor Vogler

Seconded By Councillor Hoffman

By-laws 36-2025 and 38-2025 be read and passed in open session on May 6, 2025.

Carried Unanimously

1. **By-law 36-2025, Being a By-law to extend the Time Period for Part Lot Control By-law 65-2022 for Blocks 1, 2, and Part of Block 3, Plan 12M-640, in the former Community of Maidstone, now in the Municipality of Lakeshore (PLC-1-2025)**
2. **By-law 38-2025, Being a By-law to Adopt OPA 21 to the Lakeshore Official Plan**

14. Addendum

1. Closed Session

127-05-2025

Moved By Councillor Ruston

Seconded By Councillor McNamara

Move into closed session in Council Chambers at 6:54 PM in accordance with:

- a. Paragraph 239(2)(f) of the *Municipal Act, 2001* to discuss advice that is subject to solicitor-client privilege, including communications necessary for that purpose, relating to a proposed agreement.

Carried Unanimously

Mayor Bailey called a recess at 6:55 PM and reconvened in closed session at 7:00 PM.

15. Adjournment

The meeting was adjourned in closed session at 7:32 PM.

Tracey Bailey
Mayor

Brianna Coughlin
Clerk

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: April 25, 2025
Subject: Closed Meeting Quarterly Report – Q1 2025

Recommendation

This report is presented for information only at the May 20, 2025 Council meeting.

Strategic Objectives

This report is not directly related to a Strategic Objective, however it is part of the ongoing work to provide transparency relating to Council meetings and is directly related to section 40 of the Procedure By-law:

Reporting to the Public - Quarterly

40. (a) On a quarterly basis, the Clerk shall prepare an Information Report for a Meeting open to the public describing the Closed Sessions held during the previous quarter which describes:

- i. the reference to the *Municipal Act, 2001* authorizing the closure of the Meeting;
- ii. the fact of the holding of the Closed Session;
- iii. the general nature of the matter to be considered during the Closed Session; and
- iv. the holding of vote, if any; and
- v. such other information as may be disclosed taking care not to reveal the substance of the deliberations of Council.

Background

The Municipality of Lakeshore is committed to conducting meetings in an open and transparent manner. All meetings of Council are advertised on the municipal website and are video-recorded in order to allow residents to watch the proceedings from their homes or other locations.

Despite this commitment to openness, there are times where Council must deliberate confidentially in order to protect the privacy of an individual or the position of the corporation.

Section 239(2) of the *Municipal Act, 2001* allows municipalities to go into closed session to consider matters for the following reasons:

- a) the security of the property of the municipality or local board;
- b) personal matters about an identifiable individual, including municipal or local board employees;
- c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- d) labour relations or employee negotiations;
- e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Council may also go into closed session pursuant to Section 239(3.1) of the Act to undertake education or training, as long as no member discusses or otherwise deals

with any matter in a way that materially advances the business or decision-making of the Council.

Comments

Between January 1 and March 31, 2025, Council held 5 closed session meetings in order to consider 10 items. Approximately 2 hours were spent in closed session throughout these meetings.

The following table outlines the dates of the meetings, the subject matter discussed, the reasons the items were discussed during a closed session meeting and the outcome of the discussion.

2025 Meeting Date	Time Spent in Closed Session	Subject	Reasons to go into Closed session	Vote for Direction
January 23	42 min	Information explicitly supplied in confidence to the municipality by Canada, a province or territory or a Crown agency of any of them, relating to funding	h)	Yes
		Information explicitly supplied in confidence to the municipality by Canada, a province or territory or a Crown agency of any of them, relating to funding	h)	Yes
January 28	37 min	Property on Lakeview Drive	c) and k)	Yes
		Property on Notre Dame Street	c) and k)	Yes
		Personal matters about an identifiable individual relating to municipal service delivery	b)	Yes
February 11	9 min	Collective bargaining	d), f) and k)	Yes

2025 Meeting Date	Time Spent in Closed Session	Subject	Reasons to go into Closed session	Vote for Direction
March 4	33 min	Personal matters about an identifiable individual relating to the Chief Administrative Officer performance evaluation	b)	Yes
		Property in the Renaud Line area	c)	No
		Property in the Tecumseh Road area	c)	Yes
March 25	5 min	Property on Notre Dame Street	c) and k)	Yes

Financial Impacts

Printing and courier costs associated with the meetings were included in the 2025 Budget and actual costs are within budget.

Report Approval Details

Document Title:	Closed Meeting Quarterly Report - Q1 2025.docx
Attachments:	
Final Approval Date:	May 5, 2025

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

Minutes of the Accessibility Advisory Committee Meeting

Wednesday, January 22, 2025, 10:00 AM

Atlas Tube Recreation Centre Boardroom, 447 Renaud Line, Belle River

Members Present: Member Thomas Jaeger, Member Chantelle Linton, Member Joe Matz, Member Jayson Mercier, Council Representative Kelsey Santarossa

Members Absent: Member Michelle Sprague-Keane

Staff Present: Division Leader - Building Services Morris Harding,
Administrative Assistant - Building Services Jillian Shaw

- 1. Call to Order**
- 2. Land Acknowledgement**
- 3. Disclosures of Pecuniary Interest**
- 4. Delegations**
- 5. Approval of Previous Meeting Minutes**
 - 1. November 20, 2024 - Meeting Minutes**

Moved By Chantelle Linton

Seconded By Kelsey Santarossa

Approve minutes of the previous meeting as listed on the agenda.

Carried

- 6. Completion of Unfinished Business**
 - 1. Accessibility Plan - RFP Update**
 - 2. Optimist Trail Photo Dates**

7. New Business

1. Updates to the 2025 Ontario Building Code

8. Adjournment

Moved By Chantelle Linton

Seconded By Kelsey Santarossa

Adjourn the meeting at 10:45 AM.

Carried

Thomas Jaeger

Chair

Morris Harding

Municipal Liaison

Municipality of Lakeshore

Minutes of the Executive Committee

Monday, January 27, 2025, 10:00 AM



Members Present: Chief Workforce Development Officer Lisa Granger, Mayor Tracey Bailey, Councillor Ryan McNamara, Chief Administrative Officer Tyson Cragg

Staff Present: Deputy Chief Administrative Officer - Chief Financial Officer Justin Rousseau, Division Leader - Legislative Services Brianna Coughlin

1. Call to Order

The Chief Workforce Development Officer called the meeting to order at 10:00 AM. All members participated in the meeting electronically.

2. Closed Session

Moved By Ryan McNamara

Seconded By Tracey Bailey

Move into closed session at 10:00 AM in accordance with:

- a. Paragraph 239(2)(b) of the *Municipal Act, 2001* for the purpose of discussing personal matters about an identifiable individual, including municipal or local board employees, relating to recruitment activities.
- b. Paragraph 239(2)(b) of the *Municipal Act, 2001* for the purpose of discussing personal matters about an identifiable individual, including municipal or local board employees, relating to year-end reporting of recruitment, health and safety and labour relations activities.
- c. Paragraph 239(2)(d) and (k) of the *Municipal Act, 2001* for the purpose of discussing labour relations or employee negotiations, and positions and plans to be applied to negotiations to be carried on by the Municipality relating to collective bargaining.

Carried Unanimously

The Chief Workforce Development Officer called the open session back to order at 10:49 AM.

- 3. **Singing of O Canada and Land Acknowledgement**
- 5. **Moment of Reflection**
- 6. **Disclosures of Pecuniary Interest**
- 7. **Consent Agenda**

1-01-2025

Moved By Ryan McNamara

Seconded By Tracey Bailey

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

- 1. November 7, 2024 Meeting Minutes

Carried Unanimously

8. Presentations by Administration

1. Review Renovations Updates

The Deputy Chief Administrative Officer - Chief Financial Officer provided a verbal update regarding the renovation, noting that construction was on schedule.

2. 2025 Executive Committee Meeting Schedule

2-01-2025

Moved By Ryan McNamara

Seconded By Tracey Bailey

Approve the proposed 2025 Executive Committee Meeting Schedule, as presented at the January 27, 2025 Executive Committee meeting.

Carried Unanimously

9. Completion of Unfinished Business

10. New Business

11. Adjournment**3-01-2025****Moved By** Tracey Bailey**Seconded By** Tyson Cragg

Adjourn the meeting at 10:57 AM.

Carried Unanimously

Lisa Granger
Chair

Brianna Coughlin
Division Leader - Legislative Services



Municipality of Lakeshore

Minutes of the Drainage Board Meeting

Monday, April 7, 2025, 5:00 PM
Council Chambers, 419 Notre Dame Street, Belle River

Members Present: Member Norbert Poggio
 Member Ron Barrette
 Member Maurice Janisse
 Member Horst Schmidt
 Blaise Chevalier

Staff Present: Assistant Drainage Superintendent Spencer Westerberg
 Drainage Superintendent Brigan Barlow

1. Call to Order

Chair Janisse called the meeting to order at 5:00 PM.

2. Land Acknowledgement

3. Disclosures of Pecuniary Interest

4. Completion of Unfinished Business

5. Approval of Previous Meeting Minutes

Moved By Member Poggio

Seconded By Member Barrette

Approve minutes of the previous meeting as listed on the agenda.

Carried

a. February 3, 2025 Meeting Minutes

6. Consideration of Reports under the Drainage Act

a. Bridge Over the McCann Drain

- Peralta introduced the project
- Owners were present

Moved By Member Schmidt

Seconded By Member Chevalier

The Engineer's considered report prepared by N.J. Peralta Engineering Ltd. dated March 10, 2025, in the Municipality of Lakeshore, in the County of Essex be adopted and By-Law 29-2025 be recommended for the first and second reading.

Carried

b. Bridge Over the Hostine Drain

- Peralta introduced project

Moved By Member Chevalier

Seconded By Member Poggio

The Engineer's considered report prepared by N.J. Peralta Engineering Ltd. dated March 21, 2025, in the Municipality of Lakeshore, in the County of Essex be adopted and By-Law 31-2025 be recommended for the first and second reading.

Carried

c. Webbwood Drain Analysis for Town & Country Communities Ltd. and Updated Maintenance Schedules

- Peralta introduced project

Moved By Member Barrette

Seconded By Member Chevalier

The Engineer's considered report prepared by N.J. Peralta Engineering Ltd. dated March 19, 2025, in the Municipality of Lakeshore, in the County of Essex be adopted and By-Law 32-2025 be recommended for the first and second reading.

Carried

7. Court of Revision

8. Adjournment

Moved By Member Barrette

Seconded By Member Poggio

Adjourn the meeting at 5:30 PM.

Carried

Maurice Janisse

Chair

Brigan Barlow

Municipal Liaison

Municipality of Lakeshore – Report to Council

Community Health and Safety

Facilities and Parks



To: Mayor and Members of Council

From: Frank Jeney, Corporate Leader – Community Health and Safety Services

Date: April 30, 2025

Subject: Stoney Point Library – Temporary Facility

Recommendation

Direct Administration to transfer up to \$80,000 from the Parks Fixtures and Facilities reserve for the temporary library facility and washroom facility to be located at Stoney Point Park for up to 12 months, as presented at the May 20, 2025 Council meeting.

Strategic Objectives

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

Background

The timeline listed within this report provides an in-depth sequence of events as Lakeshore administration and the Essex County Library administration attempted to remedy formaldehyde concerns at the Stoney Point Library facility. The higher than normal formaldehyde numbers only occur during periods of warm weather months.

Comments

At this time, we now need to turn to the supplier and manufacturer to assess their product for unknown defects that may be causing the higher-than-normal formaldehyde concentrations noted in the facility during warm months.

Timeline

In May 2023, Lakeshore received an air quality concern with respect to the Stoney Point Library space. The library was closed on May 1, 2023, due to symptoms including throat and eye irritation. A technician identified this issue as a coolant leak, and the repair was made.

In June 2023, Lakeshore received an air quality concern that related to a library employee noting that the symptoms of irritation to throat and eyes occurred mostly when the air conditioning was in operation. The space was investigated, but no known issue was noted.

In July 2023, during routine maintenance, an HVAC contractor noticed the same irritation to throat and eyes while working on the system. At this time, the installer Coxon's was contacted for review. Air quality testing was completed, and mold, carbon monoxide and carbon dioxide were ruled out.

In August 2023, complaints of irritation to throat and eyes were noted by library staff as well as library management.

In September 2023, the air conditioning was shut off due to outdoor air conditions. The complaints ended.

In May 2024, Lakeshore received complaints of irritation to throat and eyes by library staff as well as a visiting class. Lakeshore Facilities was contacted. The result was to shut down the air conditioning and provide mobile cooling units (3) to the space while this space was audited.

In July 2024, Lakeshore contracted Pinchin to have an Indoor Environmental Quality Senior Project Manager perform testing on the space to gain knowledge on the air quality. The cost for this test was \$6,500.

In August 2024, Lakeshore received the test results. The results indicate that formaldehyde levels were above the OSHA and WHMIS exposure limits.

In September 2024, Lakeshore and the Essex County Library made the decision to remove employees from the space, and ordered an additional test that could provide a more conclusive result of the cause of the high formaldehyde result. The cost for this test was \$7,800. This test is meant to lend results that would indicate if this is an air conditioning issue, or books/shelving issue. The test came back with higher-than-normal formaldehyde detected, and an Energy Recovery Ventilator (ERV) was ordered by Coxon's.

On December 30, 2024, the ERV was successful, and the system was running well, and initial handheld testing come back with proper air quality.

On January 15, 2025, both spot measurements and laboratory-based analysis were all below the recommended IAQ criteria and were therefore acceptable for regular occupancy.

On February 8, 2025, Library operations re-opened to the public.

On April 24, 2025, with warm weather, the formaldehyde readings went above the safe level and the library was closed.

On April 25, 2025, contractors were deployed on site checking the system and performing any corrective actions. Readings continued to be higher than ideal.

On April 30, 2025, Lakeshore closed the Stoney Point Library facility and requested that all library materials be removed so the space can be addressed by the supplier and manufacturer with no contents on site.

Others Consulted

Essex County Library

Pinchin

Financial Impacts

The total cost of \$80,000 includes a 60-foot open plan trailer, a separate restroom facility, and all installation costs, initial fees, and protective measures for up to 12 months.

Report Approval Details

Document Title:	Stoney Point Library - Temporary Facility.docx
Attachments:	
Final Approval Date:	May 6, 2025

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

Prepared by Frank Jeney

Approved by the Corporate Leadership Team

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Corporate Leader - Growth and Sustainability

Legal and Legislative Services

Corporate Leader – General Counsel



To: Mayor and Members of Council

From: Tammie Ryall, Corporate Leader - Growth and Sustainability

Susan Hirota, Corporate Leader – General Counsel

Date: April 28, 2025

Subject: Short-Term Rentals – update on Ontario Land Tribunal appeal and options for regulation and enforcement of STRs

Recommendation

Direct Administration to proceed with Option ____ for regulating Short-Term Rental Accommodations, as presented at the May 20, 2025 Council meeting.

Strategic Objectives

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

Background

A Short-Term Rental (STR) accommodation is a form of temporary lodging where all or part of a dwelling is rented out for compensation for a short period of time, usually under 28 days. STRs are typically advertised on online booking platforms such as Airbnb that renters utilize to make reservations and payments.

Unlike a hotel or motel, STRs are generally located in residential areas with no one available on site to monitor and regulate the activities of the renters. In Lakeshore, this has resulted in complaints from neighbouring property owners about their perceived loss of privacy and diminished enjoyment of their homes as well as concerns about problematic renter behaviour such as loud music and parties, outdoor fires, pet issues and the number of vehicles parked on the STR properties and adjacent streets.

At the direction of Council, Administration undertook public consultation on STRs and presented the findings at the September 28, 2021 Council meeting. Subsequently,

Council considered various reports from Administration on whether, and how, to regulate STRs.

After considering the information presented and comments from the public, Council decided to prohibit STRs.

At the July 18, 2023 Council meeting the following motion was passed:

Prohibit short-term rental accommodations in the Municipality of Lakeshore; and

Direct Administration to bring a report regarding the steps to enforce the prohibition of short-term rental accommodations in the Municipality of Lakeshore.

On October 10, 2023, Council held a public meeting under the *Planning Act* and considered an amendment to the Zoning By-law to prohibit STRs in the Municipality. The following motion was passed:

Approve Zoning By-law Amendment Application ZBA-14-2023 (Zoning By-law 2-2012, as amended), to add the definition of 'Short-Term Rental Accommodation' and add general policies that prohibit Short-Term Rental Accommodations within the Municipality of Lakeshore but continue to permit Bed and Breakfast establishments; and

Direct the Clerk to read By-law 85-2023 during the Consideration of By-laws, all as presented at the October 10, 2023 Council meeting.

The Zoning By-law Amendment, By-law 85-2023 (Appendix A), defines Short-Term Rental Accommodation as:

"200. SHORT-TERM RENTAL ACCOMMODATION – shall mean the commercial use of any residential dwelling unit, or part thereof, or a mobile home or accessory structure on a residential property, used as a place of temporary habitation, lodging or occupancy under authority of a concession, permit, lease, license, rental agreement or similar commercial arrangement authorizing such temporary habitation, lodging or occupancy for a period equal to or less than twenty-eight (28) consecutive calendar days, but does not include a Bed and Breakfast Establishment or Housekeeping Cottage as defined in By-law 2-2012."

The Zoning By-law Amendment further added a general section to the Zoning By-law to state:

"The following provisions shall apply to a Short-Term Rental Accommodation use:

- a) Short-Term Rental Accommodation, as defined by this By-law, shall not be permitted in any zone;
- b) The rental or leasing of any residential property, including agricultural lands, or part thereof, for overnight accommodation for fewer than 28 consecutive days,

shall be subject to the regulations and definitions related to Bed and Breakfast Establishments.”

The effect of the Zoning By-law Amendment was to prohibit STRs in all zones within the Municipality subject to an exception discussed in the Comments section below. A Bed and Breakfast (B&B) Establishment is another form of temporary lodging with its own definition in the Zoning By-law and is distinguished from an STR. A B&B is permitted in a single-detached dwelling in residential zones in the Municipality. The intent of the B&B provisions in the Official Plan and Zoning By-law is to require an owner/occupant of the dwelling to be present on site.

Following the passage of the Zoning By-law Amendment, an individual with a statutory right of appeal filed an appeal to the Ontario Land Tribunal (OLT). Per the *Planning Act*, the filing of the appeal suspended the coming into force of the Zoning By-law Amendment.

Over the course of the next year, negotiations took place with the appellant to canvass settlement opportunities but the discussions were ultimately unsuccessful. The OLT scheduled a three day hearing in October, 2024 but the day before the first day of hearing the appellant advised that they would not be proceeding with the appeal. By correspondence dated October 24, 2024, the OLT formally confirmed that the appellant had withdrawn the appeal and the OLT had closed its file (Appendix B). The effect of the withdrawal of the appeal was that the suspension of the Zoning By-law Amendment was lifted and the amendment was deemed to have come into force on the day it was passed by Council, being October 10, 2023.

As further background information, Council passed the following motion regarding Boarding Lodging and Rooming Houses (BLRHs) on October 24, 2023:

309-10-2023

That Council direct administration to bring forward a draft bylaw amendment that defines Lodging or Boarding Homes within the Municipality of Lakeshore.

And further, that administration prepare a report that speaks to bylaw enforcement around Lodging or Boarding Homes.

Administration brought forward a Zoning By-law amendment to define “Boarding, Lodging, and Rooming House” which was approved by Council and is in effect.

BOARDING, LODGING, AND ROOMING HOUSE – shall mean a building, or part thereof, that contains one or more units where units and/or associated bedrooms are rented or provided to individuals for a period of twenty-eight (28) days or more. Residents of boarding, lodging, and rooming houses share bathroom and/or kitchen facilities, and occupants may be unrelated. This shall not include a hotel, hospital, home for the young or aged or institution if the hotel,

hospital, home or institution is licensed, approved or supervised under any general or special Act.

The amendment did not permit BLRHs in any zone, however, that report to Council did not address enforcement. The Comments section of this report does provide commentary and options for enforcement of BLRHs.

Comments

Now that the Zoning By-law Amendment is in force, STRs are prohibited in every zone in the Municipality effective October 10, 2023. The *Planning Act*, however, carves out an important exception for those STRs that were legally operating on October 10, 2023. Where a property's use was legally permitted under a prior Zoning By-law but is no longer permitted under a new Zoning By-law Amendment, the property owner is granted the legal right to continue using the land in a way that would otherwise be prohibited. This special exception is referred to legally as a "legal non-conforming use" or more informally as "grandfathered."

Section 34 of the *Planning Act* authorizes municipalities to pass Zoning By-laws. The legal non-conforming use exception is prescribed by subsection 34(9):

34(9) No by-law passed under this section applies,

- (a) to prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the by-law, so long as it continues to be used for that purpose; or
- (b) to prevent the erection or use for a purpose prohibited by the by-law of any building or structure for which a permit has been issued under subsection 8(1) of the *Building Code Act, 1992*, prior to the day of the passing of the by-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under subsection 8(10) of that Act.

The courts have further expanded the legal non-conforming use exception. A series of court decisions, including from the Supreme Court of Canada, have established that owners also have the right to evolve or reasonably expand or intensify a legal non-conforming use, provided that the evolution, expansion or intensification does not cause undue adverse impacts on the surrounding neighbourhood or area.

In *Saint-Romuald (City) v. Olivier*, 2001 SCC 57, the Supreme Court of Canada said:

- "In general, merely continuing the precise pre-existing activity, even at an intensified level, is clearly protected, but the intensification may be of such a degree as to create a difference in kind. A family farm which has a few pigs on

the fringe of a town may continue as a legal non-conforming use, but the result may be otherwise if it is sought to expand the pork operation into ‘factory in the country’ type intensive pig farming. While in one sense the ‘use’ has continued, in another sense its *character* has been so altered as to become, in terms of its impact on the community, an altogether different use.”

- “In the more usual type of situation, a non-conforming commercial use in a residential neighbourhood that enjoys increasing business should not be ordinarily penalized for its success by losing its ‘acquired right’ to operate, even if a by-product of that success is some increased traffic and noise.”

Currently, anyone who operates an STR without the benefit of a legal non-conforming use exception (grandfathered) is committing an offence under the Zoning By-law and is subject to prosecution.

It is unknown how many illegal (not grandfathered) STR operators there may be in Lakeshore or the amount of enforcement time the By-law Division will spend investigating complaints about illegal operators (one complaint received to date and currently under investigation).

Likewise, it is also unknown how many legal non-conforming (grandfathered) STRs there are in Lakeshore. In September 2023, Administration reviewed a software search tool (Granicus) that was capable of scanning more than 70 online rental platforms. At that time, 132 active STR listings were identified in Lakeshore. If those STRs were legally operating on October 10, 2023, that could provide a good approximation of how many grandfathered STRs there may be in the Municipality.

Administration is seeking direction from Council on whether the legally grandfathered STRs should be regulated in some manner. There are many reasons why Council may wish to regulate them and other forms of temporary lodging such as B&Bs and BLRHs. Some reasons include ensuring that temporary accommodations offered to the traveling public meet minimum safety standards, creating rules and regulations designed to address and prevent neighbourhood complaints, and having a mechanism to hold bad operators accountable through licence suspensions, revocations and fines.

Another reason for regulating the grandfathered STRs through a licensing regime is to have a mechanism to monitor them and confirm that the legal non-conforming use continues. The legal non-conforming status can be lost if the use is discontinued or abandoned for a long enough period of time although temporary interruptions are generally permitted if there is an intention to resume the use.

In *Mohammed v. Sayers*, 2003 CarswellOnt 5324, the Ontario Divisional Court said:

- “... the Motions Court Judge misconstrued s. 34(9)(a) of the *Planning Act*. Use of the land for residential purposes does not need to be ‘continuous’. Section

34(9)(a) requires only that the land continue to be used for its pre by-law purpose after passage of the by-law.”

- “In *Rotstein v. Oro-Medonte Township* [2002] O.J. No. 4990, Howden J. held that a boat house that had been used by the owners as an occasional residential accommodation since well before the restricting enactment did not lose its status of a legal non-conforming use because of lack of residential use for one or two summers.”

Implementing a robust licensing and enforcement strategy will, however, require additional staffing across several Divisions. Anticipated additional workload in implementing a licensing and enforcement regime for grandfathered STRs includes:

- review of submitted documentation by Planning and Legal to confirm entitlement to legal non-conforming status on October 10, 2023 and continuing entitlement thereafter;
- review by Legislative Services of all required licensing documents, coordination and assessment of input from internal departments, denial or issuance of licence, maintenance of insurance certificates, management of demerit point system, coordination of suspension/revocation/appeal hearings;
- review by By-law to confirm no outstanding orders on the property;
- review by Fire to confirm no outstanding orders on the property, site plan/floor plan shows emergency evacuation plan, sleeping areas, smoke/carbon monoxide alarms, fire extinguisher, egress doors/windows, etc.;
- review by Building to confirm no outstanding orders on the property, review of sufficient septic capacity, dwelling and accessory structures built with permits and inspections;
- review by Planning to ensure Zoning By-law compliance;
- review by Finance to ensure no outstanding property taxes or other unpaid charges;
- on-site inspection by a By-law Officer to ensure the property complies with all municipal regulatory by-laws such as Yard Maintenance, Property Standards, Fence (swimming pool enclosure);
- on-site inspection by a Fire Prevention Officer to ensure working smoke/carbon monoxide detectors, fire extinguishers, compliance with open air burning, maintenance of service equipment, compliance with submitted site plan/floor plan, general fire safety;
- if the rental is by room, and more than four renters who share facilities, detailed on-site inspection and review by both Building and Fire to confirm additional Fire Code and Building Code upgrades for BLRHs have been met;
- investigation, issuing orders, laying charges, preparing disclosure packages and prosecution briefs and attendance in court by By-law Officers, Fire Prevention Officers and Building Inspectors; and
- in-house prosecution by Legal Services of By-law, Building Code and Fire Code charges

On the other hand, there have been relatively few complaints to the By-law Division on an annual basis about STRs (typically less than 12 per year). Most complaints relate to noise and parking issues which can already be addressed using existing regulatory by-laws. Historically, Administration has not experienced chronic or repeat “bad operators” but rather the occasional problematic renter. From a budgetary and complaint perspective, the cost of implementing a licensing and enforcement regime may not be warranted at this time.

The following options are presented for Council’s consideration.

Option 1 – Maintain the Status Quo

Under this option, the Municipality would not implement a licensing regime or actively regulate grandfathered STRs.

The By-law Division would still investigate complaints about non-grandfathered STRs operating in contravention of the Zoning By-law and charge the operator with an offence under the Zoning By-law where sufficient evidence can be gathered.

The By-law Division would also still investigate complaints about STRs not complying with other Lakeshore by-laws such as the Noise By-law, Parking By-law, Yard Maintenance By-law, Property Standards By-law, Fence By-law and Animal Care and Control By-law.

Under this option, Administration would not proactively seek documentation from those STR operators who claim to be legal non-conforming. The assessment of whether the operator is or is not grandfathered would only take place if a complaint is received about an illegal operator and the operator claims to be legal non-conforming. The STR operator would be required to submit documentation that will be reviewed by Planning and Legal. If it is accepted that the STR was legally operating on October 10, 2023 and is therefore grandfathered, the Zoning By-law investigation or prosecution would be discontinued. If not accepted, the operator would be charged with an offence under the Zoning By-law subject to there being sufficient evidence of operating to support a conviction.

If this option is chosen, Administration will continue to monitor the volume and seriousness of any STR-related complaints and will bring back a report to Council for further direction if at any time a licensing regime appears to be warranted.

The downside of this option is that the Municipality will not be taking an active role in addressing or mitigating safety concerns and renters will be left to conduct their own due diligence prior to renting. Another downside is that the grandfathered STR operators will not be subject to any licensing rules or regulations specific to the operation of the STR that may proactively address neighbourhood concerns. This option would be a reactive model only meaning that action will only be taken in response to complaints.

The upside to this option is that no additional staffing requirements are anticipated at this time and the significant costs associated with a licensing and enforcement regime can be avoided.

Option 2 – Implement an STR Licensing and Enforcement Regime

Under this option, Administration will conduct a review of other municipal STR licensing by-laws and prepare a business licensing by-law for grandfathered STRs for Council's consideration that incorporates best practices from other municipalities.

Pursuant to the *Municipal Act, 2001*, a municipality may provide for a system of business licences and may:

- prohibit the carrying on or engaging in the business without a licence;
- refuse to grant a licence or to revoke or suspend a licence;
- impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- impose special conditions on a business in a class that have not been imposed on all businesses in that class in order to obtain, continue to hold or renew a licence;
- impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence; and
- licence, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it.

It should be noted that the *Municipal Act, 2001* specifically provides that a municipality shall not refuse to grant a licence by reason only of the location of the business if the business was being lawfully carried on at that location at the time the by-law requiring the licence came into force so long as it continues to be carried on at that location.

It should also be noted that imposing a licensing condition that requires the STR to be used as the operator's primary residence (i.e. owner occupied) would not be legally enforceable as against grandfathered STRs. Those STRs that legally operated on October 10, 2023 without being the operator's primary residence are entitled to continue as such per the *Planning Act*.

Under this option, as a first step in the business licensing process, Administration must be satisfied that the STR is entitled to legal non-conforming status. The STR operator would be required to submit sufficient proof to satisfy Planning and Legal that the STR was legally operating on October 10, 2023 and the *Planning Act* exception applies.

Satisfactory proof may include such documentation as:

- a sworn/affirmed affidavit from the STR operator;
- proof of property ownership;
- booking confirmations;

- booking history from online booking platform(s);
- payment receipts;
- invoices; and
- tax returns

The primary reason for licensing the grandfathered STRs is for public safety. A licensing regime would impose numerous reviews and inspections before a licence would be issued. Failure to comply with the requirements of the licence could result in the suspension or revocation of the licence or additional conditions being placed on the licence.

Other measures that would be imposed as part of the licensing regime include the provision of liability insurance with coverage limits of not less than \$2 million.

Some municipalities that license STRs incorporate a demerit point system into their licensing by-law. The accumulation of demerit points puts the continuation of the licence at risk.

It is also suggested that public consultation take place prior to the implementation of an STR business licensing by-law for the grandfathered STRs. This option has significant staffing and budgetary implications and public input and feedback would be helpful to gauge resident support for the initiative as well as identify the most pressing issues that residents would like to see addressed in a licensing by-law. The typical licensing fee charged to STR operators is unlikely to fully recover all the administrative and enforcement costs.

Under this option, it is also recommended that the Municipality further investigate the purchase of a software search tool such as Granicus to:

- identify online STRs by address;
- identify STR owners;
- analyze unit types (partial homes, entire homes), listing type (single family home, multi family home), median nightly rate, type of booking platform;
- create a rental unit record using listing status, metadata, full-screen screenshots that are time stamped and available in real time;
- provide documented evidence of every address match to support enforcement efforts;
- track status of individual rentals and create case notes on the unit's record;
- assist with compliance monitoring, sending enforcement letters; and
- automatically adding evidence (photographs and listing details) to communications to STR operators.

When investigated in 2023, Granicus also had an option for a 24/7 monitored hotline. Concerned neighbours could call the Granicus STR hotline or report complaints online. The complainant is asked to provide information on the alleged incident and to submit photos, videos or other proof. If the property is a licensed property, the 24/7 hotline

immediately calls and texts the STR operator or their designed emergency contact to seek acknowledgement of the complaint and resolution. The complaint and resolution notes are saved in a database so serial offenders can be held accountable.

If Council selects this option, Administration will engage in public consultation, conduct a comprehensive review of other municipal STR licensing bylaws, draft an STR business licensing by-law based on best practices, and investigate options and pricing for a software search tool (in 2023 the options considered at that time were estimated at \$4,050 annually) and 24/7 monitored hotline.

Option 3 Implement Licensing and Enforcement Regimes for STRs, B&Bs and BLRHs

Option 3 is the same as Option 2 but with the addition of B&Bs and BLRHs.

The primary reason to include the licensing and enforcement of B&Bs and BLRHs is for public safety. In addition, the licensing and review of B&Bs would ensure that there is an owner on site to monitor the activities of guests.

It is currently unknown how many B&Bs or BLRHs may be operating in Lakeshore.

A B&B shares common characteristics with an STR but is owner occupied. There may be less concern about renter behaviour and negative impacts to the neighbourhood given that the owner is on site.

A BLRH is not typically owner occupied and requires additional Fire Code and Building Code upgrades because the rooms are individually rented and the renters do not know each other and do not function as a single housekeeping unit. The additional fire separation requirements are for safety reasons and are designed to give the occupants additional time to escape a burning house.

Under the Fire Code and Building Code, additional requirements apply to BLRHs where:

- the building height does not exceed 3 storeys and the building area does not exceed 600 m²;
- lodging is provided for more than four persons in return for remuneration or the provision of services or both; and
- lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.

A common example of a BLRH is a single family home that is rented by the room to students or temporary workers. Typically, a BLRH is rented for a period that exceeds 28 days and, if so, would not be considered an STR and would not be regulated under Option 2.

As noted under the Comments section of this report, if a grandfathered STR met the definition of a BLRH under the Fire Code and Building Code, an on-site inspection would be required by Fire and Building personnel to ensure that the additional Code requirements have been met. Under this option, BLRHs that are not grandfathered STRs would also be licensed.

By choosing this option, the concerns applicable to the grandfathered STRs are also addressed in the context of B&Bs and BLRHs.

Financial Impacts

Proceeding with Option 1 does not have any immediate financial impact.

Proceeding with Option 2 or Option 3 is anticipated to create significant workload increases across several Divisions that cannot be assumed by existing staff. To support either of these options, the following staff additions are required:

Staff Addition	Projected Cost
Licensing Coordinator	\$95,000 salary and benefits (estimated) \$6,000 computer (one time cost)
By-Law Officer x 2 (evenings and weekends) * negotiation with union required re scheduling	\$230,000 salary and benefits (2025 rate) \$12,000 vehicle lease (recurring) \$2,500 uniform (recurring) \$2,000 bullet proof vest (custom fit) \$6,000 computer (one time cost) \$6,000 training (recurring)
Fire Prevention Officer	\$115,000 salary and benefits (2025 rate) \$6,000 vehicle lease (recurring) \$1,000 uniform (recurring) \$3,000 computer (one time cost) \$2,500 training (one time cost)
TOTAL	\$487,000

The work of these additional staff members would not be restricted to solely supporting Options 2 or 3 and they would be available to assist with other tasks of their respective Divisions.

For full cost recovery, the following licensing and user fees are contemplated under Option 2 and Option 3:

Description	Fees
Planning review of legal non-conforming status	\$2,500
Legal review of legal non-conforming status	\$249.90/hour (same as 2025 user fee charged for recovery of legal fees for lawyer associated with tax sales, property disposition)
Licensing Clerk processing of application	\$500
Fire review	\$80
Fire inspection	\$125
Building review – including change of use permit	\$119
Renovation Permit – for safety items which do not pass Building Code inspection	\$1,000 indemnity deposit \$15 per \$1,000 construction value
By-law review	\$150
By-law inspection	\$150

Description	Fees
Planning Zoning Compliance letter	\$250
Finance Compliance Letter	\$100

Under Options 2 and 3, Council could also consider implementing a Municipal Accommodation Tax (MAT) as another possible means of offsetting the costs of a licensing and enforcement regime.

Per section 400.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25, a municipality may impose a tax on the purchase of transient accommodation through a by-law subject to certain conditions and exceptions.

Council previously considered a report from Administration on the implementation of a MAT at the March 23, 2021 Council meeting (Appendix C). Council passed resolution #100-03-2021 to “Defer consideration of the Municipal Accommodations Tax Report until after public consultation for Short Term Rentals has occurred.”

If a MAT is implemented, O. Reg. 435/17 (Transient Accommodation Tax) requires that the municipality share the revenue with an “eligible tourism entity”. The eligible tourism entity can only use the revenue for the exclusive purpose of promoting tourism. The regulation does not specifically address what the Municipality can use its portion of the revenue for.

Under any of the three options, Administration can work on an updated report to Council regarding the implementation of a MAT and how the MAT revenue could offset the costs of a licensing and enforcement regime.

Attachments

Appendix A – Zoning By-law Amendment 85-2023

Appendix B – Ontario Land Tribunal notice

Appendix C – Council Report “Municipal Accommodations Tax (MAT) Report”

Report Approval Details

Document Title:	Short-Term Rentals – update on Ontario Land Tribunal appeal and options for regulation and enforcement of STRs.docx
Attachments:	-Appendix A – Zoning By-law Amendment 85-2023.pdf -Appendix B – Ontario Land Tribunal notice.pdf -Appendix C – Council Report “Municipal Accommodations Tax (MAT) Report”.pdf
Final Approval Date:	May 19, 2025

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

Prepared by Susan Hirota and Tammie Ryall

Approved by Tyson Cragg

Municipality of Lakeshore

By-law 85-2023

Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-14-2023)

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

And whereas the Council of the Municipality of Lakeshore deems it in the interest of good planning to amend By-law 2-2012;

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

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

1. Section 4.0 "Definitions" is amended by adding the following as a new paragraph 200 and renumbering subsequent paragraphs accordingly:

200. SHORT-TERM RENTAL ACCOMMODATION – shall mean the commercial use of any residential dwelling unit, or part thereof, or a mobile home or accessory structure on a residential property, used as a place of temporary habitation, lodging or occupancy under authority of a concession, permit, lease, license, rental agreement or similar commercial arrangement authorizing such temporary habitation, lodging or occupancy for a period equal to or less than twenty-eight (28) consecutive calendar days, but does not include a Bed and Breakfast Establishment or Housekeeping Cottage as defined in By-law 2-2012.

2. Section 6.0 "General Provisions" is amended by adding the following as a new subsection 6.53 and renumbering subsequent subsections accordingly:

6.53. Short-Term Rental Accommodation

The following provisions shall apply to a Short-Term Rental Accommodation use:

- a) Short-Term Rental Accommodation, as defined by this By-law, shall not be permitted in any zone;
- b) The rental or leasing of any residential property, including agricultural lands, or part thereof, for overnight accommodation for fewer than 28 consecutive days, shall be subject to the regulations and definitions related to Bed and Breakfast Establishments.

3. This by-law shall come into force in accordance with sections 34 and 36 of the *Planning Act*, R.S.O. 1990, c. P. 13.

Read and passed in open session on October 10, 2023.

**Mayor
Tracey Bailey**

**Clerk
Brianna Coughlin**

Ontario Land Tribunal

655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Telephone: (416) 212-6349
Toll Free: 1-866-448-2248
Website: olt.gov.on.ca

Tribunal ontarien de l'aménagement du territoire

655 rue Bay, suite 1500
Toronto ON M5G 1E5
Téléphone: (416) 212-6349
Sans Frais: 1-866-448-2248
Site Web: olt.gov.on.ca



Date: October, 24 , 2024

Brianna Couglin
419 Notre Dame Street
Belle River, ON N0R 1A0
bcoughlin@lakeshore.ca

Re: OLT Case Number: OLT-23-001184
OLT Lead Case Number: OLT-23-001184
Municipality/Upper Tier: Municipality of Lakeshore
Subject Property Address: 1221 Surf Club Drive
Reference Number(s): ZBA-14-2023

Subsection 34(23.1) of the *Planning Act* provides;

(23.1) If all appeals to the Tribunal under subsection (19) are withdrawn and the time for appealing has expired, the Tribunal shall notify the clerk of the municipality and the decision of the council is final and binding.

I am writing to advise that the appeal by [**Stephanie Bradt**] was withdrawn by letter dated October.15, 2024.

There are no outstanding appeals in this matter, and our file is closed. As a result, the Tribunal has cancelled the hearing event that was scheduled to commence on [**October.16, 2024**].

Yours truly;

Euken Lui
Acting Registrar

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Municipality of Lakeshore - Report to Council

Community & Development Services

Economic Development



To: Mayor & Members of Council
From: Ryan Donally, Economic Development Officer
Date: March 3, 2021
Subject: Municipal Accommodations Tax (MAT) Report

Recommendation

Approve in principle, the imposition of Municipal Accommodations Tax (MAT) on appropriate properties;

Direct Administration to bring back a report recommending administrative procedures and prepare a draft by-law;

Direct Administration to include the concept of a Municipal Accommodations Tax in the public consultation for Short Term Rentals; and,

Direct Administration to send a letter to the Premier of Ontario in support of the proposal by Airbnb for the implementation of a common Municipal Accommodation Tax across all areas of the Province of Ontario, as presented in the March 23, 2021 report to Council.

Background

At the October 8, 2019 Council meeting, the following motion was passed:

457-10-2019

That Administration be directed to bring back a report regarding a MAT tax for fixed room short-term accommodation.

Comments

Council directed Administration to explore the imposition of a Municipal Accommodation Tax (MAT) on appropriate properties in October of 2019.

As the Holiday Inn Express & Suites Lakeshore is set to open in Spring of 2021, and a General Manager and Director of Sales has been hired, Administration is prepared to provide recommendations on this matter after consulting with key stakeholders.

Related to the MAT is the issue of MAT for Short Term Rentals (STR) through online booking sites. Administration is planning to include questions pertaining to MAT in the upcoming STR public engagement sessions (Spring 2021).

Legislation

The introduction of the Municipal Accommodations Tax (MAT) follows the Province of Ontario passing of [Bill 127: Stronger, Healthier Ontario Act \(Budget Measures\) 2017](#), which allows lower or single tier municipalities in Ontario to charge a mandatory MAT, often referred to as a “Hotel Tax.” The addition to the *Ontario Municipal Act, 2001* (the Act) and accompanying *Ontario Regulation 435/17, [Transient Accommodations Tax](#)* came into effect on December 1, 2017. A four percent (4%) Municipal Accommodations Tax is recommended under the legislation to be imposed on all transient accommodations including hotel, motel, inn, bed and breakfast, resorts, and short term rentals for stays of 30 days or less.

Short-term rentals (STRs) are loosely defined as individuals renting out their residence, or part thereof, for short periods of time. As per the legislation, a municipality must spend the proceeds of the MAT on tourism related promotion.

Current State of Short Term Rentals and MAT

Airbnb has stated in the attached report, [Ontario MAT Proposal, Airbnb](#) it will not enter into agreements with all 444 municipalities in Ontario to collect MAT. This was confirmed during a conversation with Nathan Rotman, Public Policy, Canada and the Northeast US, Airbnb.

A blanket agreement across all of Essex County cannot be created as each municipality must enter into its own agreement.

Airbnb does have individual agreements with the following larger municipalities: Windsor, Barrie, Brockville, Sudbury, Mississauga, Ottawa, Toronto, and Waterloo Region.

Airbnb is encouraging Ontario to pass legislation similar to that of [Quebec](#) and [British Columbia](#) whereby the province mandates a tax, which is collected by Airbnb, then distributed back to the appropriate regions based on rentals.

Airbnb has requested local municipalities to draft a letter of support, directed towards the appropriate provincial government agencies and officials requesting a ‘blanket MAT’ is imposed on all transient and short term rentals throughout the province of Ontario. While Lakeshore Council has yet to provide direction related to the status of short term rentals in Lakeshore, this letter would signify that Council is requesting that all short term accommodation options are being treated equally in regard to levies.

Recommendation 4 is proposed to support the proposal by Airbnb for an implementation of a common Municipal Accommodation Tax across all areas of Ontario.

Council may elect to pass by-laws to regulate short term rentals within the municipality. A MAT would apply to all short term rentals.

Regional Comparators

Administration contacted municipalities in the region on whether they are collecting Municipal Accommodation Tax and found the following:

	<u>MAT in place (Y/N)</u>	<u>Traditional hotel in Municipality (Y/N)</u>
Windsor	Y	Y
Tecumseh	N	N
Leamington	N	Y
Kingsville	N	Y
Essex	N	N
Amherstburg	N	N
Peelee Island	N	N
LaSalle	N	N
Chatham-Kent	N	Y
Sarnia	Y	Y
London	Y	Y

Proposed Exemptions¹:

To assist in implementation, a By-law would list accommodations that would be exempted from the payment of Municipal Accommodation Tax. The list of exemptions used in the City of Ottawa is as follows.

- Accommodations that are rented by the month, 30+ days
- Every hospital referred to in the list of hospitals and their grades and classifications maintained by the minister of Health and Long-Term Care under the *Public Hospitals Act* and every private hospital operated under the authority of a license issued under the *Private Hospitals Act*
- Every long-term care home as defined in subsection 2(1) of the *Long-Term Care Homes Act, 2007*, retirement home and hospices
- Accommodations paid for by a School Board as defined in subsection 1 (1) of the *Education Act*.
- Treatment centres that receive provincial aid under the Ministry of Community and Social Services Act
- Every house of refuge, or lodging for the reformation of offenders

¹ <https://ottawa.ca/en/living-ottawa/taxes/hotel-and-short-term-Accommodations-tax>

- Every charitable, non-profit philanthropic corporation organized as shelters for the relief of the poor or for emergency
- Every tent or trailer sites supplied by a campground, tourist camp or trailer park that is not listed on short term rental websites
- Every Accommodations supplied by employers to their employees in premises operated by the employer
- Every hospitality room in an establishment that does not contain a bed and is used for displaying merchandise, holding meetings, or entertaining

Analysis

Administration undertook consultation with various key stakeholders in the tourism and accommodation industry. The detailed comments are included in Attachment 1. From these conversations, it was found that there exists unanimous support of OHRMA, the local ORHMA representative, the General Manager of the Holiday Inn Express and Suites Lakeshore and the Owner of Iron Kettle Bed and Breakfast.

Stakeholders seek Council to create an 'equal playing field' related to the imposition of MAT on all short term stays, in traditional hotels or otherwise.

The potential revenue generated from MAT will fund the municipality's tourism product and tourism infrastructure development which will further grow the municipality's attractions, restaurants, retail, and services and products.

Based on best practice from other jurisdictions, Administration proposes the creation of a tourism advisory group, organized by the Economic Development Officer and comprised of tourism related stakeholders, to advise the Municipality as to the best use of the revenue generated from MAT to support tourism development in the municipality.

The establishment and enhancement of tourism efforts fits well with multiple strategic priorities of Council, including: 1.1 Promote Lakeshore as the premier place to live, work, and play in southern Ontario; 1.4 & 5.4 Encourage Economic Development and Tourism.

Conclusion

Based on the research undertaken, Administration recommends the passing of a by-law imposing a Municipal Accommodation Tax (MAT) at 4% of rental rate to all transient accommodations including hotel, motel, inn, bed and breakfast, resorts, and short-term rentals for stays of 30 days or less. If Council supports this recommendation in principle, Administration will bring back a report with details on the recommended process for Administration of the process of MAT with the necessary by-law.

Others Consulted

Tony Elenis, President & CEO, Ontario Restaurant Hotel and Motel Association

Stacy King, General Manager, Holiday Inn Express & Suites - Lakeshore,

Nathan Rotman, Public Policy, Canada and Northeast US, Airbnb

Benjamin Leblanc-Beaudoin, Owner, Iron Kettle Bed and Breakfast

Dharmesh Patel, Regional Chair Ontario Restaurant Hotel and Motel Association (ORHMA), General Manager, Quality Inn Leamington

Shannon Pavia, Municipality of Chatham Kent – Tourism

Lynnette Bain, Tourism Windsor Essex Pelee Island

Financial Impacts

As per the Transient Accommodations Tax regulation, the intent of the revenue generated is intended to “promote tourism” in the municipality. Fifty percent (50%) of revenue, less reasonable costs of collecting and administering the tax, is to be directed to an eligible tourism entity whose mandate includes the promotion of tourism in Ontario. If implemented, Tourism Windsor Essex Pelee Island (TWEPI) is the official Destination Marketing Organization (DMO) for the Municipality of Lakeshore and the County of Essex and would receive 50% of the revenue. The remaining funds would be held by the Municipality of Lakeshore and would be used exclusively for tourism related activities within the municipality.

Potential Revenue Model:

<u>Type</u>	<u>Assumptions</u>	<u>Annual Projected Guest Revenue</u>	<u>MAT (4%)</u>
Hotel	105 Rooms, 60% Occupancy, \$120 per night	\$ 2,759,400.00	\$ 110,376.00
Motels	20 rooms, 30% Occupancy, \$50 per night	\$ 109,500.00	\$ 4,380.00
Traditional B&B's	6 Rooms, 30% Occupancy, \$100 per night	\$ 65,700.00	\$ 2,628.00
Short Term Rentals	1664 nights, \$215 per night	\$ 357,760.00	\$ 14,310.40
TOTAL Annual MAT Revenue			\$ 131,694.40
TWEPI 50%			\$ 65,847.20
Lakeshore 50%			\$ 65,847.20

*** The revenue model is based on projected occupancy and rental rates. Data has been supported by either the hotel management, or secondary research. External factors (COVID-19, competition, etc.) may adjust actual revenues and subsequent MAT revenue.

As mentioned above, the total remitted MAT could be in the range of \$131,000 per year. Of this total 50% of the revenue would be re-allocated to Tourism Windsor Essex Pelee Island, and 50% would be maintained within the Municipality and earmarked specifically to tourism efforts and tourism development. Depending on the model of implementation, there will be staff time that would need to be allocated to collecting the MAT. As with any by-law, enforcement would be required. A process to provide for administering this program including processing remittances, providing for routine financial audits, verification of remittances and monitoring timing of remittances, would be required. This may lead to the need for additional staffing resources.

Alternatively, Council can direct Administration to procure a vendor such as Ontario Restaurant, Hotel and Motel Association (ORHMA) who could collect the tax on behalf of the Municipality for a fee. Based on the proposed revenue chart above, the anticipated annual fee for this service is expected to be approximately \$2,200 per year. The fee is based on the volume of MAT remittances and would be shared equally by TWEPI and the Municipality.

Attachments:

- 1 – Comments from stakeholders
- 2 – ORHMA's Direction to the Municipal Accommodation Tax
- 3 – Ontario MAT Proposal, Airbnb

Report Approval Details

Document Title:	Municipal Accommodations Tax Report .docx
Attachments:	- Appendix 1- Comments from Stakeholders.pdf - ORHMA's Direction to the Municipal Accommodation Tax.pdf - Ontario MAT proposal.pdf
Final Approval Date:	Mar 18, 2021

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

Tammie Ryall

Rosanna Pellerito

Kristen Newman

Truper McBride

Notice of Motion submitted by Deputy Mayor Walstedt regarding Linda McKinlay Square

Whereas it has been the practice of the Municipality of Lakeshore to name various municipality owned properties and structures after former members of council who have significantly contributed to making Lakeshore the best and most envied municipality in the Province of Ontario:

And whereas Linda McKinlay served many years as a valued member of council for the former Township of Tilbury West and more recently the Municipality of Lakeshore providing exemplary service to residents:

Therefore, be it resolved that the municipal property recently developed as a place for rest and relaxation for Lakeshore residents on the Main Street in Comber be designated and named as "Linda McKinlay Square".

Notice of Motion submitted by Councillor McNamara regarding Stoney Point Library Facility

Direct Administration to bring a report regarding options for a semi-permanent solution to house the library at Stoney Point until such time as the Municipality has implemented the solution for the Stoney Point Lagoon and have sanitary capacity.

Municipality of Lakeshore

By-law 39-2025

Being a By-law to amend By-law 2-2012, the Zoning By-law for the Municipality of Lakeshore (ZBA-01-2025)

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

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

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

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

- 1) Schedule "A", Map 42 to By-law 2-2012 is amended as follows:
 - a. The zoning classification for the property known as 0 County Road 27 and legally described as Lots 8-12 Plan 259 Maidstone; Part of Lot 24 Concession 1, Maidstone as in R1440914, designated as Part 1 on Plan 12R17625; subject to an interest as in R1511570; Town of Lakeshore, being all of the Property Identifier Number 75021-0136, located on the west side of County Road 27 is changed from Hamlet Commercial Exception 10 (HC-10) to Hamlet Residential(HR) and Environmental Protection (EP) as shown on Schedule "A" to this by-law.
 - b. The zoning classification for the property known as 0 King Street and legally described as Lots 27-31, Plan 259 Maidstone; Part of Lot 24 Concession 1 Maidstone, designated as Parts 1 and 2 on Plan 12R22060; Lakeshore, being all of the PIN 75021-0132(LT); Part of Lot 24, Concession 1 Maidstone, designated as Part 3 on Plan 12R22060; Lakeshore, being all of the PIN 75021-0133(LT); and Part of King Street, Plan 259 Maidstone, designated as Part 4 on Plan 12R22060; subject to the interest of the Municipality; Lakeshore, being all of the PIN 75021-0171 (LT) is changed from Agriculture (A) and Hamlet Residential (HR) to Environmental Protection (EP).
- 2) This by-law shall come into force and take effect in accordance with Section 34 and 36 of the *Planning Act*, R.S.O. 1990, c. P. 13.

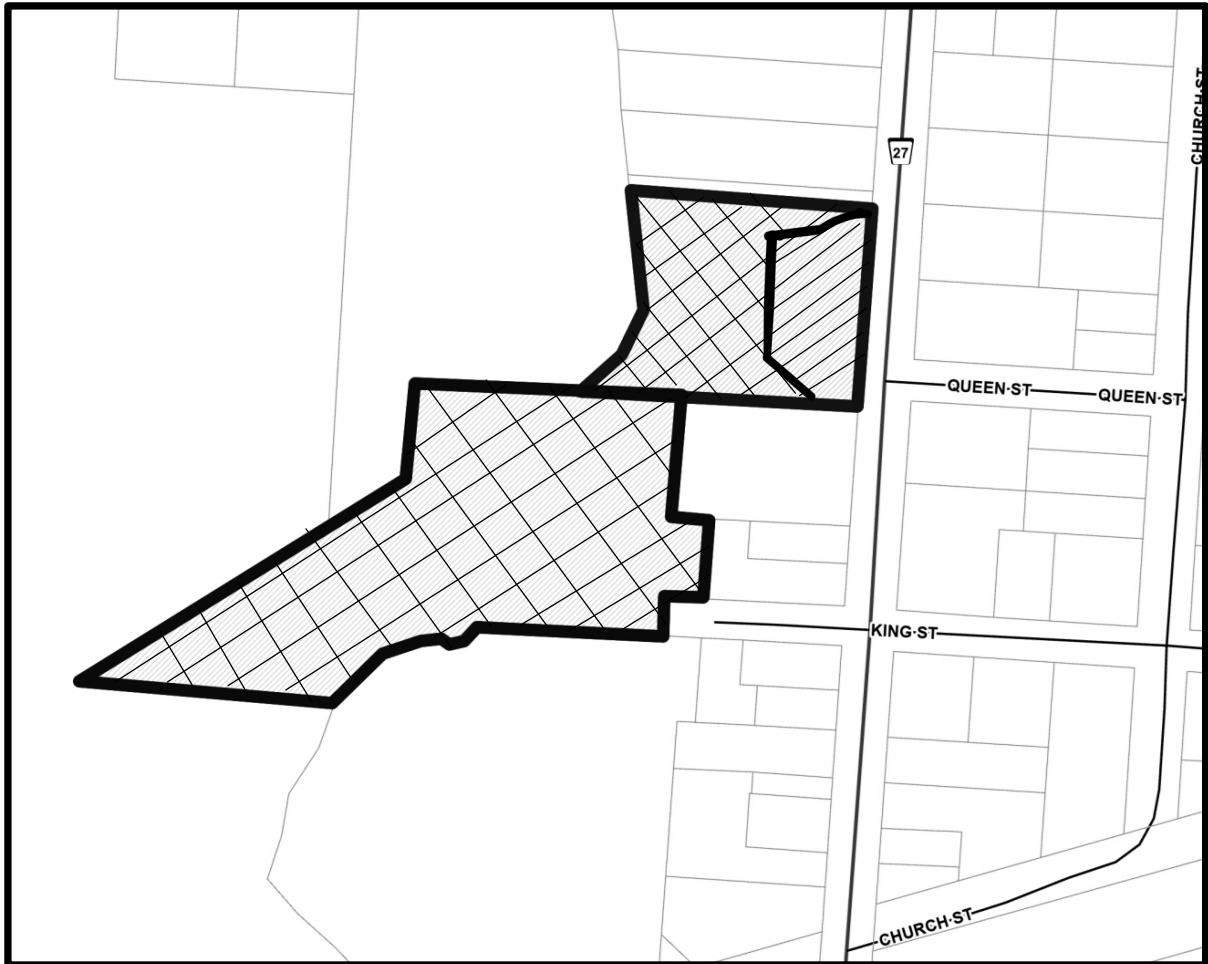
Read and passed in open session on May 20, 2025.


**Mayor
Tracey Bailey**

**Clerk
Brianna Coughlin**

Written approval of this by-law was given by Mayoral Direction MDE-____-2025
dated May 20, 2025.

**Schedule “A”
to By-law 39-2025**



 Rezone from Hamlet Commercial Zone Exception 10 (HC-10) to Hamlet Residential (HR)

 Rezone from Hamlet Commercial Zone Exception 10 (HC-10), Agriculture (A), Hamlet Residential (HR) to Environmental Protection (EP)

Municipality of Lakeshore

By-law 40-2025

**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 April 29, 2025 and May 6, 2025 sessions of Council be adopted and confirmed as if the same were expressly embodied in this By-law.
- 2. The Mayor or the Deputy Mayor together with the Clerk are authorized and directed to execute all documents necessary to the action taken by this Council as described in paragraph 1 of this By-law and to affix the Seal of the Municipality of Lakeshore to all documents referred to in said paragraph 1 above.
- 3. For the purposes of the exercise of the authority of the head of council to veto a by-law in accordance with section 284.11 of the *Municipal Act, 2001*, this Confirming By-law shall be deemed to be separate Confirming By-laws for each item listed on the meeting agenda.

Read and passed in an open session on May 20, 2025.

**Mayor
Tracey Bailey**

**Clerk
Brianna Coughlin**

Written approval of this by-law was given by Mayoral Direction MDE-___-2025 dated May 20, 2025.