



THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES  
REGULAR COUNCIL MEETING  
AGENDA

Meeting #: 06-2018  
Date: Tuesday, April 24, 2018  
Time: 7:00 p.m.  
Location: Legacy Centre - Thomas Hall, Thedford

Pages

1. Call to Order
2. Declaration of Pecuniary Interest
3. Approval of Agenda

**RECOMMENDATION:**

**THAT** the agenda for the April 24, 2018 Council meeting as presented be approved.

4. Closed Session

There are no items for the Closed Session.

5. Adoption of Minutes of Previous Council Meeting

- 5.1 Council Meeting - March 27, 2018

8 - 13

**RECOMMENDATION:**

**THAT** the minutes of the March 27, 2018 Council meeting as presented be adopted.

6. Councillor Reports
7. Statutory Public Meetings

There are no statutory meetings scheduled.

## **8. Presentations**

- 8.1 Anita Minielly, St. Joseph's Hospice, Fund Development Associate - 14 - 27  
Overview of St. Joseph's Hospice

### **RECOMMENDATION:**

**THAT** the presentation from Anita Minielly regarding an overview of St. Joseph's Hospice be received for information.

## **9. Delegations**

## **10. Consideration of Correspondence, Petitions, Committee Minutes and Staff Reports**

- 10.1 Correspondence from Nancy Vidler, Chair - Lambton Shores Phragmites 28 - 29  
Community Group - Request for Donation

### **RECOMMENDATION:**

**THAT** correspondence from the Lambton Shores Phragmites Community Group be received for information.

### **PLANNING**

- 10.2 Report PL 09-2018 - Proposed Revisions to Draft Approved Plan of 30 - 34  
Subdivision 38T-92006 East Glen Estates, Arkona

### **RECOMMENDATION:**

**THAT** Report PL 09-2018 relating to revisions to Draft Approved Plan of Subdivision 38T-92006 be received; and

**THAT** Staff advise the County of Lambton that Council supports the revisions proposed by AARDELL Investment Corp. to Draft Approved Plan of Subdivision 38T-92006 which reduces the number of single detached dwelling lots from 38 TO 29.

- 10.3 Report PL 10-2018 - Zoning By-law Amendment Application ZO-03/2017 35 - 40  
for Leo Ducharme and Lindsey Ashworth - 10014 Greenway Road

### **RECOMMENDATION:**

**THAT** Report PL 10-2018 relating to the Implementing By-law for Zoning By-law Amendment Application ZO-03/2017 submitted by Leo Ducharme and Lindsey Ashworth be received; and

**THAT** the implementing by-law be approved.

- 10.4 Report PL 12-2018 - Request by Parkbridge Lifestyle Communities Inc. for an Exemption to Section 22 (2.1) of the Planning Act as it affects 9326 West Ipperwash Road 41 - 43

**RECOMMENDATION:**

**THAT** Report PL 12-2018 being a report to approve an exemption to Section 22 (2.1) of the Planning Act as requested by Parkbridge Lifestyle Communities Inc. affecting lands known as 9326 West Ipperwash Road be received;

**THAT** Council approve an exemption to Section 22(2.1) of the Planning Act made by Parkbridge Lifestyle Communities Inc. affecting lands known as 9326 West Ipperwash Road, which would allow them to make application for an amendment to the New Lambton Shores Official Plan for an expansion to the campground prior to the second anniversary date of approval of new Lambton Shores Official Plan.

- 10.5 Report PL 13-2018 - Amending Site Plan Agreement Veronica Brennan - Grog's Pub and Grill 8604 Lakeshore Road, Northville 44 - 51

**RECOMMENDATION:**

**THAT** Report PL 13-2018 being a report to approve an Amending Site Plan Agreement with Veronica Heidi Brennan for the development of a new outdoor patio and a kitchen addition at the existing restaurant located at 8604 Lakeshore road be received: and

**THAT** a by-law be approved to execute an Amending Site Plan Agreement between the Corporation of Lambton Shores and Veronica Heidi Brennan for lands known as 8604 Lakeshore Road.

- 10.6 Report PL 14-2018 - Site Plan Agreement Application SP 02-2018 Richard Bruce Thomas Looman 16 James Street North, Forest 52 - 67

**RECOMMENDATION:**

**THAT** Report PL 14-2018 being a report to approve a Site Plan Agreement for the development of a 4 unit multiple dwelling by Richard Bruce Thomas Looman at 16 James Street North in Forest be received: and

**THAT** the by-law to execute a Site Plan Agreement between the municipality and Richard Bruce Thomas Looman for lands located at 16 James Street North in Forest be approved.

## COMMUNITY SERVICES

- 10.7 Report DCS 12-2018 - 2018 Capital Budget – Kennedy Line Bridge Rehabilitation Tender 68 - 71

**RECOMMENDATION:**

**THAT** Report DCS 12-2018 regarding the tender award for the Kennedy Line Bridge Rehabilitation Project be received; and

**THAT** the tender from AJN Builders Inc. in the amount of \$145,400.00 excluding HST, (\$147,959.04 net HST), for the Kennedy Line Bridge Rehabilitation Project be accepted; and

**THAT** the appropriate by-law, authorizing the Mayor and Clerk to sign the associated contract agreement be approved.

- 10.8 Report DCS 13-2018 - RFP Award- Supply and Delivery of One Ice Resurfacing Unit 72 - 73

**RECOMMENDATION:**

**THAT** Report DCS 13-2018 regarding the Supply and Delivery of One Ice Resurfacing Unit and Laser Leveling system be received; and

**THAT** the award for the Supply and Delivery of One Ice Resurfacing Unit and installation of a Laser Leveling system, be to Zamboni Company Ltd. for the sum of \$108,500.00 (excluding HST); and

**That** a trade-in value of \$12,000 for the existing ice resurfacing machine be accepted; and

**THAT** the appropriate by-law authorizing the Mayor and Clerk to execute any and all necessary documents be approved.

- 10.9 Report DCS 14-2018 - 2018 Capital Procurement – Backhoe Replacement 74 - 75

**RECOMMENDATION:**

**THAT** Report DCS 14-2018 regarding the RFP award for the 2018 Backhoe Replacement be received; and

**THAT** the RFP received from Kucera Group Alvinston in the amount of \$129,823.00 excluding HST, (\$132,107.88 net HST), for the replacement of the backhoe be accepted; and

**THAT** the appropriate by-law, authorizing the Mayor and Clerk to sign the associated contract agreement be approved.



|       |  |         |
|-------|--|---------|
| 10.10 | Report DCS 15-2018 - 2018 Operating Budget – Granular ‘A’ Gravel Supply and Delivery | 76 - 77 |
|-------|--|---------|

**RECOMMENDATION:**

**THAT** Report DCS 15-2018 regarding the Tender award for the 2018 Gravel supply and delivery be received; and

**THAT** the Tender received from Johnston Brothers Bothwell Limited in the amount of \$185,920.00 (\$13.28/tonne) excluding HST (\$189,192.19 net HST), for the supply and delivery of Granular ‘A’ Gravel be accepted; and

**THAT** the appropriate by-law, authorizing the Mayor and Clerk to sign the associated contract agreement be approved.

|       |  |         |
|-------|--|---------|
| 10.11 | Report DCS 16-2018 - Appointment of an Engineer for the VanEngelen Drain | 78 - 80 |
|-------|--|---------|

**RECOMMENDATION:**

**THAT** DCS 16-2018 regarding the Appointment of an Engineer for the VanEngelen Drain be received; and

**THAT** Spriet & Associates be appointed to complete the required engineer’s report for the Section 78 request made under the Drainage Act for the VanEngelen Drain.

**FINANCE**

|       |   |         |
|-------|---|---------|
| 10.12 | Report TR 14-2018 - March 2018 Operating and Capital Financial Statements | 81 - 91 |
|-------|---|---------|

**RECOMMENDATION:**

**THAT** Report TR 14-2018 regarding the Q1 2018 Financial Statements and operational updates be received.

|       |                                    |         |
|-------|------------------------------------|---------|
| 10.13 | Report TR 16-2018 - 2018 Tax Rates | 92 - 95 |
|-------|------------------------------------|---------|

**RECOMMENDATION:**

**THAT** Report TR-16-2018 regarding the 2018 tax rates be received; and,

**THAT** the by-law establishing the 2018 Tax Rates for Lambton Shores be approved.

## ADMINISTRATION

- 10.14      Report CL 08-2018 - Lambton Shores Community Association      96 - 97  
Correspondence

### **RECOMMENDATION:**

**THAT** Report CL 08-2018 - Lambton Shores Community Association Correspondence be received for information.

- 10.15      Report CL 09-2018 - Port Franks Beach Parking      98 - 104

### **RECOMMENDATION:**

**THAT** Report CL 09-2018 regarding parking and access for the Port Franks Beach be received; and

**THAT** no changes be made at this time to the current parking and bylaw enforcement program in place in Port Franks.

- 10.16      Report CL 10-2018 - Use of Corporate Resources Policy – Election      105 - 110  
Campaign Period

### **RECOMMENDATION:**

**THAT** Report CL 10-2018 regarding a policy on the Use of Corporate Resources during the Election Campaign Period; and

**THAT** the Use of Corporate Resources Policy for the Election Campaign Period be approved.

## **11. Notice of Motion**

- 11.1      Notice of Motion from Councillor Wilcox to be heard at the May 15, 2018      111  
Council Meeting

## **12. Emergent Issues**

## **13. By-laws and Resolutions**

- 13.1      By-law 31-2018 - Cemetery By-law Columbrum Scattering      112 - 122
- 13.2      By-law 34-2018 - Authorize Agreement - Sandbar and Grill for Sidewalk      123 - 128  
Cafe
- 13.3      By-law 35-2018 - Zoning By-law Amendment - Ducharme and Ashworth      129 - 135
- 13.4      By-law 36-2018 - Appoint Provincial Offences Officers      136

|       |   |           |
|-------|---|-----------|
| 13.5  | By-law 37-2018 - 2018 Tax Rates   | 137 - 139 |
| 13.6  | By-law 38-2018 - Authorize Agreement - Backhoe Purchase                           | 140       |
| 13.7  | By-law 39-2018 - Authorize Agreement - Kennedy Line Bridge Rehabilitation Project | 141       |
| 13.8  | By-law 40-2018 - Authorize Agreement - Granular 'A' Gravel Supply and Delivery    | 142       |
| 13.9  | By-law 41-2018 - Authorize Amending Site Plan Agreement - Veronica Brennan        | 143       |
| 13.10 | By-law 42-2018 - Authorize Agreement - Ice Resurfacing Unit Purchase              | 144       |
| 13.11 | By-law 43-2018 - Authorize Amending Site Plan Agreement - Richard Looman          | 145       |
| 13.12 | By-law 44-2018 - Confirming   | 146       |

**RECOMMENDATION:**

**THAT** By-law 31-2018 and By-laws 34-2018 through 44-2018 be read a first, second and third time, passed and signed by the Mayor and Clerk.

**14. Adjournment**



# The Municipality of Lambton Shores

## REGULAR COUNCIL MEETING MINUTES

Tuesday, March 27, 2018  
7:00 p.m.

**Members Present:** Mayor Weber, Deputy Mayor Cook and Councillors Maguire, Sageman, Dodge, Goodhand, Finlay and Wilcox

**Regrets:** Councillor Rupke

**Staff Present:** Kevin Williams, Chief Administrative Officer, Stephanie Troyer-Boyd, Clerk, Janet Ferguson, Treasurer, Steve McAuley, Director of Community Services

### 1. Call to Order

Mayor Weber called the meeting to order at 7:00 p.m.

### 2. Declaration of Pecuniary Interest

There were no declarations of pecuniary interest on March 27, 2018.

### 3. Approval of Agenda

18-0327-01 Moved by: Councillor Dodge  
Seconded by: Councillor Sageman

**THAT the March 27, 2018 Council meeting agenda be approved as presented.**

**Carried**

### 4. Closed Session

There were no items for the Closed Session.

### 5. Adoption of Minutes of Previous Council Meeting

18-0327-02 Moved by: Councillor Goodhand  
Seconded by: Councillor Finlay

**THAT the minutes of the March 6, 2018 Council meeting be adopted as presented.**

**Carried**

**6. Councillor Reports**

Council members reported on items of interest to the community.

**7. Court of Revision- Cliff Road Drain**

18-0327-03 Moved by: Councillor Goodhand  
Seconded by: Councillor Sageman

**THAT Doug Cook be appointed to the Court of Revision for the Cliff Road Drain.**

**Carried**

18-0327-04 Moved by: Councillor Wilcox  
Seconded by: Councillor Maguire

**THAT the Council meeting adjourn at 7:03 p.m. for the Court of Revision on the Cliff Road Drain.**

**Carried**

18-0327-05 Moved by: James Finlay  
Seconded by: Jeff Wilcox

**THAT the Court of Revision adjourn and the Council meeting reconvene at 8:46 pm.**

**Carried**

18-0327-06 Moved by: Councillor Sageman  
Seconded by: Deputy Mayor Cook

**THAT the Council meeting extend past 9:00 pm.**

**Carried**

**8. Presentations**

8.1 BM Ross and Associates Ltd. - Municipal Class EA to Address Traffic Congestion on the Ontario Street Corridor - Grand Bend

18-0327-07 Moved by: Councillor Wilcox  
Seconded by: Councillor Maguire

**THAT the presentation from BM Ross and Associates Ltd. regarding the Municipal Class EA to address traffic Congestion on the Ontario Street corridor in Grand Bend be received.**

**Carried**

**9. Delegations**

There were no delegations scheduled for March 27, 2018

**10. Consideration of Correspondence, Petitions, Committee Minutes and Staff Reports**

- 10.1 Correspondence from C.I.B.C. - Notice of Closure
- 10.2 Correspondence from the Ministry of Natural Resources and Forestry - Ipperwash Crown Lands
- 10.3 Correspondence from Bob Torrington - 77 Main Street West, Grand Bend Driveway Location

18-0327-08 Moved by: Councillor Maguire  
Seconded by: Councillor Sageman

**THAT Correspondence Items # 10.1 through 10.3 be received.**

**Carried**

- 10.4 Correspondence from the Forest Kiwanis Canada Day Committee - Donation for Canada Day
- 10.5 Correspondence from Kiwanis Club of Forest - Donation for Canada Day

18-0327-09 Moved by: Councillor Dodge  
Seconded by: Councillor Goodhand

**THAT Resolution 18-0306-05 be reconsidered.**

**Carried**

Councillor Wilcox requested a recorded vote.

18-0327-10 Moved by: Councillor Dodge  
Seconded by: Councillor Goodhand

**THAT the Kiwanis Club of Forest Canada Day Committee be funded an additional \$ 2,000 for a total of \$ 5,000 and that the additional monies be funded by the Opportunities and Contingency Fund.**

**Carried**

In Support: Councillors Maguire, Sageman, Finlay, Goodhand, Dodge (5)  
Opposed: Mayor Weber, Deputy Mayor Cook, Councillor Wilcox (3)  
Absent: Councillor Rupke (1)

- 10.6 Correspondence from the Kiwanis Club of Forest - Proposal of Two Projects for the Town of Forest

18-0327-11 Moved by: Councillor Wilcox  
Seconded by: Deputy Mayor Cook

**THAT staff provide a report on the proposal by the Kiwanis Club of Forest for two projects in Forest as proposed in Correspondence Item 10.6.**

**Carried**

10.7 Report DCS 09-2018 - Chippewas of Kettle and Stony Point First Nation and Municipality of Lambton Shores Joint Community Open House

10.8 Report DCS 11-2018 - Lambton Shores 2017 Annual Water Reports

18-0327-12 Moved by: Deputy Mayor Cook  
Seconded by: Councillor Maguire

- 1. THAT Report DCS 09-2018 regarding the “Chippewas of Kettle and Stony Point First Nation and Municipality of Lambton Shores Joint Community Open House” be received for information; and**
- 2. THAT Report DCS 11-2018 regarding the presentation of the 2017 Lambton Shores Annual Water Reports be received; and**

**THAT the following water reports be received for information:**

- East Lambton Shores Water Distribution System Annual Summary Report;**
- East Lambton Shores Water Distribution System Annual Report;**
- West Lambton Shores Water Distribution System Annual Summary Report; and**
- West Lambton Shores Water Distribution System Annual Report.**

**Carried**

10.9 Report TR 12-2018 - 2017 Year End Audit Planning Report

18-0327-13 Moved by: Councillor Wilcox  
Seconded by: Councillor Sageman

**THAT Report TR 12-2018 providing the 2017 Year-End Audit Planning Report from BDO Canada LLP be received.**

**Carried**

10.10 Report CL 06-2018 - Cemetery By-law

18-0327-14 Moved by: Deputy Mayor Cook  
Seconded by: Councillor Wilcox

**THAT Clerk Report 06-2018 regarding cemetery regulations be received; and**

**THAT the By-law 31-2018 regulating the Arkona, Baptist, Beechwood, and Ward Cemeteries be approved.**

**Carried**

18-0327-15 Moved by: Deputy Mayor Cook  
Seconded by: Councillor Maguire

**THAT the Council meeting extend past 10:00 pm.**

**Carried**

**11. Notice of Motion**

11.1 Notice of Motion from Councillor Dodge - Electric Vehicle Charging Stations

18-0327-16 Moved by: Councillor Dodge  
Seconded by: Councillor Wilcox

**THAT staff prepare a report on the opportunities, costs and other considerations associated with installing Electric Vehicle Charging Stations in the south, centre and north areas of Lambton Shores for the May 15, 2018 meeting of Council which would act as an incentive to assist tourism in the Municipality.**

**Carried**

**12. Emergent Issues**

There were no Emergent Issues brought forward.

**13. By-laws and Resolutions**

13.1 By-Law 32-2018 – Execution of Sub-Leases of the Government Wharf and Federal Harbour Building

13.2 By-Law 33-2018 - Confirming Resolutions to Date

18-0327-17 Moved by: Councillor Dodge  
Seconded by: Councillor Finlay



**THAT By-laws 32-2018 and 33-2018 be read a first, second and third time, passed and signed by the Mayor and Clerk.**

**Carried**

**14. Adjournment**

18-0327-18 Moved by: Councillor Goodhand  
Seconded by: Deputy Mayor Cook

**THAT the March 27, 2018 Council meeting adjourn at 10:07 p.m.**

**Carried**



**Resource Centre**  
475 Christina Street North



**The Residence**  
140 Water Street



# *Thank you!*

**The County of Lambton generously supported our  
\$6 million dollar Capital Campaign (2008-2012)**

**\$100,000.00**

**Lambton Shores Communities – YTD \$11,371.30 (Approx.)**



# St. Joseph's Hospice Resource Centre



475 Christina Street N., Sarnia

# Who We Are & What We Do

***Our Mission ~ To provide compassionate, expert, holistic care to enhance quality and dignity of life for individuals living with and dying from a terminal illness***

- 1. Resource Centre ~ Community Based Programs & Services**
- 2. Palliative Care Clinic**
- 3. 10-Suite Residential Care Facility**

# Who We Are & What We Do



Caring Hearts Children's Program



Summer Grief Camp



Bereavement and Support Groups



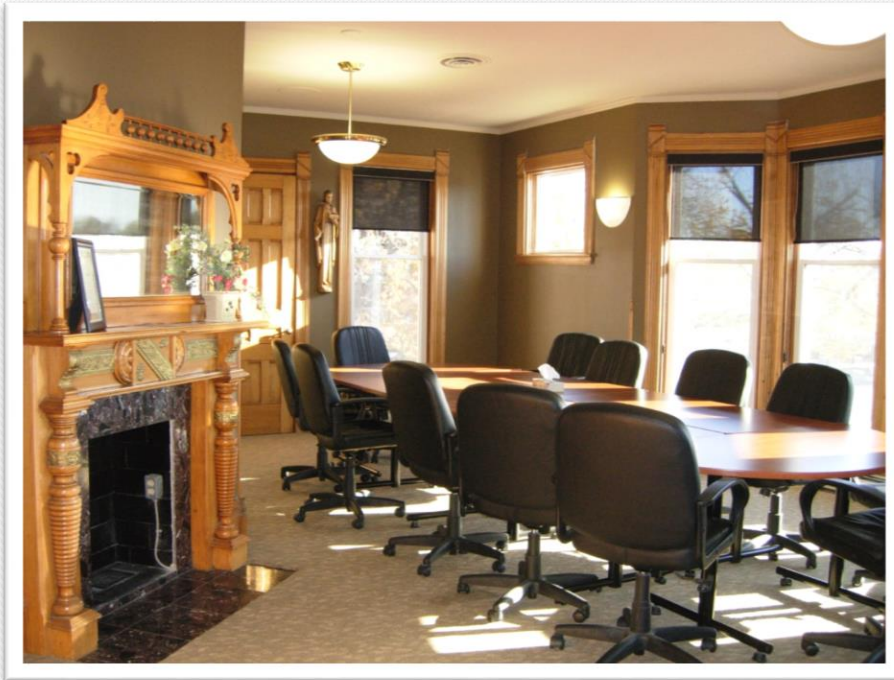
Day Hospice



Complementary Therapies



# Resource Centre



**Boardroom**

**Education Room**



# Palliative Care Clinic



**Dr. Glen Maddison**



**Dr. Allison Crombeen**



**Dr. David Kim**

- LHIN funding (partial)
- 5 days / week ; 2 examination rooms
- Support is provided through end of life:
  - Hospital
  - Hospice
  - Home





# St. Joseph's Hospice Residence

Opened December 2009  
10 Year Anniversary 2019

140 Water Street, Sarnia



# The Residence



Residence Kitchen

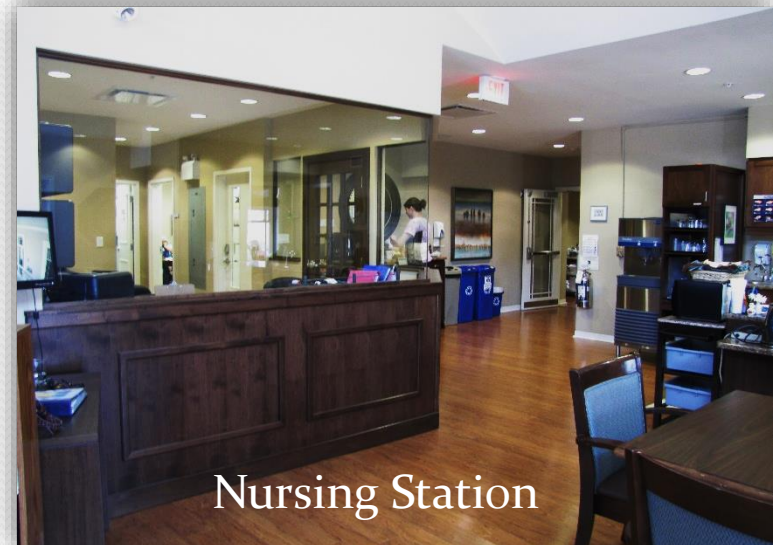
330 Volunteers / 21 Roles / \$500,000



Living Fire Place



The Family Great Room



Nursing Station

# The Residence – Private Suites



Bright hallways



Private Suite



Home-like furnishings



Private Bathroom

## 10 Private Rooms

- Secure access 24/7
- Sleeper chairs
- Extra large hospital beds



# The Residence

## Spa Room



## Complementary Therapies



- Massage Therapy
- Reiki Therapy
- Reflexology
- Pet Therapy
- Therapeutic Touch

# The Residence



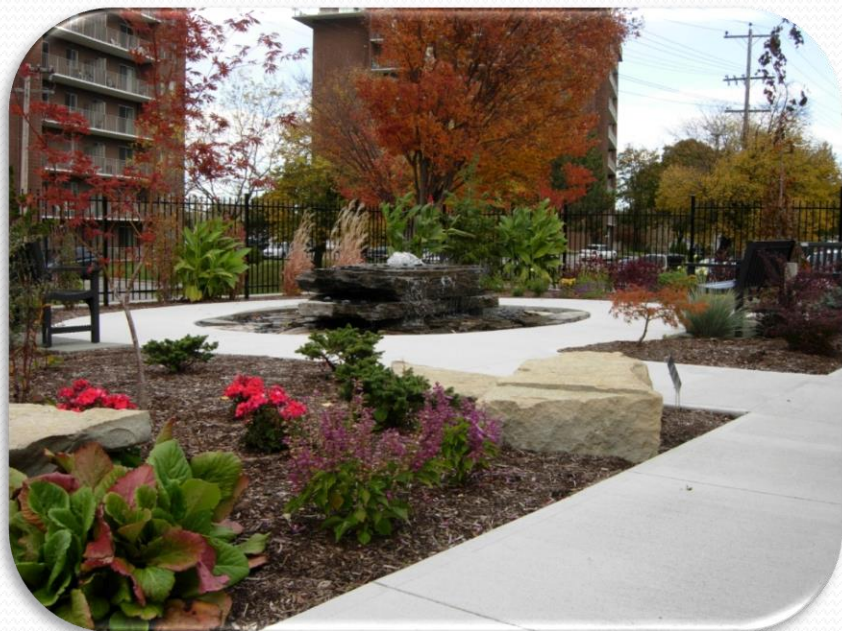
## Public Areas

- Donor Recognition



County of Lambton's  
Gold Butterfly

# Residence – Outdoor Space



All outdoor spaces are maintained by volunteer gardeners!

**Proud winner (twice) of the  
Sarnia Lambton Chamber of Commerce  
“Put a Shine on Sarnia Lambton”**



# **Thank you!**

## **Questions**





Minister's Award for  
**Environmental Excellence**

*Honourable Mention for Environmental Achievement, 2013*

April 11, 2018

Attention: Mayor Weber and Members of Council

Dear Mayor Weber and Members of Council,

**Re: Minutes of January 16, 2018 Council Meeting**

***Moved By: Councillor Dodge Seconded By Councillor Goodhand***

*THAT \$15,000 be committed to the Lambton Shores Phragmites Community Group (LSPCG) subject to grants being received from the Land Stewardship Habitat Restoration Program (LSHRP) and the Great Lakes Guardian Community Fund (GLGCF). **Carried***

In follow up to the above approved motion made at the January 16 council meeting, the LSPCG is pleased to report that our grant application for \$25,000 to the GLGCF has been approved by the Ministry of the Environment and Climate Change.

Even though we were not awarded a grant from the LSHRP (which had had more than 70 applications but only enough funding to make 26 grants) we would still like council to consider granting the \$15,000 mentioned in the approved motion. However receiving \$9,800, which was the amount in our original request to Council, would also be helpful and appreciated.

It is worth noting that while the LSPCG will not receive funds from the LSHRP, Lambton Centre, our partner located on the adjacent property and part of this same wetland project, did receive \$20,000 from the LSHRP and together, we will be continuing to work on Lambton Centre's remaining 5 acres and into Block 3 Wood Drive.



Thank you for your support of our restoration work. We appreciate the good work being done along the roadsides by Community and Social Services and Lambton County Public Works. The Ipperwash Phrag Phighters have accomplished a great deal in 2 years educating their community, hosting spading events on the beach and engaging the Municipality of Lambton Shores, the Ministry of Natural Resources and Forestry and St. Clair Region Conservation Authority. Lambton Centre campers are once again using the beach for recreation and enjoying sunsets for the first time in many years now that invasive Phragmites has been removed.

In addition, the LSPCG continues to partner with the Ausable Bayfield Conservation Authority for ongoing touch up in Port Franks and Grand Bend and with Mayor Weber's support at county council, we have been instrumental in having a Phragmites Coordinator position created.

In closing, our ability to show in our grant applications that the Municipality of Lambton Shores continues to support us financially, is instrumental in our success at leveraging necessary funds from other sources. We hope council will consider and support the above request to enable us to continue our important work in remediating Phragmites infested lands located in the Lambton Shores Wetland Complex, as identified in the Lambton Shores Invasive Phragmites Management Plan adopted by Council in 2014.

Sincerely,



Nancy Vidler, Chair



**10039 Wedd Road    Port Franks    Ontario    N0M2L0**  
**email: [lspcg2014@gmail.com](mailto:lspcg2014@gmail.com)    website: [www.lspcg.com](http://www.lspcg.com)**

## THE MUNICIPALITY OF LAMBTON SHORES

**Report PL 09-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council  
**FROM:** Patti Richardson  
**RE:** Proposed Revisions to Draft Approved Plan of Subdivision 38T-92006  
East Glen Estates, Arkona

### **RECOMMENDATION:**

**THAT** Report PL 09-2018 relating to revisions to Draft Approved Plan of Subdivision 38T-92006 be received; and

**THAT** Staff advise the County of Lambton that Council supports the revisions proposed by AARDELL Investment Corp. to Draft Approved Plan of Subdivision 38T-92006 which reduces the number of single detached dwelling lots from 38 TO 29.

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### **SUMMARY**

This report relates to a request from AARDELL Investments Corp. to revise Draft Approved Plan of Subdivision 38T-92006 located on lands in Arkona (see Attachments 1 and 2).

### **BACKGROUND**

AARDELL Investments Corp. has purchased the remaining lands in Draft Approved Plan of Subdivision 38T-92006 which are located off of East Glen Drive in Arkona (see Attachments 1 and 2). They are requesting approval to revise the plan to reduce the number of lots from 38 to 29, by increasing the frontages and areas of the lots (See Revised Plan Attachment 3).

This Draft Plan of Subdivision was originally approved by the Ministry of Municipal Affairs on September 1, 1994. Since that time the Ministry has transferred the approval authority for these older plans of subdivision to the County of Lambton.

Before the County will consider the requested revisions to the plan, they require a response from Lambton Shores Council.

Staff has reviewed the proposed revisions and can recommend that Council support the revisions and advise the County of their support.

### **ALTERNATIVES TO CONSIDER**

None at this time

### **RECOMMENDED ACTIONS**

Staff recommends that Council receive Report PL 09-2018 and advise the County of Lambton that they support the proposed revisions to Draft Approved Plan of Subdivision 38T92006.

### **FINANCIAL IMPACT**

None

### **CONSULTATION**

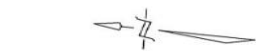
Stephen McAuley, Director of Community Services  
Nick Verhoeven, Engineering Specialist



LANDS SUBJECT OF THE REMAINING UNDEVELOPED  
PORTION OF DRAFT APPROVED PLAN OF SUBDIVISION 38T-  
92006

ATTACHMENT 2

Original Plan



KEY PLAN N.T.S.

DRAFT PLAN OF SUBDIVISION  
OF PART OF LOTS 4 & 5  
AND PART OF LOTS 14, 15, 16 & 17  
REGISTERED PLAN # 6  
VILLAGE OF ARKONA  
COUNTY OF LAMBTON

OWNER'S CERTIFICATE  
I hereby authorize the use of Development Engineering (Lambton) Limited to submit this proposed Plan of Subdivision.  
JACK MICHELSSEN BAUDER INC. DATE

SURVEYOR'S CERTIFICATE  
We hereby certify that the boundaries of the land to be subdivided as shown on the plan and their relationship to adjacent lands are accurately and correctly shown.  
FARROW CONSULTING & STIRLING SURVEYING LIMITED DATE  
DORING AND SURVEYOR

- REQUIREMENTS UNDER SECTION 50(2) OF THE PLANNING ACT
- |                               |                            |
|-------------------------------|----------------------------|
| (1) AS SHOWN ON PLAN          | (2) AS SHOWN ON PLAN       |
| (3) AS SHOWN ON PLAN          | (4) PAVED WATER            |
| (5) AS SHOWN ON KEY PLAN      | (6) SANDY LOAM / CLAY LOAM |
| (7) SINGLE FAMILY RESIDENTIAL | (8) AS SHOWN ON PLAN       |
| (9) AS SHOWN ON PLAN          | (10) FULL SERVICES         |
| (11) AS SHOWN ON PLAN         | (12) AS SHOWN ON PLAN      |

LAND USE SCHEDULE  
TOTAL AREA OF SITE - 18.54 ha.  
SINGLE FAMILY LOTS (LOTS 1-17) - 6.8 ha.  
OPEN SPACE (BLOCK 7) - 2.84 ha.  
ROADS/RESERVE (BLOCK 23) - 1.87 ha.

| NO. | TO     | DATE      | NO. | TO | DATE |
|-----|--------|-----------|-----|----|------|
| 1   | CLIENT | OCT 28/02 |     |    |      |
| 2   | MAN    | OCT 28/02 |     |    |      |
| 3   | MAN    | OCT 21/02 |     |    |      |
| 4   | CLIENT | JUL 16/03 |     |    |      |
| 5   | MAN    | JUL 16/03 |     |    |      |

| NO. | TO     | DATE      | NO. | TO | DATE |
|-----|--------|-----------|-----|----|------|
| 1   | CLIENT | OCT 28/02 |     |    |      |
| 2   | MAN    | OCT 28/02 |     |    |      |
| 3   | MAN    | OCT 21/02 |     |    |      |
| 4   | CLIENT | JUL 16/03 |     |    |      |
| 5   | MAN    | JUL 16/03 |     |    |      |

development engineering  
Consulting Civil Engineers and Planners  
361 Buffalo Avenue  
London, Ontario N6B 1K5  
(519) 872-8310

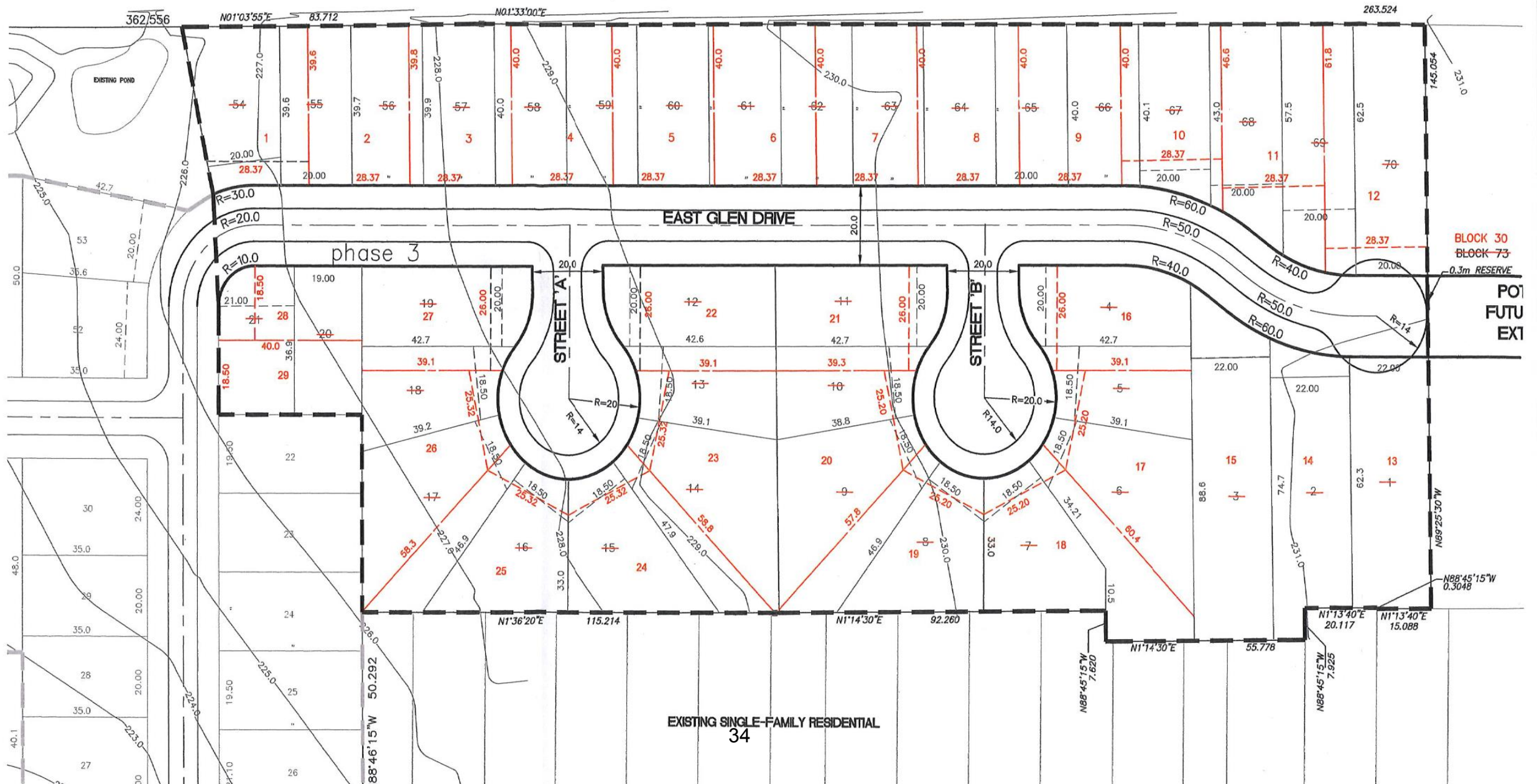
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|-------------------------------|--|



EXISTING GOLF COURSE

Proposed Revisions

ATTACHMENT 3



## THE MUNICIPALITY OF LAMBTON SHORES

**Report PL 10-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council  
**FROM:** Patti Richardson, Senior Planner  
**RE:** Zoning By-law Amendment Application ZO-03/2017  
LOCATION: 10014 Greenway Road  
OWNER: Leo Ducharme and Lindsey Ashworth

### **RECOMMENDATION:**

**THAT** Report PL 10-2018 relating to the Implementing By-law for Zoning By-law Amendment Application ZO-03/2017 submitted by Leo Ducharme and Lindsey Ashworth be received; and

**THAT** the implementing by-law be approved.

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### **SUMMARY**

This report relates to a zoning by-law amendment application submitted by Leo Ducharme and Lindsey Ashworth affecting lands known municipally as 10014 Greenway Road (See Map Attachment 1).

### **BACKGROUND**

Council will recall that they considered Zoning By-law Amendment Application ZO-03-2017 at their May 16, 2017 meeting and passed the following resolution:

#### **17-0516-11 - Carried**

**THAT** Zoning By-law Amendment Application ZO-03/2017, submitted by Leo Ducharme and Lindsey Ashworth, respecting lands known as 10014 Greenway Road, to change the zoning on the lands from Agricultural 2 (A2) to a site specific Residential - 6 (R6) Zone and an Environmental Protection - Natural Conservation (EP-NC) Zone to permit a new single detached residential dwelling lot to be created which will have a lot frontage of 45.72 metres (revised), a lot depth of 87.48 metres (revised) and a lot area of 4,000 m<sup>2</sup> (revised) be APPROVED IN PRINCIPLE, subject to the following conditions:

1. That the proposed building envelope be placed in a new Residential 6.24 Zone (R6-24) with the balance of the lands being placed in the Environmental Protection - Natural Conservation Zone (EP-NC).

2. That the Owners provide a survey of the proposed building envelope, which will be used to define the building envelope in the implementing by-law. In addition the survey shall indicate the location of the existing septic system.
3. That the Residential 6.24 (R6-24) zone contain the following regulations:
  - a) Minimum Lot Area (minimum) 4,000 m<sup>2</sup>
  - b) Minimum Lot Frontage (minimum) 44 metres
  - c) Maximum Height 10 metres
  - d) Rear Yard (minimum) 6 metres
  - e) Interior Side Yard (minimum):
    - i) With Attached Garage: 2 metres
    - ii) No Attached Garage: 2 metres & 3 metres

#### Special Provisions

1. No Buildings or structures shall be constructed within the drip line of the trees.
2. No site alteration or tree removal is permitted on the lot until a building permit is obtained from the Municipality.
3. No building permit shall be issued for any buildings or structures in the Residential 6.23 (R6-23) Zone until:
  - A geotextile fencing cloth is installed as a wildlife exclusion barrier along the entire west, south and north boundary of the Residential - 6.23 (R6.23) Zone. The geotextile fence should be at least 0.8 meters high from grade at all locations and be continuously affixed to the ground using sand bags or other materials to ensure there are no gaps that snakes may access through. The barrier fencing should extend out from it's terminal edges by a distance of at least 5 meters and angle out or back at a 45 degree angle (whichever is most beneficial) to direct wildlife, including reptiles, away from and around the construction site. In addition, construction barrier fence shall be installed along the eastern and southern boundary of the Residential - 6.23 (R6.23) Zone and such construction barrier fence shall be connected to the wildlife exclusion barrier to create a continuous barrier around the Residential - 6.23



(R6.23) Zone to prevent equipment from impacting remaining vegetation.

- A circle barrier fence with a radius of 9 metres should be marked around each dwarf hackberry during on site construction activities to prevent damage to the trees or the critical habitat surrounding them.
  - A Tree Saving and Landscaping Plan for the entire lot is submitted to the satisfaction of the Municipality, which shall address the following:
    - a) Identifies trees to be removed;
    - b) Incorporates the dwarf hackberry into the final landscaping of the subject lands and provides for the barrier fence identified in 5) above to be replaced with a less obvious marker, such as stone monuments, landscape edging, plantings, etc;
    - c) Includes a suitable landscaping plan incorporating native understorey and sub canopy vegetation species that suit woodland openings, (e.g., lupine, coneflower, dwarf hackberry, serviceberry, etc.) to add for plant diversity to these vegetation layers and also to provide natural forest floor to create suitable habitat for germination of additional dwarf hackberry trees;
    - d) Retains oak species.
  - A grading plan is submitted which will mitigate recharge impacts associated with the development by incorporating stormwater controls such as roof leader water being directed to grassed areas rather than to the drainage ditch along the road frontage.
  - A Septic Permit for a new septic system is obtained from The County of Lambton.
4. Between April 1st and October 30th, all equipment and machinery that is left idle for over 1 hour, or overnight, on the property must be visually examined prior to (re)ignition, to ensure reptiles are not present within the machinery. This visual examination should include all lower components of the machinery, including operational extensions and running gear.
5. Any protected reptile that is encountered on site must be protected from harm and harassment. Should a protected reptile be

observed in the work area and presumed to be unharmed, all project personnel and operating machinery should maintain a minimum 30m distance from it at all times until it has left the area. MNR Aylmer District must be contacted immediately if this cannot be done. A large Rubbermaid-type container with ventilated lid should be kept on site at all times in the event a protected reptile is injured or killed during the project. Should a protected reptile be injured, it should be immediately transported in the container to a licensed Veterinarian for care and/or euthanasia. During transport the reptile inside the container should be maintained at a temperature between 10 and 30°C. Contact the Aylmer District MNR office immediately if any reptiles are harmed or killed during construction.

6. The construction area should be clean and free of debris for any activities that occur during the active season for reptiles (April 15th to October 15th). Reptiles may find and occupy materials and equipment stored on site and could be harmed when materials and debris are handled or used. Materials such as excavated soils should only be stored in areas that have previously had understory vegetation (1m or shorter) mowed to a height of 5cm or shorter. Excavated soil should not be stored on the site long-term. Flat materials such as plywood or rubber mats should not be left lying on the ground. Any material stockpiles created on the property during the project must be visually examined for protected reptiles prior to disturbance or removal.
7. Existing maintained areas (lawn) should be maintained to ensure grass does not grow higher than 7-10cm. Allowing grass to grow greater than 15cm in height could attract reptiles and other wildlife to the construction site.
8. That no grading or construction should occur outside of the proposed development area (the R6-23 Zone).

as the approval of the application with these conditions provides for development which is consistent with the Provincial Policy Statement and is in compliance with the Lambton Shores Official Plan.

Therefore, Staff has prepared the implementing zoning by-law for Council review and approval (See By-law Section of the Agenda)

### **ALTERNATIVES TO CONSIDER**

None at this time.

**RECOMMENDED ACTIONS**

That Planning Report 10-2018 be received and that the By-law to implement the amendments to the Zoning By-law be approved

**FINANCIAL IMPACT**

None

**CONSULTATION**

None



**OWNER TOTAL LAND HOLDING**



**LANDS SUBJECT OF BY-LAW AND  
PROPOSED NEW LOT**

## THE MUNICIPALITY OF LAMBTON SHORES

**Report PL 12-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council

**FROM:** Patti Richardson, Senior Planner

**RE:** Request by Parkbridge Lifestyle Communities Inc.  
for an exemption to Section 22 (2.1) of the Planning Act  
as it affects 9326 West Ipperwash Road

### **RECOMMENDATION:**

**THAT** Report PL 12-2018 being a report to approve an exemption to Section 22 (2.1) of the Planning Act as requested by Parkbridge Lifestyle Communities Inc. affecting lands known as 9326 West Ipperwash Road be received;

**THAT** Council approve an exemption to Section 22(2.1) of the Planning Act made by Parkbridge Lifestyle Communities Inc. affecting lands known as 9326 West Ipperwash Road, which would allow them to make application for an amendment to the New Lambton Shores Official Plan for an expansion to the campground prior to the second anniversary date of approval of new Lambton Shores Official Plan.

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### **SUMMARY**

This report relates to a request from Parkbridge Lifestyle Communities Inc. affecting lands known as 9326 West Ipperwash Road, for an exemption to Section 22(2.1) of the Planning Act. (See Map, Attachment 1).

### **BACKGROUND**

As Council is aware the new Lambton Shores Official Plan was approved by the County of Lambton in September of 2017. While some portions are subject of appeal much of the plan is in effect.

Section 22(2.1) of the Planning Act states:

#### **“Two-year period, no request for amendment**

(2.1) No person or public body shall request an amendment to a new official plan before the second anniversary of the first day any part of the plan comes into effect.”

This provision does not permit amendments to the Official Plan for two years from the date it was approved. However Section 22 (2.2) states:

**“Exception**

(2.2) Section (2.1) does not apply in respect of a request if the council has declared by resolution that such a request is permitted, which resolution may be made in respect of a specific request, a class of requests or in respect of such requests generally.”

This Section allows Council to grant an exception to the 2 year amendment prohibition.

In the summer of 2016, Jay McGuffin, on behalf of Parkbridge Lifestyle Communities Inc., approached the Municipality respecting a proposed expansion to the Our Ponderosa campground located at 9326 West Ipperwash Road. The expansion requires an amendment to the Official Plan both past and new. Due to the property’s location possibly within and/or immediately adjacent to an Area of Natural and Scientific Interest, a four season Environmental Impact Study was required, including a species at risk review, in order to ensure no negative impact on this natural heritage feature and species at risk.

Now that the new Lambton Shores Official Plan has been approved in part, Mr. McGuffin, has requested an exemption to Section 22(2.1) of the Planning Act to allow an amendment application to be submitted for the lands. Staff can recommend that this exemption be granted.

**ALTERNATIVES TO CONSIDER**

None at this time.

**RECOMMENDED ACTIONS**

That Report PL 12-2018 be received and that Council approve an exemption to Section 22(2.1) of the Planning Act for lands known as 9326 West Ipperwash Road.

**FINANCIAL IMPACT**

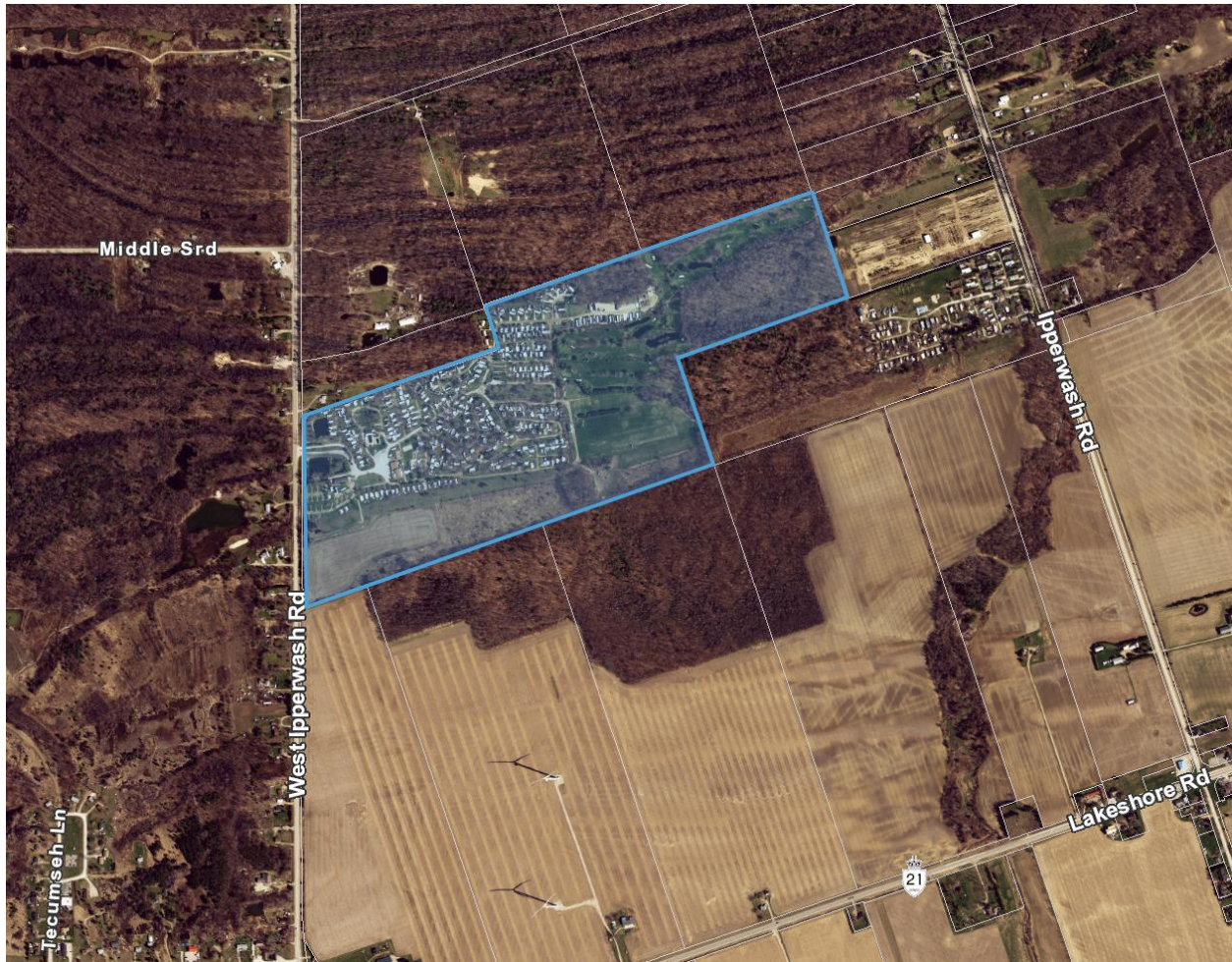
None

**CONSULTATION**

None



ATTACHMENT 1



## THE MUNICIPALITY OF LAMBTON SHORES

**Report PL 13-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council  
**FROM:** Patti Richardson, Senior Planner  
**RE:** Amending Site Plan Agreement  
Veronica Brennan - Grog's Pub and Grill  
8604 Lakeshore Road, Northville

### **RECOMMENDATION:**

**THAT** Report PL 13-2018 being a report to approve an Amending Site Plan Agreement with Veronica Heidi Brennan for the development of a new outdoor patio and a kitchen addition at the existing restaurant located at 8604 Lakeshore road be received: and

**THAT** a by-law be approved to execute an Amending Site Plan Agreement between the Corporation of Lambton Shores and Veronica Heidi Brennan for lands known as 8604 Lakeshore Road.

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### **SUMMARY**

This report relates to a request by Veronica Heidi Brennan to amend an existing site plan agreement to allow a new patio area and a kitchen addition to be added to the existing restaurant.

### **BACKGROUND**

Veronica Brennan, the owner of Grog's Pub and Grill in Northville, has constructed a new patio and is proposing to construct an addition to the existing restaurant's kitchen. Although the addition to the kitchen does not require any additional onsite parking, the new outdoor patio requires an additional 6 parking spaces be provided. As such Ms. Brennan is required to amend her existing site plan agreement. She has revised her existing site plan to show the 6 additional parking spaces. In addition, Ms. Brennan is requesting that she not be required to pave the rear west parking lot, shown as parking spaces 4 to 17 in the proposed amending site plan agreement (see Attachment 2), and the access driveway leading to them, until after the kitchen addition is complete. Staff can support this request. The proposed amending site plan agreement does not allow the kitchen addition to be occupied until the paving of that area is complete. To date Ms. Brennan also has not completed the paving of the north parking area, shown as spaces 33 to 47 in the amending site plan agreement, as was required in the 2010 Site Plan Agreement. Ms Brennan indicates that she plans on paving the area in May or June. In



order to work with Ms. Brennan, Staff can support this. The amending site plan agreement includes a clause which requires this paving be completed by September 31, 2018.

Staff has prepared an amending site plan agreement which is attached for Council consideration (See Attachments 2).

### **ALTERNATIVES TO CONSIDER**

None at this time.

### **RECOMMENDED ACTIONS**

That Council receive Report PL 13-2018 and approve a by-law authorizing the execution of an Amending Site Plan Agreement between the Municipality and Veronica Heidi Brennan, for lands located 8604 Lakeshore Road.

### **FINANCIAL IMPACT**

Prior to the execution of the amending site plan agreement Ms. Brennan is required to pay a site plan amendment fee of \$400 and a legal fee of \$600.

### **CONSULTATION**

Steve McAuley, Director of Community Services  
Nick Verhoeven, Community Services Department

### **ATTACHMENTS**

|              |                     |
|--------------|---------------------|
| Attachment 1 | Location Map        |
| Attachment 2 | Site Plan Agreement |



  - Subject Lands

**THIS AGREEMENT** made this            day of            , 2018

**BETWEEN: VERONICA HEIDI BRENNAN**

(Hereinafter called the "Owner")

## OF THE FIRST PART

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

(Hereinafter called the "Municipality")

## OF THE SECOND PART

**WHEREAS** the Municipality has enacted a Site Plan Control By-law pursuant to the provisions of Section 41 of the Planning Act, 1990;

**AND WHEREAS** the Owner and the Municipality entered into a Site Plan Agreement on the 12th day of May, 2010, relating to the development of certain lands, which was registered on the title of the lands on June 15, 2010 as LA72883;

**AND WHEREAS** the Owner wishes to amend the said Agreement to provide for a new outdoor patio/waiting area;

**AND WHEREAS** the Owner of “the lands” has submitted plans to the Municipality for approval in accordance with subsection (4) of Section 41;

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that the parties hereto agree as follows:

1. The following Schedules are hereby declared to form part of this Agreement and are attached hereto:

| <u>Schedules</u> | <u>Description</u>   |
|------------------|--|
| "A"              | - being a legal description of “the lands” affected hereinafter referred to as “the lands”.      |
| "B"              | - being a Site Plan, showing the new facilities, works and matters to be provided on “the lands” |

2. Section 2. (b) (i) of the Agreement dated May 12, 2010 shall be deleted and the following inserted:

- (i) The Owner shall pave with asphalt, concrete or other hard surface material approved by the Municipality, all parking or loading areas and lanes and driveways and walkways on the Lands, as shown on Schedule “B”, the Site Plan, to the reasonable satisfaction of the Municipality.

Notwithstanding this provision, parking spaces 1 to 3 and 33 to 47, inclusive, as shown on Schedule "B", shall be constructed of gravel and shall not be required to be paved with asphalt, until September 31, 2018. Further, parking spaces 4 to 17 and the access driveway leading to them, lying west of the existing building, shall be constructed of gravel and shall not be required to be paved with asphalt, until the proposed kitchen addition is constructed. No occupancy of the kitchen addition shall be permitted until, parking spaces 4 to 17 and the access driveway leading to them, lying west of the existing building, are paved with asphalt. The Owner shall so construct and maintain the surface of all parking or loading areas and lanes and driveways on "the lands" so that the surface will support fire apparatus weighing 18 tonnes under all weather conditions. The Owner agrees that should the Owner not paved with asphalt, parking spaces 11 to 25, inclusive, as shown on Schedule "B" by September 31, 2018, that the Owner authorizes the Municipality, its servants, agents and contractors, to enter onto "the lands" with all necessary equipment to install the asphalt at the cost of the Owner of the lands. The Owner further agrees that where such costs are not paid to the Municipality within 15 days of the Municipality submitting an invoice to the Owner, the Municipality may add such costs to the tax roll for the property and collect the costs in a like manner as municipal taxes. The Owner covenants and agrees to always indemnify the Municipality and keep it indemnified against actions, suits, claims and demands which may be brought against the Municipality or made upon the Municipality arising out of the Municipality, its servants, agents and contractors entering onto the lands in order to complete the work.

3. Section 5 of the Agreement dated May 12, 2010 is deleted and the following inserted:

**5. COMPLETION**

The Owner hereby authorizes the Municipality to carry out the completion of any of the provisions of this Agreement.

4. Schedule "B" of the Agreement dated May 12, 2010, is hereby amended by deleting Page 10, which is the first page of Schedule "B" and replacing it with Schedule "B" attached hereto, dated April 17, 2018. The attached Schedule "B" is hereby approved by the Municipality.

**IN WITNESS WHEREOF** the parties hereto have hereunto affixed their signatures and Corporate Seals attested to by the hands of their proper officers, duly authorized in that behalf.

SIGNED, SEALED AND DELIVERED  
In the presence of:

\_\_\_\_\_  
Veronica Heidi Brennan - Owner

**THE CORPORATION OF THE  
MUNICIPALITY OF LAMBTON SHORES**

Authorized by By-law

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**SCHEDULE "A"**

This is Schedule "A" to the Site Plan Agreement dated \_\_\_\_\_, 2018 between the Corporation of the Municipality of Lambton Shores and Veronica Heidi Brennan to which it is attached and forms a part.

**LEGAL DESCRIPTION OF THE LANDS AFFECTED BY THIS AGREEMENT**

**ALL AND SINGULAR** that certain parcel or tract of land and premises situate, lying and being in the Municipality of Lambton Shores, in the County of Lambton, and the Province of Ontario, and being composed of Part of Lots 36 and 37, Lake Road East Concession, Municipality of Lambton Shores, County of Lambton, being more particularly described as PART 1, PLAN 25R2077 and PART 1, PLAN 25R3925.





## THE MUNICIPALITY OF LAMBTON SHORES

**Report PL 14-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council  
**FROM:** Patti Richardson, Senior Planner  
**RE:** Site Plan Agreement Application SP 02-2018  
Richard Bruce Thomas Looman  
16 James Street North, Forest

### **RECOMMENDATION:**

**THAT** Report PL 14-2018 being a report to approve a Site Plan Agreement for the development of a 4 unit multiple dwelling by Richard Bruce Thomas Looman at 16 James Street North in Forest be received: and

**THAT** the by-law to execute a Site Plan Agreement between the municipality and Richard Bruce Thomas Looman for lands located at 16 James Street North in Forest be approved.

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### **SUMMARY**

This report relates to a request by Richard Bruce Thomas Looman to obtain site plan approval for a 4 unit multiple dwelling in Forest.

### **BACKGROUND**

Richard Bruce Thomas Looman has purchased 16 James Street North in Forest and is proposing to develop a 4 unit, one floor multiple dwelling unit on the lands.

The lands are zoned Residential - 3 (R3) in the Lambton Shores Zoning By-law 1 of 2003. The zoning permits a wide range of dwellings including triplex, townhouses and multiple dwellings. The proposed 4 unit dwelling is a multiple dwelling as defined by the By-law and thus permitted by the zoning however in order to construct the four unit dwelling the Applicant required a number of variances from the site provisions of the By-law. At their February 28, 2018 meeting the Committee of Adjustment considered Variance Application A-02/2018 which requested approval of minor variances to permit a 4 unit, one floor, multiple dwelling to:

- a) be located on a lot which has a minimum lot frontage of 25.1 metres, whereas the By-law requires a minimum lot frontage of 30 metres;



- b) be located on a lot which has a minimum lot area of 1011 m<sup>2</sup>, whereas the By-law requires a minimum lot area of 1200 m<sup>2</sup>;
- c) provide interior side yards of 1.99 metres, whereas the By-law requires minimum side yards of 10 metres;
- d) provide a maximum lot coverage of 59.4% of the area of the lot, whereas the By-law permits a maximum lot coverage of 40%;
- e) provide minimum landscaped open space of 22.5 %, whereas the By-law requires a minimum of 30% landscaped open space;
- f) eliminate the requirement for 3 metre wide landscaped buffer strips where the subject lands abut a Residential 1 (R1) Zone; and
- g) provide 4 parking spaces, whereas the By-law requires that 6 parking spaces be provided.

The Committee of Adjustment approved the variances subject to the following conditions:

- 1. That a 1.8 metre high fence be constructed along the side lot lines;
- 2. That each dwelling unit have an attached garage, a minimum of 3.65 metres wide and 6.9 metres deep;
- 3. That the building be one floor;
- 4. That each unit have a covered front porch to the satisfaction of the Municipality;
- 5. That the driveways be hard surfaced with concrete, asphalt or interlocking paving stones; and
- 6. That the Owner obtaining site plan approval from the Municipality.

In order to satisfy the conditions of approval the Owner has provided an acceptable site plan. Staff has prepared a site plan agreement which is attached for Council consideration (See Attachments 2).

Prior to 2017, the subject lands were occupied by a 2 storey, 6 unit multiple dwelling (apartment building) which was demolished in December of 2016 after a fire destroyed the building. The building that occupied the site was not constructed as an apartment building and had a number of uses before it was converted to a multiple dwelling.

## **ALTERNATIVES TO CONSIDER**

None at this time

## **RECOMMENDED ACTIONS**

That Council receive Report PL 14-2018 and approve a by-law authorizing the execution of a Site Plan Agreement between the Municipality and Richard Bruce Thomas Looman for lands located at 16 James Street North in Forest.

## **FINANCIAL IMPACT**

Prior to the execution of the Site Plan Agreement, Mr. Looman is required to pay a Site Plan Application fee of \$1,500.00.

The Site Plan Agreement requires the Mr. Looman provide:

- a legal fee deposit of \$400.00
- a security deposit equal to the value of works being done on the Municipal road allowance

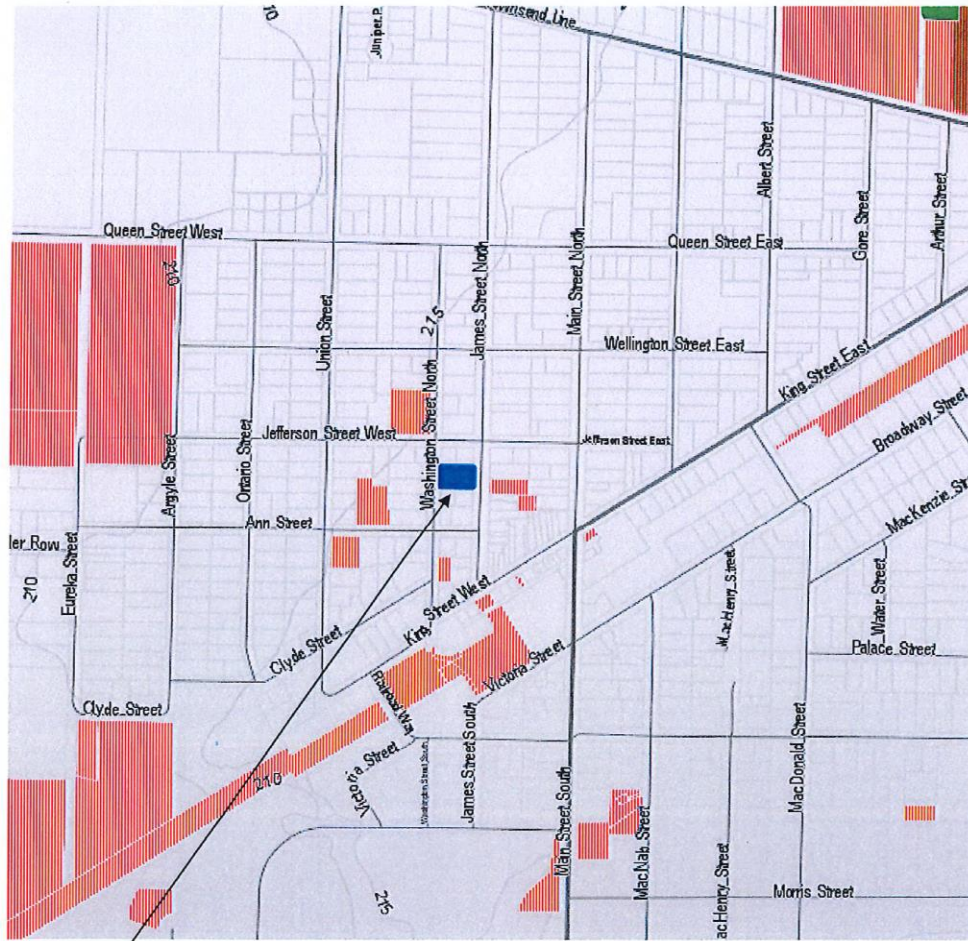
## **CONSULTATION**

Nick Verhoeven, Community Services Department

## **ATTACHMENTS**

|              |                     |
|--------------|---------------------|
| Attachment 1 | Location Map        |
| Attachment 2 | Site Plan Agreement |

# ATTACHMENT 1



Subject Lands  
16 James Street North, Forest

**BETWEEN: RICHARD BRUCE THOMAS LOOMAN**  
(Hereinafter called the "Owner")  
**OF THE FIRST PART**

**WHEREAS** the Municipality has enacted a Site Plan Control By-law pursuant to the provisions of Section 41 of the Planning Act, 1990;

- (a) submit development plans to the Municipality for approval under Section 41(4) of the Act: and
- (b) authorizes the Municipality to require the Owner to enter into an agreement respecting the provision of the services and the approval of the plans and drawings under Section 41(7) of the Act;

**AND WHEREAS** the Owner represents and warrants that they intend to develop lands described in Schedule 'A' to this Agreement (hereinafter called the "Lands");

**AND WHEREAS** the Owner of the “Lands” has submitted plans to the Municipality for approval in accordance with subsection (4) of Section 41;

**NOW THEREFORE** the parties hereto agree as follows:

1. The following Schedules are hereby declared to form part of this Agreement and are attached hereto:

| <u>Schedules</u> | <u>Description</u>  |
|------------------|---|
| "A"              | - being a legal description of the land affected hereinafter referred to as the "Lands".  |
| "B"              | - being a site plan, showing the location of existing entrances, structures and facilities on the "Lands" and the plans showing the new facilities, works and matters to be provided on the "Lands", herein after referred to as the "Site Plan". |

- “C” - Letter of Credit Form
- “D” - Fence Detail

2. The attached Schedule "B" is hereby approved by the Municipality subject to the following conditions:

(a) **GENERAL**

The Owner hereby agrees that the development shall be carried out and completed in accordance with the attached Schedule "B", the "Site Plan". Any item or feature which is not specifically shown on Schedule "B" or described in this Agreement shall be deemed to be prohibited and will only be permitted through an amendment to this Agreement.

(b) **PAVING DRIVEWAYS & PARKING AREA**

The Owner shall pave with asphalt, concrete or other hard surface material approved by the Municipality, all driveways and walkways on the "Lands", as shown on Schedule "B", the "Site Plan", to the reasonable satisfaction of the Municipality. No driveway or walkways shall be used as such unless they are so paved or surfaced. No occupancy of the dwelling units shall be granted until the driveways and walkways are completed.

(c) **VEHICULAR ACCESS**

The Owner shall provide and maintain vehicular access to and from the Lands only as shown on Schedule "B", the Site Plan, and to the satisfaction of the Municipality. The Owner shall prohibit any other vehicular access to and from "the Lands.

(d) **FENCING**

The Owner shall install a 1.8 metre solid wood fence on the site as shown on Schedule "B" in compliance with Schedule "D".

(e) **SERVICING, GRADING AND INSPECTION**

(i) The Owner shall provide for site grading, driveway installation and service connections as designed, certified and shown on the Schedule "B",



the “Site Plan”, and as per the Municipality of Lambton Shores Engineering Standards and Specifications.

(ii) Surface drainage shall be accommodated on the “Lands” and shall not drain onto adjoining property.

(iii) The preceding does not absolve the Owner or the Owner's consultant of responsibility for being aware of all activities related to this development. Ignorance of on-site activities will be no excuse for variance from the Site Plan, Municipal specification or any statute under law nor the consultant abdicating responsibility for provision of a letter of certification upon project completion.

(iv) All service connections shall be in accordance with the Municipality of Lambton Shores Engineering Standards and Specifications.

#### 4. **OCCUPANCY**

(a) The Owner shall notify the Municipality at least one week prior to the proposed occupancy date in order to arrange for a site inspection to be conducted.

(b) The Owner and Encumbrancer shall not occupy or use or permit to be occupied or used any new building on the “Lands” before the provisions of this Agreement are complied with.

#### 5. **FUTURE MAINTENANCE**

The Owner hereby agrees to maintain to the satisfaction of the Municipality and at the sole risk and expense of the Owner, those facilities, works or matters required to be provided for in this Agreement.

#### 6. **COMPLETION**

If the development proposed in this Agreement is not carried out and completed in accordance with this Agreement within one (1) year of the date of execution of this Agreement, the Agreement shall lapse and the Agreement shall be null and void. Any deposits given to the Municipality as security for site works shall be retained by the Municipality.

7. **STREET CLEANING**

The Owner shall be responsible for cleaning the sidewalk and roadway along the street in the vicinity of the “Lands” to remove all dirt, mud and debris which, in the opinion of the Municipality, has been deposited thereon as a result of the construction activities on the “Lands”. Such cleaning shall be done at the end of each day if required or otherwise as determined by the Municipality. If the Owner is unable or unwilling to clean the sidewalk or street to the reasonable satisfaction of the Municipality, the Owner hereby authorizes the Municipality to clean the sidewalk and street as required by the Municipality and the Owner agrees to pay the Municipality all costs associated with the cleaning operation performed by the Municipality.

8. **DEPOSITS, SECURITIES AND PAYMENTS**

- (a) Prior to the execution of this Agreement the Owner shall pay to the Municipality a legal fee of \$600.00.
- (b) Prior to the execution of this Agreement the Owner shall pay the Municipality deposit with the Municipality a security in the form of a certified cheque or Letter of Credit (as per Schedule “C”), equal to 100% of the value (including G.S.T.) of the work to be done on the Municipality’s or the County’s property. The Owner’s consultant shall provide an estimate for the work to be approved by the Municipality.

9. **INDEMNIFICATION**

- (a) This Agreement and the provisions thereof do not give to any person acquiring any interest in the “Lands” any rights against the Municipality or the Municipal Engineer with respect to the failure to perform any obligations under this Agreement or the failure of the Municipality to force any such persons to perform any obligations under this Agreement or any negligence of any such persons in the performance of the said obligations. The only duty and responsibility of the Municipal Engineer arising out of this Agreement is to the Municipality and the Agreement and any work or service done or performed by the Municipal Engineer under this Agreement does not in any way create any liability on the part of the Municipal Engineer to the Owner or any person acquiring any interest in the “Lands”.

- (b) The Owner covenants that he will indemnify and save harmless the Municipality from any and all claims, demands, actions and causes of action, whether the same shall be successful or unsuccessful and from all costs to which the Municipality may be at, suffer, or be put to in respect of any such action, cause of action, claim or demand in any way arising out of or alleged to arise out of any work, service, operation or thing constructed, installed, repaired, maintained or done or omitted to be done or negligently done by the Owner, his servants, agents, contractors or subcontractors under them, in respect of the said works and services, whether or not the same shall be required to be done under the terms of this Agreement, and including (without limiting the generality of the foregoing) the alteration of any grade or existing level construction, maintenance or repair of any road.
  
- (c) The Owner or his contractor shall, at his own expense, obtain and lodge with the Municipality a certificate of insurance satisfactory to the Municipality indemnifying the Municipality and the Owner with cross liability endorsement, against any claim for public liability, personal injury, including death, or property damage to limits of \$5,000,000, inclusive for any one accident arising in any way out of the construction, installation, repair or maintenance of the works and services required herein to be done on the municipal road allowance. The said policy shall not be subject to lapse or cancellation without thirty days prior written notice to the Municipality. The Owner or his contractor shall, at his own expense, maintain the said policy of insurance in full force and effect until the works required on Schedule "B" are complete. Failure to procure and maintain the said policy of insurance shall constitute a default under this Agreement.

10. **MAINTENANCE OF MUNICIPAL ROAD ALLOWANCES**

The Owner shall ensure that no earth, debris or excavated material shall be deposited within the limits of a Municipal/Provincial road allowance without permission in writing to do so from the Municipality. In the event that earth, debris or excavated material is deposited on the Municipal/Provincial roadway it shall be removed by the Owner immediately upon notification from the Municipality. If, the earth, debris or excavated material has not been removed from the road allowance by the Owner, the Owner acknowledges and agrees that the Municipality may take it upon itself to remove the said earth, debris or excavated material. Notwithstanding this notice to the Owner, the Municipality may at anytime remove debris from the Municipal property, and the cost of such removal will be paid for by

the Owner and may be deducted from the Owner's deposit fee or other securities held by the Municipality.

11. **REGISTRATION**

- (a) Pursuant to subsection (10) of Section 41 of the Planning Act, 1990, the Municipality will register this Agreement against the "Lands" to which it applies and the Municipality is entitled to enforce the provisions hereof against the Owner, and subject to the provisions of the Registry Act and the Land Titles Act, any and all subsequent owners of the land. Registration of this Agreement is required prior to the issuance of any building permit on the "Lands".
- (b) Pursuant to subsection (11) of Section 41 of the Planning Act, 1990, Section 326 of the Municipal Act applies to any requirements made under sub clause (a) to (g) of clause 2 hereof and to any other requirements made under this Agreement.

12. Notwithstanding any of the provisions of this Agreement, the Owner shall be subject to all of the by-laws of the Municipality and shall construct all work in accordance with the requirements of the Municipality, the County of Lambton and the Province of Ontario.

13. **AMENDMENT**

This Agreement may be amended at anytime with the consent, in writing, of the Municipality and the registered Owner of the "Lands" at the time of such amendment.

14. The provisions hereof shall ensure to the benefit of the parties hereto and their heirs, executors, administrators, successors and assigns.

**IN WITNESS WHEREOF** the parties hereto have hereunto affixed their signatures and Corporate Seals attested to by the hands of their proper officers, duly authorized in that behalf.

**SIGNED, SEALED AND DELIVERED**

In the presence of:

\_\_\_\_\_  
Richard Bruce Thomas Looman - Owner

**THE CORPORATION OF THE  
MUNICIPALITY OF LAMBTON SHORES**

Authorized by By-law

\_\_\_\_\_  
Mayor

(SEAL)

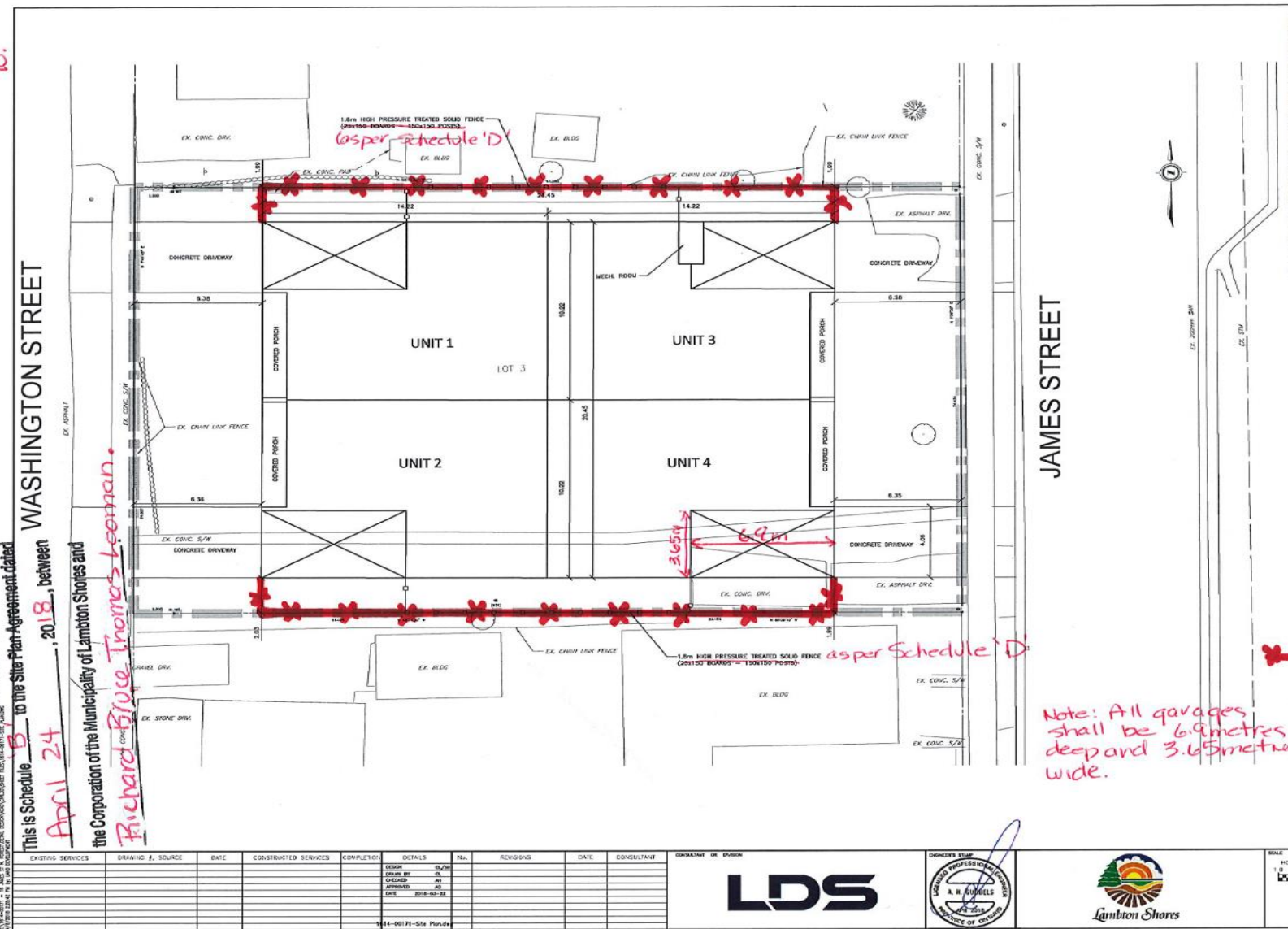
\_\_\_\_\_  
Clerk



**SCHEDULE "A"****LEGAL DESCRIPTION OF THE LANDS AFFECTED BY THIS AGREEMENT**

Lot 3, Registered Plan 3 (FO), Municipality of Lambton Shores, County of Lambton.

10.  
**SCHEDULE 'B'**  
This is Schedule 'B' to the Site Plan Agreement dated April 24, 2018, between the Corporation of the Municipality of Lambton Shores and Richard Bruce Thomas Keenan.



| SITE DATA                      |                    |              |
|--------------------------------|--------------------|--------------|
| PROPOSED USE:                  | TOWNHOUSE DWELLING |              |
| ZONE:                          | R3                 |              |
| REGULATION                     | REQUIRED           | PROPOSED     |
| MINIMUM LOT AREA:              | 1200 sq.m.         | 1005.2 sq.m. |
| MINIMUM LOT FRONTAGE:          | 30.0 m             | 24.434 m     |
| MINIMUM FRONT YARD:            | 6.0 m              | 6.28 m       |
| MINIMUM EXTERIOR SIDE YARD:    | 7.0 m              | N/A          |
| MINIMUM REAR YARD:             | 10.0 m             | N/A          |
| MINIMUM INTERIOR SIDE YARD:    | 3 m                | 1.99 m       |
| MINIMUM LANDSCAPED OPEN SPACE: | 30 %               | 31.75%       |
| MAXIMUM LOT COVERAGE:          | 40 %               | 57.86%       |
| MAXIMUM HEIGHT:                | 11.0m              | 8.0m         |
| NUMBER OF UNITS:               | --                 | 4            |
| FLOOR AREA                     |                    | 137.91m²     |
| PARKING SPACES                 | 6                  | 8            |

Note: All garages shall be 6.9 metres deep and 3.65 metres wide.

1.8 metre high solid wood fence as per Schedule 'D'. Fence shall extend along the side lot lines from the front wall of dwellings on both frontages.

| EXISTING SERVICES        | DRAWING #, SOURCE | DATE | CONSTRUCTED SERVICES | COMPLETION | DETAILS     | NO.        | REVISIONS | DATE | CONSULTANT | CONSULTANT OR DESIGNER |
|--------------------------|-------------------|------|----------------------|------------|-------------|------------|-----------|------|------------|------------------------|
|                          |                   |      |                      |            | DESIGN      | 06/20      |           |      |            |                        |
|                          |                   |      |                      |            | DESIGN BY   | AK         |           |      |            |                        |
|                          |                   |      |                      |            | CHECKED BY  | AK         |           |      |            |                        |
|                          |                   |      |                      |            | APPROVED BY | AK         |           |      |            |                        |
|                          |                   |      |                      |            | DATE        | 2018-03-23 |           |      |            |                        |
| 1614-00171-Site Plan.dwg |                   |      |                      |            |             |            |           |      |            |                        |

SCALE: HORIZ. - 1" = 100'

1" = 0' 2.5m

|      |                               |             |            |
|------|-------------------------------|-------------|------------|
| FILE | 16 JAMES STREET NORTH, FOREST | PROJECT NO. | 1614-00171 |
|      | JASLO PROPERTIES LTD.         | SHEET NO.   | SP1        |
|      | SITE PLAN                     | DATE FILED  |            |

[illegible][illegible]

1. ALL SEED SPREADERS SHALL BE IN ACCORDANCE WITH CURRENT SPECIFICATIONS OF LAMBERT STATION SIGNALS AND THE PLANNING CODE.
2. ALL SEEDERS WITH DEPTH UP TO 4.5m TO BE PC 5003G (OR APPROVED EQUAL) WITH TWIN 10" SEED TUBES. SEEDERS WITH DEPTHS EXCEEDING 4.5m TO BE PC 5003S (OR APPROVED EQUAL) WITH TYPE 2 SEEDERS.
3. SEEDING ALL TREACH WATERWAYS BY PIPE INSTALLATION IS IN PROGRESS.
4. PULL THE WAREWALL (GN) THROUGH THE PC SEEDERS IN THE PRESENCE OF THE ENGINEER.
5. ALL P.C.'S SHALL BE INSTALLED AT A MINIMUM OF 3% GRADE.
6. ALL SERVICES SHALL BE ADDED WITH A MINIMUM 150mm WALKER FROM INVERT TO 100mm GRADE. ALL P.C.'S TO BE A MINIMUM OF 100mm DIAMETER.
7. RECOMMENDED PAVEMENT STRUCTURE:  
REGISTRATION NOTED.  
ALL EXISTED AREA TO BE RESTORED TO EXISTING  
CONDITION OR BETTER AS PER MAINTENANCE STANDARDS.  
STREP WILL OBTAIN APPROVAL FOR ANY VARIATION ADJUNCT  
TO ALL ASPHALT AND CURB RESTORATION.  
MUNICIPAL ROAD  
450mm CHANELLAR 1% - 100K SPIRO  
100mm CHANELLAR 1% - 100K SPIRO  
90+80mm H=8 - 8% MARSHALL  
100mm H=3 - 8% MARSHALL  
EOT-600-60  
100mm  
300mm CHANELLAR 1% - 100K SPIRO  
100mm CHANELLAR 1% - 100K SPIRO  
60mm H=3 - 8% MARSHALL  
100mm  
150mm TOPSOIL AND 500
8. ALL P.C.'S SHALL HAVE A LEOPD STRIP BOND

SPATIAL SET

1. PROTECT ALL EXPOSED STRUCTURES AND CONTROL ALL RUNOFF DURING CONSTRUCTION
2. MAINTAIN EROSION MEASURES TO BE IN PLACE BEFORE STARTING CONSTRUCTION AND MAINTAIN IN PLACE UNTIL EROSION CONTROL MEASURES ARE COMPLETED
3. MAINTAIN EROSION CONTROL MEASURES DURING CONSTRUCTION
4. ALL COLLECTED SEDIMENT TO BE DISPOSED OF AT AN APPROVED LOCATION
5. MINIMIZE AREA DISTURBED DURING CONSTRUCTION
6. ALL DRAINWAYS TO BE DISPOSED OF IN AN APPROVED CONSTRUCTION BASIN
7. PROTECT ALL GUTTERBANKS, MARKERS AND PIPE ENDS FROM CONSTRUCTION EQUIPMENT. RELOCATE (TOWARD 250R OR APPROVED LOCATION) DURING CONSTRUCTION
8. KEEP ALL SLOPES CLEAN DURING CONSTRUCTION
9. PREVENT BLOW-EROSION
10. STRAW BALEB TO BE USED IN LOCATED AREAS AS SHOWN AND AS SPECIFIED TO PREVENT BLOW-EROSION
11. MAINTAIN SLOPES TO BE IN ACCORDANCE TO FLOODPLAIN, FILL LINES AND CHANNEL SLOPES
12. STRUTBANKS TO BE TERMINATED BY HORIZONTAL BALES TO CONTROL FASTER RUNOFF.
13. OFFICIALS SHALL REVIEW PRIOR TO CONSTRUCTION FOR FLOODPLAIN, FILL LINES AND CHANNEL SLOPES
14. ALL SLOPE FLOODING AND DETAILS ARE AT THE MAXIMUM TO BE IN ACCORDANCE WITH THE MINORITY OF NATURAL, RESOURCES GUIDELINES ON EROSION AND SEDIMENT CONTROL. FLOODPLAIN, FILL LINES AND CHANNEL SLOPES
15. ALL OF THE ABOVE NOTES AND ANY SEPARATE EROSION CONTROL MEASURES FOR THE PROJECT SHALL BE IN ACCORDANCE WITH THE MINORITY OF NATURAL, RESOURCES GUIDELINES ON EROSION AND SEDIMENT CONTROL. FLOODPLAIN, FILL LINES AND CHANNEL SLOPES

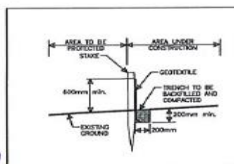
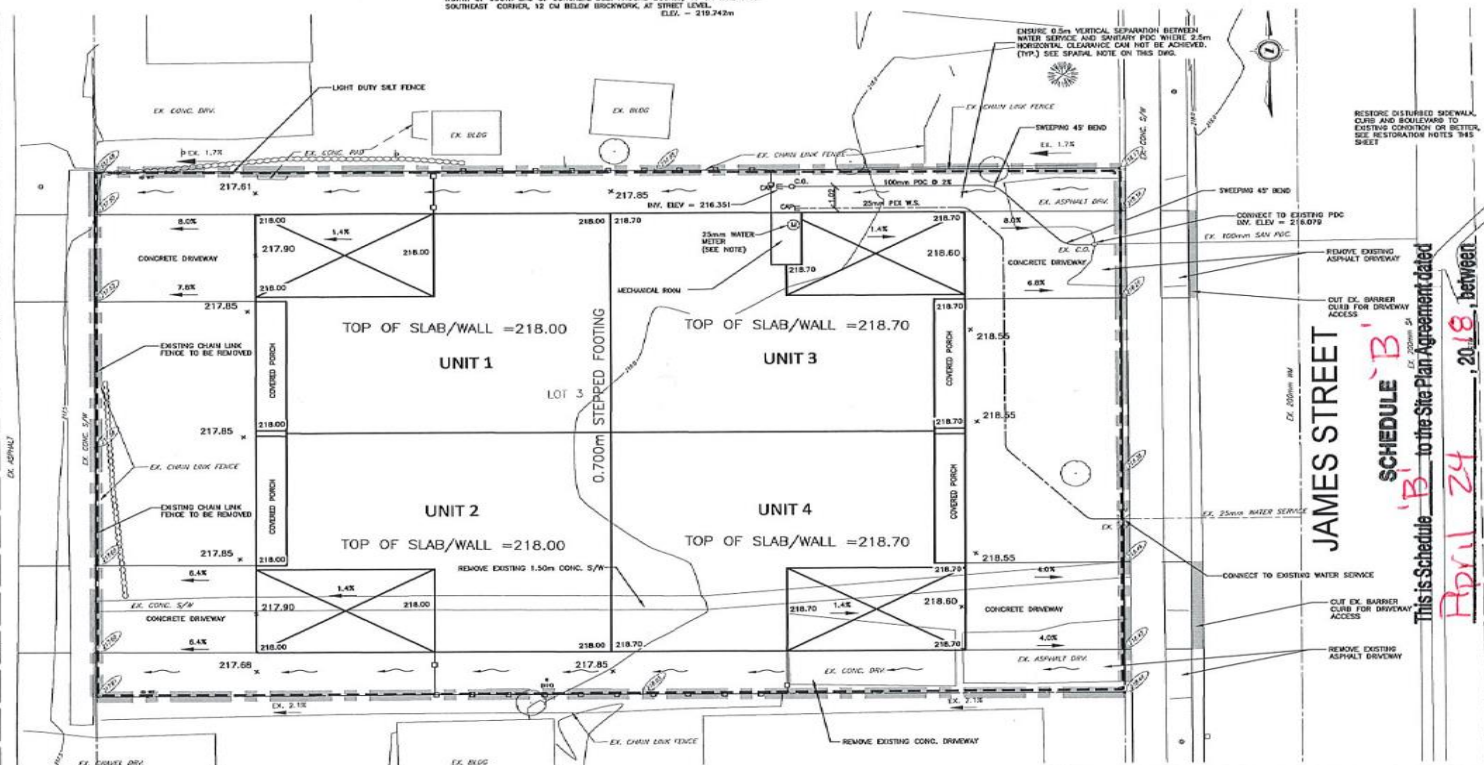
- 1.3.7.3. Special Separation
- (a) When a building service pipe will be separated from the main sewerage pipe, the separation shall be provided by a separate disposal system, by pipe less than 2.443 m measured horizontally from the sewerage pipe.
- (b) The water service pipe may be closer than 2.443 m from the sewerage pipe if the following conditions are met:
  - (1) the building service is not vented;
  - (2) the building service is not connected to a sewerage pipe at least 300 mm above the top of the building;
  - (3) when in a common trench with the building sewerage pipe, the building service pipe is placed on a shall or on one side of the common trench;
  - (4) the water service pipe is constructed of a material that is not susceptible to corrosion by the sewerage pipe.
- (c) When a building service pipe is vented, the vent shall be separated from the sewerage pipe by a separate disposal system, by pipe less than 2.443 m measured horizontally from the sewerage pipe.
- (d) A buried water service pipe may pass under a sewerage pipe.
- (e) A vertical separation of at least 300 mm shall be provided between a building service pipe and a sewerage pipe.
- (f) A separate vent support is provided for the building service pipe.
- (g) The building service pipe shall be located to the left of the sewerage pipe.
- (h) There are no joints within 2.443 m measured horizontally from the sewerage pipe.
- (i) A buried water service pipe shall be constructed of a material that is not susceptible to corrosion by the sewerage pipe.
- (j) The vent or source of supply for the property and the vent or source of supply for the sewerage pipe shall be from the same source.
- (k) A separate sewage disposal system, or a system of pollution other than a private sewage disposal system, shall be provided.

1. EXISTING DRAINAGE OF ADJUTING LANDS IS NOT TO BE DISTURBED.
2. LOCALIZED SURFACE DRAINAGE FROM ADJUTING PROPERTIES TO BE DEVELOPED IN THE FUTURE MAY BE DISCHARGED ONTO THE PROPOSED LOSS IN THIS SUBMISSION.
3. FOR SEDIMENT AND EROSION CONTROL DETAILS SEE THIS SHEET.
4. ALL GRASSED AREAS TO BE RESTORED WITH A MINIMUM 300mm TOPSOIL.

1. TRENCH CONSTRUCTION IS TO BE IN ACCORDANCE WITH THE LATEST SPECIFICATIONS REGARDING THE TRENCH WIDTH. (OHL Reg. 253/91).
2. TYPICAL CROSS SECTIONS ARE FOR TYPE 1 OR 2 SOILS. EXCAVATION WITH TYPE 3 SOILS IS TO BE CARRIED OUT USING SIDE SLOPES OF 1:1 FROM THE TOP OF THE EXCAVATION. SOIL SLOPES OF 1:2.5 OR FLATTER ARE TO BE USED FOR EXCAVATIONS IN TYPE 4 SOILS.
3. Where CLEAR STONE BEDDING ENCLOSED WITH A SUITABLE GEOTEXTILE TERMAFLEX 230R OR APPROXIMATE EQUIV. IN ACCORDANCE WITH DIPS 10 IS TO BE USED WHERE HYDRAULIC GRADIENT CONDITIONS ARE ANTICIPATED THEN LAND AND WATER BOUNDARY OF ALL THE TRENCHES AND DRAIN BEDDING USED IN ALL OTHER AREAS, ALL AS RECOMMENDED BY THE GEOTECHNICAL ENGINEER.

**BMI**  
DESCRIPTION: FOREST POST OFFICE ALONG JAMES STREET AT NORTHEAST CORNER OF JUNCTION WITH KING STREET, TABLET IN EAST CONCRETE FOUNDATION, 12.9 M NORTHWEST OF CENTRE LINE OF STREET, 11.8 M NORTH OF CENTRE LINE OF MAIN STREET, 5.6 M NORTHWEST OF A STREET-LABEL WITH "FOREST 181" ROOM, 2.53 M NORTH OF SOUTH OF CONCRETE BLOCK AROUND BUSHES, 16 CM NORTH OF SOUTHEAST CORNER, 32 CM BELOW BRICKWORK, AT STREET LEVEL.  
ELEV. = 219.242m

NOTE:  
25mm WATER METER AS APPROVED BY MUNICIPAL  
ENGINEER, DATED APRIL 6, 2018



**LEGEND:**

|  |                                     |  |                              |
|--|-------------------------------------|--|------------------------------|
|  | EXISTING ELEVATION                  |  | EX. FIRE HYDRANT             |
|  | PROPOSED ELEVATION                  |  | PROPOSED REGISTERED PLAN     |
|  | CONCRETE EDGE OF PAVEMENT ELEVATION |  | LOT NUMBERS/BLOCK NUMBER     |
|  | EXISTING EASEMENTS                  |  | EX. DRAINAGE DIRECTION       |
|  | EX. EASEMENTS                       |  | REAR YARD STAKE              |
|  | EX. MANHOLE                         |  | LIGHT DUTY SIDEWALK          |
|  | EX. SANITARY PDC                    |  | STRAWBALE FILTER             |
|  | PROPOSED SANITARY PDC               |  | DEVELOPMENT BOUNDARY         |
|  | EX. WATERMAIN                       |  | CURB TRANSITION              |
|  | PROPOSED WATERMAIN                  |  | PROPOSED MAJOR OVERLAND FLOW |
|  | EX. STORM SEWER                     |  |                              |
|  | EX. SAN SEWER                       |  |                              |

[illegible]

LDS



JASLO PROPERTIES LTD.

SITE SERVICING PLAN  
& GRADING PLAN

1614-60171  
PAGE No.

1 of 1

OWNERS: 100%

**SCHEDULE "C"**  
LETTER OF CREDIT FORM

**LETTER OF CREDIT**  
**(Bank Letterhead or Form)**

Date:

TO:

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

Pursuant to the request of our customer **(name of Developer)**, we the undersigned, **(name of bank)** hereby establish an irrevocable Letter of Credit in the total amount of \$ \_\_\_\_\_ which may be drawn on by you to the extent required for the proper completion of all works, services and improvements and payment of all amounts payable by our customer to you in accordance with the terms of the Site Plan Agreement between our customer, **(name of developer)** and the Corporation of the Municipality of Lambton Shores respecting the development on lands known as (address) in the Municipality of Lambton Shores. Drawings under this Letter of Credit shall be in the form of a written demand for payment made by the Corporation of the Municipality of Lambton Shores identifying the reason for the draw as it relates to the Site Plan Agreement in the \_\_\_\_\_ branch of the **(name of bank)** at \_\_\_\_\_, Ontario.

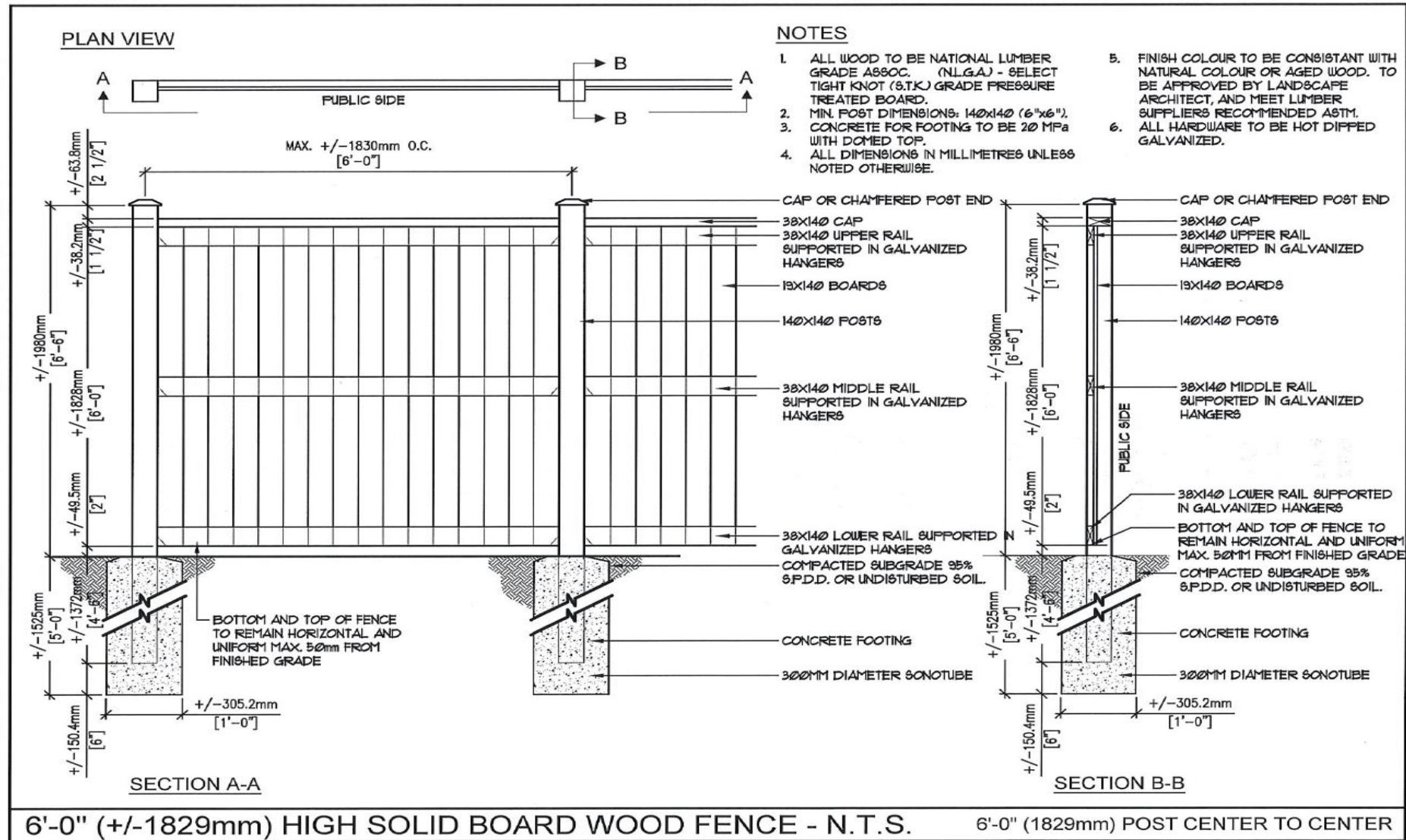
The amount of this Credit shall be reduced from time to time as advised by notice in writing given to the undersigned from time to time by the Corporation of the Municipality of Lambton Shores.

It is understood that this obligation is between the **(name of bank)** and the Corporation of the Municipality of Lambton Shores, and any notice referred to in the preceding paragraph shall not be used for any other purpose than herein set forth.

This Credit will continue for a period of one (1) year, with an automatic renewal period of one additional year, unless written notice is given by the Municipality that it no longer requires the credit.

**(To be signed by authorized  
signing officers of bank)**





**SCHEDULE 'D'**

This is Schedule 'D' to the Site Plan Agreement dated  
April 24, 2018, between  
 the Corporation of the Municipality of Lambton Shores and  
Richard Bruce Thomas Looman.

13



## THE MUNICIPALITY OF LAMBTON SHORES

**Report DCS 12-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council

**FROM:** Steve McAuley, Director of Community Services

**RE:** 2018 Capital Budget – Kennedy Line Bridge Rehabilitation Tender

**RECOMMENDATION:**

**THAT** Report DCS 12-2018 regarding the tender award for the Kennedy Line Bridge Rehabilitation Project be received; and

**THAT** the tender from AJN Builders Inc. in the amount of \$145,400.00 excluding HST, (\$147,959.04 net HST), for the Kennedy Line Bridge Rehabilitation Project be accepted; and

**THAT** the appropriate by-law, authorizing the Mayor and Clerk to sign the associated contract agreement be approved.

---

### **SUMMARY**

This report presents a summary of the tender award for the Kennedy Line Bridge Rehabilitation Project. Staff is recommending award to AJN Builders Inc.

### **BACKGROUND**

The Kennedy Line Bridge is located between Northville Road and Elliot Road. The bridge is subject to biennial inspections and has been identified as requiring repairs. In the fall of 2016 Lambton Shores awarded Engineering Services for a rehabilitation of the Kennedy Line Bridge to GM Blue Plan Engineering (DCS 69-2016). The construction of this project was included in the 2018 Capital budget. Tenders for the project were release on February 27<sup>th</sup>, 2018 and submissions were accepted until March 27<sup>th</sup>, 2018 with three submissions being received. The results are presented below:

| <b>Contractor</b>             | <b>Bid Submission<br/>(No HST)</b> | <b>Bid Submission<br/>(Net of HST)</b> |
|-------------------------------|------------------------------------|--|
| AJN Builders Inc.             | \$145,400.00                       | \$147,959.04                           |
| VanDriel Excavating Inc.      | \$165,929.07                       | \$168,849.42                           |
| Dicocco Contractors 2015 Inc. | \$177,866.13                       | \$180,996.57                           |

In accordance with the Municipalities' purchasing policy this contract must be awarded by Council because the contract value is over \$100,000. Staff, and our consulting engineer GM Blueplan Engineering, have had the opportunity to review and confirm the low tender. The bid document was found to be complete, is acceptable contractually, the tenderer is an experienced contractor, and the bid is within the budget allocation. As such, staff recommend award of the tender from AJN Builders Inc for the net of HST price of \$147,959.04.

### **ALTERNATIVES TO CONSIDER**

No other alternatives are presented at this time. The tender for this project was released in keeping with the Municipality's Purchasing Policy to ensure the Municipality is receiving market competitive price for the contracted work.

### **RECOMMENDED ACTIONS**

**THAT** Report DCS 12-2018 regarding the tender award for the Kennedy Line Bridge Rehabilitation Project be received; and

**THAT** the tender from AJN Builders Inc in the amount of \$145,400.00 excluding HST, (\$147,959.04 net HST), for the Kennedy Line Bridge Rehabilitation Project be accepted; and

**THAT** the appropriate by-law, authorizing the Mayor and Clerk to sign the associated contract agreement be approved.

### **FINANCIAL IMPACT**

The net of HST price of the tender from AJN Builders Inc is \$147,959.04. There are remaining engineering costs of \$17,808.00.

The tender cost plus the engineering cost of \$165,767.04 is below the 2018 approved budget for this project of \$250,000. Any remaining funds will remain in the Transportation Services Reserve Fund.

### **CONSULTATION**

Tender reviews were completed by Community Services Staff and consulting Engineer GM Blueplan Engineering. Budget details confirmed by Treasurer.



March 29, 2018  
Our File: 516046

Municipality of Lambton Shores  
9575 Port Franks Road, R.R #1  
Thedford, ON N0M 2N0

Attention: Mr. Nick Verhoeven, P.Eng.  
Engineering Specialist

Re: Kennedy Line Bridge Rehabilitation  
Tender Results

Dear Nick:

This letter is to confirm the results of the tender opening held on Tuesday, March 27<sup>th</sup>, 2018 for the Kennedy Line Bridge Rehabilitation project.

The tender period officially closed at 1:00pm, and bids were opened publicly at the Municipality's office at approximately 1:05pm. In all, three (3) sealed bids were received from the list of five (5) plan takers.

Results of the tender are as follows:

|    | <b>Bidder</b>  | <b>Subtotal</b> | <b>H.S.T.</b> | <b>Total Price</b> |
|----|--|-----------------|---------------|--------------------|
| 1. | AJN Builders Inc.<br>44134 Line 34<br>Dublin, ON N0K 1E0<br>Tel.: (519) 345-0547<br>Email: <a href="mailto:ajnbuilders@gmail.com">ajnbuilders@gmail.com</a>                                  | \$145,400.00    | \$18,902.00   | \$164,302.00       |
| 2. | VanDriel Excavating Inc.<br>37594 Telephone Road, P.O. Box 339<br>Clinton, ON N0M 1L0<br>Tel.: (519) 482-3783<br>Email: <a href="mailto:Derrick@vandrielinc.com">Derrick@vandrielinc.com</a> | \$165,929.07    | \$21,570.78   | \$187,499.84       |
| 3. | Dicocco Contractors 2015 Inc.<br>550 McGregor Side Road<br>Sarnia, ON N7T 7H5<br>Tel.: (519) 344-8446<br>Email: <a href="mailto:zhilian@dicocco.ca">zhilian@dicocco.ca</a>                   | \$177,866.13    | \$23,122.60   | \$200,988.72       |

All tender prices include provisional items, and a total lump sum contingency fund of \$15,000.00.

All tenders have been checked for errors, omissions, qualifications and obvious imbalances. No errors were found. For your reference, attached is a spreadsheet comparing all of the unit and total prices received with our estimate.

AJN Builders Inc's price of \$164,302.00 (incl. HST), the low tender price, is \$16,498.00 (9.13%) lower than our estimate of \$180,800.00 (incl. HST) and \$23,197.84 (12.37%) lower than the second bidder.



AJN Builders Inc. is a reputable and competent contractor with which has successfully completed numerous similar projects in the area. **Based on the above, we recommend that the contract for this work be awarded to the low bidder, AJN Builders Inc.** We understand that you will present this recommendation to the Municipal Council on a date to be determined.

Upon Council's award we would be available to assist the Municipality in preparing the Contract Documents for execution, and arrange a preconstruction meeting.

Please contact our office should you have any comments or questions regarding the above, or wish to discuss this matter in more detail.

Yours truly,

GM BLUEPLAN ENGINEERING LTD.

Per

A handwritten signature in blue ink that reads 'Brad Walt'.

Brad Walt, C.E.T.

Encl.

## THE MUNICIPALITY OF LAMBTON SHORES

**Report DCS 13-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council

**FROM:** Steve McAuley, Director of Community Services

**RE:** RFP Award- Supply and Delivery of One Ice Resurfacing Unit

**RECOMMENDATION:**

**THAT** Report DCS 13-2018 regarding the Supply and Delivery of One Ice Resurfacing Unit and Laser Leveling system be received; and

**THAT** the award for the Supply and Delivery of One Ice Resurfacing Unit and installation of a Laser Leveling system, be to Zamboni Company Ltd. for the sum of \$108,500.00 (excluding HST); and

**That** a trade-in value of \$12,000 for the existing ice resurfacing machine be accepted; and

**THAT** the appropriate by-law authorizing the Mayor and Clerk to execute any and all necessary documents be approved.

---

### **SUMMARY**

This report presents a summary of the Request for Proposal Award for the Supply and Delivery of One Ice Resurfacing Unit for The Shores Recreation Centre and one laser leveling system for the Legacy Recreation Centre. Staff recommends the award to Zamboni Company Ltd.

### **BACKGROUND**

The 2018 budget allowed \$130,000.00 for the Life Cycle Replacement of the Ice Resurfacing Machine at the Shores Recreation Centre. The 2018 budget also allowed \$20,000.00 for the installation of a Laser Levelling system for the Ice Resurfacing Unit at the Legacy Recreation Centre.

The Request for Proposal for both of these items was released on March 6, 2018 and closed on April 3, 2018 with two submissions. Staff reviewed the proposals with the following results:



| <b>BIDDERS</b>       | <b>PRICE<br/>(excluding HST)</b> | <b>PRICE<br/>(net HST)</b> |
|----------------------|----------------------------------|----------------------------|
| Zamboni Company Ltd. | \$108,500.00                     | \$110,409.60               |
| Resurface Corp.      | \$120,590.00                     | \$122,712.38               |

In addition to the submitted price above, Staff recommends accepting the trade-in value of \$12,000 that was provided by Zamboni Company Ltd for the existing resurfacing machine that is being replaced. Resurface Corp. provided a trade in-value of \$8,000.

In accordance with the Municipalities' purchasing policy, this contract must be awarded by Council because the contract value is over \$100,000. The bid document was found to be complete, is acceptable contractually, the bidder is an experienced supplier, and the bid is within the budget allocation. Staff recommend award to the Zamboni Company Ltd.

### **ALTERNATIVES TO CONSIDER**

No Alternatives to consider at this time.

### **RECOMMENDED ACTIONS**

THAT Report DCS 13-2018 regarding the Supply and Delivery of One Ice Resurfacing Unit and Laser Leveling system be received; and

THAT the award for the Supply and Delivery of One Ice Resurfacing Unit and installation of a Laser Leveling system, be to Zamboni Company Ltd. for the sum of \$108,500.00 (excluding HST); and

That the Municipality accepts a trade-in value of \$12,000 for the existing ice resurfacing machine; and

THAT the appropriate by-law authorizing the Mayor and Clerk to execute any and all necessary documents be approved.

### **FINANCIAL IMPACT**

The 2018 total budget allocated \$150,000.00 for the replacement of the ice resurfacing machine at The Shores and the installation of a laser level on the other ice resurfacing machine. The bid result is below the budget allocation, and any unused funds will remain in the Recreation Reserve Fund for future projects.

### **CONSULTATION**

Proposals were reviewed by Community Services Staff. Budget details were confirmed by the Treasurer.

## THE MUNICIPALITY OF LAMBTON SHORES

**Report DCS 14-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council  
**FROM:** Steve McAuley, Director of Community Services  
**RE:** 2018 Capital Procurement – Backhoe Replacement

**RECOMMENDATION:**

**THAT** Report DCS 14-2018 regarding the RFP award for the 2018 Backhoe Replacement be received; and

**THAT** the RFP received from Kucera Group Alvinston in the amount of \$129,823.00 excluding HST, (\$132,107.88 net HST), for the replacement of the backhoe be accepted; and

**THAT** the appropriate by-law, authorizing the Mayor and Clerk to sign the associated contract agreement be approved.

---

### **SUMMARY**

This report presents a summary of the Request for Proposals (RFP) award for the 2018 Capital Procurement of a backhoe. Staff is recommending award to Kucera Group Alvinston.

### **BACKGROUND**

In 2018 Lambton Shores included \$150,000.00 in the capital budget for the replacement of the backhoe located in the Northville. The replacement is a lifecycle replacement of the current equipment. Proposals for this acquisition were released in March 2018 and closed on April 10, 2018 with 5 submissions. The results are presented below:

| <b>Contractor</b>          | <b>Bid Submission<br/>(No HST)</b> | <b>Bid Submission<br/>(Net of HST)</b> |
|----------------------------|------------------------------------|--|
| Kucera Farm Supply Limited | \$ 129,823.00                      | \$ 132,107.88                          |
| Nortrax Canada Inc.        | \$ 134,000.00                      | \$ 136,358.40                          |
| Delta Power Equipment      | \$ 141,475.00                      | \$ 143,964.96                          |
| Nortrax Canada Inc. (2)    | \$ 144,500.00                      | \$ 147,043.20                          |
| Toromont CAT               | \$ 156,000.00                      | \$ 158,745.60                          |

In accordance with the Municipalities' purchasing policy this purchase must be awarded by Council because the contract value is over \$100,000. Staff have had the opportunity to review and confirm the low RFP. The bid document was found to be complete, is acceptable contractually, the equipment meets the Municipality's needs, and the bid is within the budget allocation. As such, staff recommend award of the RFP from Kucera Group Alvinston for the net of HST purchase price of \$132,107.88. The unit being offered by Kucera is a Case Model 580SN WT and is in stock at the dealership.

The existing Backhoe will be sold through the on-line public action [www.govdeals.ca](http://www.govdeals.ca) with proceeds from the sale being deposited in the Transportation Services Reserve Fund.

### **ALTERNATIVES TO CONSIDER**

No other alternatives are presented at this time. The RFP for this equipment was released in keeping with the Municipality's Purchasing Policy to ensure the Municipality is receiving market competitive price for the purchase.

### **RECOMMENDED ACTIONS**

**THAT** Report DCS 14-2018 regarding the RFP award for the 2018 Backhoe Replacement be received; and

**THAT** the RFP received from Kucera Group Alvinston in the amount of \$129,823.00 excluding HST, (\$132,107.88 net HST), for the replacement of the backhoe be accepted; and

**THAT** the appropriate by-law, authorizing the Mayor and Clerk to sign the associated contract agreement be approved

### **FINANCIAL IMPACT**

The net of HST price of the RFP received from Kucera Group Alvinston is below the approved budget for this acquisition of \$150,000.00. The difference between the submitted price and budget will remain in the Transportation Services Reserve Fund.

### **CONSULTATION**

Reviews were completed by Community Services Staff. Budget details confirmed by Treasurer.

## THE MUNICIPALITY OF LAMBTON SHORES

**Report DCS 15-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council

**FROM:** Steve McAuley, Director of Community Services

**RE:** 2018 Operating Budget – Granular ‘A’ Gravel Supply and Delivery

**RECOMMENDATION:**

**THAT** Report DCS 15-2018 regarding the Tender award for the 2018 Gravel supply and delivery be received; and

**THAT** the Tender received from Johnston Brothers Bothwell Limited in the amount of \$185,920.00 (\$13.28/tonne) excluding HST (\$189,192.19 net HST), for the supply and delivery of Granular ‘A’ Gravel be accepted; and

**THAT** the appropriate by-law, authorizing the Mayor and Clerk to sign the associated contract agreement be approved.

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### **SUMMARY**

This report presents a summary of the Tender award for the 2018 supply and delivery of granular ‘A’ gravel. Staff is recommending award to Johnston Brothers Bothwell Ltd

### **BACKGROUND**

In the 2018 Operating budget Lambton Shores included \$200,000 for the supply and delivery of 14,000 tonnes of granular ‘A’ gravel material to various roads within Lambton Shores. The material is required to maintain gravel roads.

The tender was released in March 2018 and closed on April 10, 2018 with 3 submissions. The results are presented below:

| <b>Contractor</b>           | <b>Bid Submission<br/>(No HST)</b> | <b>Bid Submission<br/>(Net of HST)</b> |
|-----------------------------|------------------------------------|--|
| Johnston Bros. Bothwell Ltd | \$185,920.00                       | \$189,192.19                           |
| Jennison Construction Ltd   | \$189,000.00                       | \$192,326.40                           |
| McKenzie & Henderson Ltd    | \$197,400.00                       | \$200,874.24                           |

In accordance with the Municipalities' purchasing policy this contract must be awarded by council because the contract value is over \$100,000. Staff have had the opportunity to review and confirm the low tender. The bid document was found to be complete, is acceptable contractually, the Supplier is a reputable contractor in this area of work, and the bid is within the budget allocation. As such, staff recommend award of the tender from Johnston Bros. Bothwell Ltd net of HST price of \$189,192.19.

### **ALTERNATIVES TO CONSIDER**

No other alternatives are presented at this time. The tender for this material was released in keeping with the Municipality's Purchasing Policy to ensure the Municipality is receiving market competitive price for the purchase.

### **RECOMMENDED ACTIONS**

**THAT** Report DCS 15-2018 regarding the Tender award for the 2018 Granular 'A' Gravel supply and delivery be received; and

**THAT** the Tender received from Johnston Brothers Bothwell Limited in the amount of \$185,920.00 (\$13.28/tonne) excluding HST (\$189,192.19 net HST), for the supply and delivery of Granular 'A' Gravel be accepted; and

**THAT** the appropriate by-law, authorizing the Mayor and Clerk to sign the associated contract agreement be

### **FINANCIAL IMPACT**

The Municipality has a budgeted amount of \$200,000 within Transportation Services Loose Top Maintenance for the purchase of Granular 'A' material in 2018. The net of HST price of the tender received from Johnson Brothers Bothwell Limited is within the approved budget.

### **CONSULTATION**

Tender reviews were completed by Community Services Staff. Budget details confirmed by Treasurer.

## THE MUNICIPALITY OF LAMBTON SHORES

**Report DCS 16-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council

**FROM:** Steve McAuley, Director of Community Services

**RE:** Appointment of an Engineer for the VanEngelen Drain

**RECOMMENDATION:**

**THAT** DCS 16-2018 regarding the Appointment of an Engineer for the VanEngelen Drain be received; and

**THAT** Spriet & Associates be appointed to complete the required engineer's report for the Section 78 request made under the Drainage Act for the VanEngelen Drain.

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### **SUMMARY**

This report presents a request under section 78 of the Drainage Act for a municipal drain relocation of the existing upper reaches of the Gordon VanEngelen Drain located on Lot 4 Concession 4 of the Municipality of Lambton Shores. Currently the drain runs through the farm in very close proximity to the agriculture buildings (see Attachment #1). The request has been received to relocate the existing system to reduce conflict while constructing additional feed bunkers in order to maintain the existing dairy operation.

### **BACKGROUND**

The Gordon VanEngelen Drain system was originally constructed under bylaw in 1992. This is a closed drain running northerly, approximately 1900 meters in length from Part Lot 3 of Concession 4 and outlets to the Upper Mud Creek Drain on Lot 6 Concession 4 (see Attachment #1). A similar request was submitted and accepted in 2003 for a relocation of 188 meters of tile to allow for construction of the Dairy Barn Extension report was prepared and accepted through by law 11 of 2003 by J.A Monteith.

The Drainage Superintendent has received a request for drainage alterations to the Gordon VanEngelen Drain submitted under Section 78 of the Drainage Act. The petitioner's request is based on the need to alter the existing drainage system as it drains through his farm land to accommodate construction of new feed bunkers.

*Section 78 of the Drainage Act reads as follows:*

*78 (1) If a drainage works has been constructed under a by-law passed under this Act or any predecessor of this Act, and the council of the municipality that is responsible for maintaining and repairing the drainage works considers it appropriate to undertake one or more of the*



*projects listed in subsection (1.1) for the better use, maintenance or repair of the drainage works or of lands or roads, the municipality may undertake and complete the project in accordance with the report of an engineer appointed by it and without the petition required by section 4. 2010, c. 16, Sched. 1, s. 2 (27).*

### **Projects**

*(1.1) The projects referred to in subsection (1) are:*

- 1. Changing the course of the drainage works.**
- 2. Making a new outlet for the whole or any part of the drainage works.*
- 3. Constructing a tile drain under the bed of the whole or any part of the drainage works.*
- 4. Constructing, reconstructing or extending embankments, walls, dykes, dams, reservoirs, bridges, pumping stations or other protective works in connection with the drainage works.*
- 5. Otherwise improving, extending to an outlet or altering the drainage works.*
- 6. Covering all or part of the drainage works.*
- 7. Consolidating two or more drainage works. 2010, c. 16, Sched. 1, s. 2 (27).*

In this particular case a new engineer's report is required to make the requested alterations. Council is asked to assign a drainage engineer to this file.

### **ALTERNATIVES TO CONSIDER**

None are presented. The Drainage Act establishes the local municipality as the steward of the process established in the Act. The Act obligates the municipality to research, establish the need municipal drains when requested by a landowner. As a result, the municipality is obliged to complete this request.

### **RECOMMENDED ACTIONS**

Staff is recommending that Council accept the request for upgrades to the Gordon VanEngelen Drain watershed and assign a drainage engineer to the file.

### **FINANCIAL IMPACT**

The Drainage Act establishes that all costs associated with municipal drains are shared proportionately amongst the assessed landowners. In this case where a new engineer's report and upgrades to the municipal drain are requested, the petitioning landowner will pay the cost of the upgrades as will be determined in the engineer's report. Future maintenance will be assessed throughout the watershed.

### **CONSULTATION**

Staff has received the request for these drainage upgrades from a landowner assessed to the drain. This request is attached to this report



Attachment # 1

## THE MUNICIPALITY OF LAMBTON SHORES

**Report TR 14-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council

**FROM:** Janet Ferguson, Treasurer

**RE:** March 2018 Operating and Capital Financial Statements

**RECOMMENDATION:**

**THAT** Report TR 14-2018 regarding the Q1 2018 Financial Statements and operational updates be received.

---

### **SUMMARY**

This report presents the Draft first quarter Operating and Capital Financial Statements to Council for information. The report also includes operational updates for the various departments in Lambton Shores.

### **BACKGROUND**

March 31, 2018 completes the first quarter of financial activity for Lambton Shores. Early adoption of the 2018 Budget allowed staff to begin implementation of the numerous projects in the budget. Staff have provided an update on actions thus far as well as identified any work plans or projects for the next quarter.

#### **CAO Comments**

All departments are reporting normal operations with no significant budget variances. All full time positions are now full. With the January 29<sup>th</sup> arrival of Lawrence Swift filling the position of Fire Chief, Council will now see specific operational comments related to the Fire Service included in this report. As Council is aware, planning services are provided to Lambton Shores through the County's allocation of a full-time senior planner. Patti Richardson will be retiring at the end of May, and the County has invited senior staff to be part of the recruitment process for Ms. Richardson's replacement. It is anticipated that there will be a short duration of overlap to accommodate staff briefings and file sharing.

At Council's request, senior staff has worked with the Huron Shores Transit Committee to submit a grant application for both a local and regional transit service. The application is clear in stating that the first step would be the completion of a feasibility study. There is no word of when a response to the application could be expected. Staff has been working with Southwest Ontario Tourism (SWOTC), Tourism Sarnia Lambton (TSL), and a number of local stakeholders to develop promotions in support of an extended September theatre season by the Huron Country Playhouse just outside of

Grand Bend. Inter-governmentally, senior staff continues to engage with the Federal Government and Kettle and Stony Point First Nation in the Addition to Reserve process for the Indian Hills Golf Course lands. The Ontario Ministry of Natural Resources has indicated that they are not yet in a position to make decisions related to the improvement/management of the Ipperwash Crown land parcels, but they have confirmed that seasonal maintenance will be undertaken by staff from the Pinery Park in 2018.

#### Treasurers Comments

The 2018 first quarter financial activities for Lambton Shores are consistent with those of 2017 reflecting 35% for revenue and 18% for expenses.

The interim tax billing was issued the last week of January representing 50% of the 2017 annual taxation and therefore the overall revenue is higher than a typical 25% for a first quarter.

The budgeted transfers to Reserve Funds have not been completed at this time and therefore the overall expenses are lower. 50% of the transfer allocations will be completed in the next quarter.

The General Administration operations are overall on target with budget. The Finance office in Grand Bend experienced flooding this spring and had to undertake unexpected repairs; however, it is hoped that the expense can be funded from savings in other operational areas.

The 2017 annual audit has been completed and financial statements are pending. Lambton Shores is required to consolidate the water boards' financial statements within ours and therefore additional time is required while the boards complete theirs. The Lambton Shores statements are tentatively scheduled for the May meeting.

Staff continues to work with the IT consultants for the technological upgrades and the servers in the 2018 budget are planned for installation by the end of April. Workstation / laptops updates are ongoing as is the replacement of connectivity equipment.

The Finance Department will be implementing the option for e-billing of water / wastewater and tax billings in the second quarter with the intent to have it operational for the final tax billing cycle.

In the second quarter, staff will be preparing for the summer activities in Lambton Shores as the winter seasonal operations come to an end. Various operational activities such as updating policies, preparing monetary floats, ordering supplies, staff coordination and orientations will be underway shortly.

#### Clerk Comments

During the first quarter, staff have been working on preparation of forms, policies and procedures and planning for the 2018 Election. Although the election is several months

out, there is work behind the scenes being done primarily on the voters list, form preparation and training. Council is aware that the nomination period opens on May 1, 2017.

Staff have been working on a Records Management Program that will be rolled out over several months. A significant change to the existing records system is the implementation of the TOMRMS filing and classification system. TOMRMS is a complete methodology for organizing information and the most common filing system used in Ontario municipalities. In the first quarter, staff have been introduced to the Records Management Program and the new filing system through weekly email updates and reminders of the importance of a complete records management program. Staff have also attended a training session on records management and the TOMRMS classification system.

Staff have made revisions to the cemetery by-law in order to accommodate columbariums that have been included in the 2018 budget.

Recruitment of the seasonal by-law enforcement officers has been completed and enforcement processes have been reviewed in advance of the 2018 summer season.

In the first quarter, the Building Department issued 41 permits, down slightly from the same period in 2017, with a total work value of \$12,396,295.00. The permits are largely residential construction but also include agricultural and commercial projects.

The following summarizes the planning activity for the first quarter of 2018: Consent applications – 3, Minor Variance applications – 2, Zoning Amendments – 3, Zoning reports – 21.

#### Fire Services Comments

The first quarter financial activities for the fire departments are on target.

On February 13, 2018 Council created the Lambton Shores Fire and Emergency Services by adopting the Establishing and Regulating By-law. At the same Council meeting, approval to purchase a new pumper was obtained. Since that time, the design of the vehicle has been confirmed, and the chassis construction commenced.

A 2018 department work plan has been developed. Priority is being given to all outstanding recommendations of the Fire Marshal's Review. All Station Chiefs are actively participating in this initiative. Officers and members of the department have collaboratively defined a new functional structure to support the Lambton Shores operations. This includes specific accountabilities for a number of new and existing positions. In short, we have discussed and planned how we are going to function as a single fire service.

The Department has defined our informational management (IM) needs, and is currently implementing the necessary actions in concert with the Municipalities' information

management initiative. Officers are working on policy planning and have developed a new Training Policy that describes minimal qualifications for all key positions in the department. The associated plan that will support both the required training, and the proposed new provincial legislated requirements, is currently being implemented. Eight new members of the department have now begun a year-long basic training regime to qualify them as a competent firefighter.

Department officers have created a Public Education and Prevention Policy to describe the future baseline requirements for these activities. In order to plan and execute an effective program, the Fire Service has created a new Public Education and Prevention Division including members from all 5 stations.

Final preparation, testing, and user training has been completed prior to the activation of the new County-wide fire radio system. The system is scheduled to be in operation by the end of April.

### Community Services

Winter control season is for all intents and purposes complete. This was a challenging year for the operators with a large number of actual snow events and also many extended periods of weather that required staff to patrol and undertake various winter control activities on almost on daily basis. Approximately 50% of the winter control budget has been used this year; the remainder will be available for the fall winter season. Staff are now transitioning to spring and summer preparation including tree trimming, gravel grading, marina and dock preparation, etc. Gravel and dust suppressant tenders have been closed and both remain in budget.

The 2017/2018 ice season ended at both arenas at the end of March. Expenses and revenues for both facilities are on target. In January, the Forest International Silver Stick tournament celebrated its 50<sup>th</sup> anniversary in the community.

Water and wastewater revenues are on target for the first quarter. Expenses are proportionately lower for this quarter simply based on the reduced outside work on the system completed during the winter season.

Recreation and Leisure Services has been working to advance the deliverables identified in the Rural Economic Development (RED) fund. The Municipal website is being updated and a mobile app using the existing “Pingstreet” interface is being developed. Both are expected to launch in early June.

Two promotional videos are being developed for Lambton Shores. These will be featured on the Lambton Shores website, as well as other partner websites. Completion of the videos is expected at the end of September.

The first phase of community and wayfinding signage is nearing completion. Staff is developing a plan for the second phase, which is expected to be complete during the second quarter.



The new Lambton Shores Community Guide was completed and distributed locally through Canada Post during the first quarter. Copies are also available through tourism information centres, Lambton County libraries, and will be broadly distributed to local businesses in the coming weeks.

The Municipality's brand is also becoming clearly prominent on printed material such as newsletters, tax bill inserts, business cards, brochures, posters, media releases and social media. New vehicles and equipment are being branded with the Municipality's logo. Most municipal facilities now bear the Lambton Shores logo.

The Recreation and Leisure Services Master Plan is being updated by Monteith Brown Planning Consultants. The first phase of public consultation is complete, which included interviews with Council, staff and other stakeholders; a public survey that was available through the municipal website (500+ responses); and, a public open house (50+ attended). A preliminary report is expected in June with an additional public meeting and Council presentation to follow.

Staff organized a Recreation Open House in March, and invited local community groups and recreation groups to provide information to the public and encourage registration for various programs. Nineteen local groups attended with approximately 50 members of the public. Staff received positive comments about the event, and anticipates hosting a similar event in the fall.

Lambton Shores Communities in Bloom is planning for the 2018 International Competition. Judges will be coming to our community July 10-13 to evaluate criteria relating to the environment, tidiness, natural and cultural heritage, urban forestry, landscaping community involvement and floral displays. Lambton Shores has previously won the Provincial, National, and International titles in the competition.

### Capital

The capital summary includes notes for the project status as well as any reports previously provided to Council.

### **ALTERNATIVES TO CONSIDER**

None

### **RECOMMENDED ACTIONS**

That Council receives report TR 14-2018 outlining the Lambton Shores first quarter financial statements and operational update.

## **FINANCIAL IMPACT**

There is no additional financial impact by receiving this report. The current programs and projects are overall performing on budget.

## **CONSULTATION**

Steve McAuley, Director of Community Services  
Stephanie Troyer-Boyd, Clerk  
Lawrence Swift, Chief, Fire and Emergency Services  
Kevin Williams, CAO

**MUNICIPALITY OF LAMBTON SHORES**  
**2018 Draft Operating Year to Date Summary as of March 31, 2018**

|   | 2018<br>Approved<br>Budget | 2018<br>Draft YTD      | Balance<br>Available     | % Used        |
|---|----------------------------|------------------------|--------------------------|---------------|
| <b>Tax Supported Component</b>                    |                            |                        |                          |               |
| <b><u>Taxation Levy</u></b>                       | \$ 11,600,651.00           | \$ 5,680,124.47        | \$ (5,920,526.53)        | 48.96%        |
| <b><u>General Government</u></b>                  |                            |                        |                          |               |
| <i>Revenue</i>                                    |                            |                        |                          |               |
| General   | \$ 3,339,930.00            | \$ 862,849.28          | \$ (2,477,080.72)        | 25.83%        |
| <i>Expense</i>                                    |                            |                        |                          |               |
| General   | \$ 2,482,627.00            | \$ 582,383.02          | \$ (1,900,243.98)        | 23.46%        |
| <b>General Total</b>                              | <b>\$ (857,303.00)</b>     | <b>\$ (280,466.26)</b> | <b>\$ 576,836.74</b>     | <b>32.71%</b> |
| <b><u>Policing</u></b>                            |                            |                        |                          |               |
| <i>Revenue</i>                                    |                            |                        |                          |               |
| Policing  | \$ 138,713.00              | \$ 14,762.01           | \$ (123,950.99)          | 10.64%        |
| <i>Expense</i>                                    |                            |                        |                          |               |
| Policing  | \$ 2,641,665.00            | \$ 645,666.24          | \$ (1,995,998.76)        | 24.44%        |
| <b>Policing Total</b>                             | <b>\$ 2,502,952.00</b>     | <b>\$ 630,904.23</b>   | <b>\$ (1,872,047.77)</b> | <b>25.21%</b> |
| <b><u>Planning</u></b>                            |                            |                        |                          |               |
| <i>Revenue</i>                                    |                            |                        |                          |               |
| Planning and Zoning                               | \$ 67,950.00               | \$ 11,250.00           | \$ (56,700.00)           | 16.56%        |
| <i>Expense</i>                                    |                            |                        |                          |               |
| Planning and Zoning                               | \$ 25,451.00               | \$ -                   | \$ (25,451.00)           | 0.00%         |
| <b>Planning Total</b>                             | <b>\$ (42,499.00)</b>      | <b>\$ (11,250.00)</b>  | <b>\$ 31,249.00</b>      | <b>26.47%</b> |
| <b><u>Building &amp; Assessment</u></b>           |                            |                        |                          |               |
| <i>Revenue</i>                                    |                            |                        |                          |               |
| Building and Assessment Admin                     | \$ 275,842.00              | \$ 60,847.48           | \$ (214,994.52)          | 22.06%        |
| <i>Expense</i>                                    |                            |                        |                          |               |
| Building and Assessment Admin                     | \$ 275,842.00              | \$ 71,082.93           | \$ (204,759.07)          | 25.77%        |
| <b>Building Total</b>                             | <b>\$ -</b>                | <b>\$ 10,235.45</b>    | <b>\$ 10,235.45</b>      | <b>-</b>      |
| <b><u>Protection to Person &amp; Property</u></b> |                            |                        |                          |               |
| <i>Revenue</i>                                    |                            |                        |                          |               |
| Bylaw / Parking / Prop. Stnds Enforce.            | \$ 98,907.00               | \$ 3,584.00            | \$ (95,323.00)           | 3.62%         |
| Sub Total   | \$ 98,907.00               | \$ 3,584.00            | \$ (95,323.00)           | 3.62%         |
| <i>Expense</i>                                    |                            |                        |                          |               |
| Bylaw / Parking / Prop. Stnds Enforce.            | \$ 211,406.00              | \$ 23,988.16           | \$ (187,417.84)          | 11.35%        |
| Crossing Guards                                   | \$ 32,107.00               | \$ 7,234.15            | \$ (24,872.85)           | 22.53%        |
| Conservation Authority                            | \$ 330,547.00              | \$ 43,168.00           | \$ (287,379.00)          | 13.06%        |
| Sub Total   | \$ 574,060.00              | \$ 74,390.31           | \$ (499,669.69)          | 12.96%        |
| <b>Protection to Person &amp; Property Total</b>  | <b>\$ 475,153.00</b>       | <b>\$ 70,806.31</b>    | <b>\$ (404,346.69)</b>   | <b>14.90%</b> |

**MUNICIPALITY OF LAMBTON SHORES**  
**2018 Draft Operating Year to Date Summary as of March 31, 2018**

|                                       | 2018<br>Approved<br>Budget | 2018<br>Draft YTD      | Balance<br>Available     | % Used         |
|---------------------------------------|----------------------------|------------------------|--------------------------|----------------|
| <b><u>Fire Services</u></b>           |                            |                        |                          |                |
| <b><i>Revenue</i></b>                 |                            |                        |                          |                |
| Fire Prevention and Inspection        | \$ -                       | \$ 6,330.00            | \$ 6,330.00              | -              |
| Arkona FD                             | \$ 25,838.00               | \$ 6,209.44            | \$ (19,628.56)           | 24.03%         |
| Northville FD                         | \$ 3,000.00                | \$ -                   | \$ (3,000.00)            | 0.00%          |
| Forest FD                             | \$ 19,086.00               | \$ 4,924.59            | \$ (14,161.41)           | 25.80%         |
| Grand Bend FD                         | \$ 68,726.00               | \$ 17,039.92           | \$ (51,686.08)           | 24.79%         |
| Thedford FD                           | \$ 3,000.00                | \$ 1,000.00            | \$ (2,000.00)            | 33.33%         |
| Sub Total                             | \$ 119,650.00              | \$ 35,503.95           | \$ (84,146.05)           | 29.67%         |
| <b><i>Expense</i></b>                 |                            |                        |                          |                |
| Fire Prevention and Inspection        | \$ 129,000.00              | \$ 19,576.50           | \$ (109,423.50)          | 15.18%         |
| Arkona FD                             | \$ 161,965.00              | \$ 23,946.28           | \$ (138,018.72)          | 14.78%         |
| Northville FD                         | \$ 188,945.00              | \$ 29,152.82           | \$ (159,792.18)          | 15.43%         |
| Forest FD                             | \$ 278,262.00              | \$ 38,957.52           | \$ (239,304.48)          | 14.00%         |
| Grand Bend FD                         | \$ 265,955.00              | \$ 36,906.62           | \$ (229,048.38)          | 13.88%         |
| Thedford FD                           | \$ 230,037.00              | \$ 32,609.97           | \$ (197,427.03)          | 14.18%         |
| Sub Total                             | \$ 1,254,164.00            | \$ 181,149.71          | \$ (1,073,014.29)        | 14.44%         |
| <b>Fire Services Total</b>            | <b>\$ 1,134,514.00</b>     | <b>\$ 145,645.76</b>   | <b>\$ (988,868.24)</b>   | <b>12.84%</b>  |
| <b><u>Transportation Services</u></b> |                            |                        |                          |                |
| <b><i>Revenue</i></b>                 |                            |                        |                          |                |
| Community Services General            | \$ 3,150.00                | \$ 8,118.86            | \$ 4,968.86              | 257.74%        |
| Roadways                              | \$ 16,500.00               | \$ 596.59              | \$ (15,903.41)           | 3.62%          |
| Sub Total                             | \$ 19,650.00               | \$ 8,715.45            | \$ (10,934.55)           | 44.35%         |
| <b><i>Expense</i></b>                 |                            |                        |                          |                |
| Community Services General            | \$ 863,893.00              | \$ 174,508.10          | \$ (689,384.90)          | 20.20%         |
| TRF to Equipment Replacement RF       | \$ 336,365.00              | \$ -                   | \$ (336,365.00)          | 0.00%          |
| TRF to Road Purposes RF               | \$ 1,433,029.00            | \$ -                   | \$ (1,433,029.00)        | 0.00%          |
| Roadways                              | \$ 2,168,608.00            | \$ 370,088.10          | \$ (1,798,519.90)        | 17.07%         |
| Winter Control                        | \$ 474,337.00              | \$ 257,314.10          | \$ (217,022.90)          | 54.25%         |
| Street Light / Traffic Control        | \$ 135,456.00              | \$ 22,798.30           | \$ (112,657.70)          | 16.83%         |
| Sub Total                             | \$ 5,411,688.00            | \$ 824,708.60          | \$ (4,586,979.40)        | 15.24%         |
| <b>Transportation Services Total</b>  | <b>\$ 5,392,038.00</b>     | <b>\$ 815,993.15</b>   | <b>\$ (4,576,044.85)</b> | <b>15.13%</b>  |
| <b><u>Harbours</u></b>                |                            |                        |                          |                |
| <b><i>Revenue</i></b>                 |                            |                        |                          |                |
| Grand Bend                            | \$ 405,500.00              | \$ 102,042.81          | \$ (303,457.19)          | 25.16%         |
| Port Franks                           | \$ 190,252.00              | \$ 90,361.81           | \$ (99,890.19)           | 47.50%         |
| Sub Total                             | \$ 595,752.00              | \$ 192,404.62          | \$ (403,347.38)          | 32.30%         |
| <b><i>Expense</i></b>                 |                            |                        |                          |                |
| Grand Bend                            | \$ 428,491.00              | \$ 7,782.46            | \$ (420,708.54)          | 1.82%          |
| Port Franks                           | \$ 221,091.00              | \$ 7,849.51            | \$ (213,241.49)          | 3.55%          |
| Greater Harbour Maintenance           | \$ 50,000.00               | \$ -                   | \$ (50,000.00)           | 0.00%          |
| Sub Total                             | \$ 699,582.00              | \$ 15,631.97           | \$ (683,950.03)          | 2.23%          |
| <b>Harbours Total</b>                 | <b>\$ 103,830.00</b>       | <b>\$ (176,772.65)</b> | <b>\$ (280,602.65)</b>   | <b>170.25%</b> |

**MUNICIPALITY OF LAMBTON SHORES**  
**2018 Draft Operating Year to Date Summary as of March 31, 2018**

|   | 2018<br>Approved<br>Budget | 2018<br>Draft YTD     | Balance<br>Available   | % Used         |
|---|----------------------------|-----------------------|------------------------|----------------|
| <b><u>Arenas</u></b>                            |                            |                       |                        |                |
| <b><i>Revenue</i></b>                           |                            |                       |                        |                |
| Legacy Recreation Centre                        | \$ 204,560.00              | \$ 91,935.34          | \$ (112,624.66)        | 44.94%         |
| Shores Recreation Centre                        | \$ 323,420.00              | \$ 131,861.86         | \$ (191,558.14)        | 40.77%         |
| Forest Arena                                    | \$ 450.00                  | \$ -                  | \$ (450.00)            | 0.00%          |
| Sub Total                                       | \$ 528,430.00              | \$ 223,797.20         | \$ (304,632.80)        | 42.35%         |
| <b><i>Expense</i></b>                           |                            |                       |                        |                |
| Legacy Recreation Centre                        | \$ 651,988.00              | \$ 150,524.57         | \$ (501,463.43)        | 23.09%         |
| Shores Recreation Centre                        | \$ 774,066.00              | \$ 335,974.46         | \$ (438,091.54)        | 43.40%         |
| Forest Arena                                    | \$ 31,205.00               | \$ 12,527.88          | \$ (18,677.12)         | 40.15%         |
| Sub Total                                       | \$ 1,457,259.00            | \$ 499,026.91         | \$ (958,232.09)        | 34.24%         |
| <b>Arenas Total</b>                             | <b>\$ 928,829.00</b>       | <b>\$ 275,229.71</b>  | <b>\$ (653,599.29)</b> | <b>29.63%</b>  |
| <b><u>Solid Waste Management</u></b>            |                            |                       |                        |                |
| <b><i>Revenue</i></b>                           |                            |                       |                        |                |
| Solid Waste Management                          | \$ 473,184.00              | \$ 238,575.00         | \$ (234,609.00)        | 50.42%         |
| <b><i>Expense</i></b>                           |                            |                       |                        |                |
| Solid Waste Management                          | \$ 871,036.00              | \$ 188,475.69         | \$ (682,560.31)        | 21.64%         |
| <b>Solid Waste Management Total</b>             | <b>\$ 397,852.00</b>       | <b>\$ (50,099.31)</b> | <b>\$ (447,951.31)</b> | <b>-12.59%</b> |
| <b><u>Cemeteries</u></b>                        |                            |                       |                        |                |
| <b><i>Revenue</i></b>                           |                            |                       |                        |                |
| Forest - Beechwood                              | \$ 36,310.00               | \$ 5,812.24           | \$ (30,497.76)         | 16.01%         |
| Arkona  | \$ 10,060.00               | \$ 216.48             | \$ (9,843.52)          | 2.15%          |
| Pinery, Ward & Baptist / Misc.                  | \$ 1,445.00                | \$ -                  | \$ (1,445.00)          | 0.00%          |
| Sub Total                                       | \$ 47,815.00               | \$ 6,028.72           | \$ (41,786.28)         | 12.61%         |
| <b><i>Expense</i></b>                           |                            |                       |                        |                |
| Forest - Beechwood                              | \$ 40,762.00               | \$ 4,686.31           | \$ (36,075.69)         | 11.50%         |
| Arkona  | \$ 22,168.00               | \$ 461.35             | \$ (21,706.65)         | 2.08%          |
| Pinery, Ward & Baptist / Misc.                  | \$ 8,255.00                | \$ 2,456.69           | \$ (5,798.31)          | 29.76%         |
| Sub Total                                       | \$ 71,185.00               | \$ 7,604.35           | \$ (63,580.65)         | 10.68%         |
| <b>Cemeteries Total</b>                         | <b>\$ 23,370.00</b>        | <b>\$ 1,575.63</b>    | <b>\$ (21,794.37)</b>  | <b>6.74%</b>   |
| <b><u>Recreation &amp; Leisure Services</u></b> |                            |                       |                        |                |
| <b><i>Revenue</i></b>                           |                            |                       |                        |                |
| Gen Admin, Fitness Area, Gymnasium              | \$ 353,376.00              | \$ 143,151.64         | \$ (210,224.36)        | 40.51%         |
| <b><i>Expense</i></b>                           |                            |                       |                        |                |
| Gen Admin, Fitness Area, Gymnasium              | \$ 1,091,051.00            | \$ 334,247.03         | \$ (756,803.97)        | 30.64%         |
| <b>Recreation &amp; Leisure Services Total</b>  | <b>\$ 737,675.00</b>       | <b>\$ 191,095.39</b>  | <b>\$ (546,579.61)</b> | <b>25.91%</b>  |
| <b><u>Recreation Parks</u></b>                  |                            |                       |                        |                |
| <b><i>Revenue</i></b>                           |                            |                       |                        |                |
| Parks, Ball Diamonds, Pavillions                | \$ 47,000.00               | \$ 4,940.77           | \$ (42,059.23)         | 10.51%         |
| <b><i>Expense</i></b>                           |                            |                       |                        |                |
| Parks, Ball Diamonds, Pavillions                | \$ 366,596.00              | \$ 17,430.24          | \$ (349,165.76)        | 4.75%          |
| <b>Recreation - Parks Total</b>                 | <b>\$ 319,596.00</b>       | <b>\$ 12,489.47</b>   | <b>\$ (307,106.53)</b> | <b>3.91%</b>   |

**MUNICIPALITY OF LAMBTON SHORES**  
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|   | 2018<br>Approved<br>Budget | 2018<br>Draft YTD        | Balance<br>Available      | % Used         |
|---|----------------------------|--------------------------|---------------------------|----------------|
| <b><u>Recreation - Beach</u></b>                |                            |                          |                           |                |
| <i>Revenue</i>                                  |                            |                          |                           |                |
| Beach, Beach House, Patrol, P.Lot               | \$ 689,094.00              | \$ -                     | \$ (689,094.00)           | 0.00%          |
| <i>Expense</i>                                  |                            |                          |                           |                |
| Beach, Beach House, Patrol, P.Lot               | \$ 885,188.00              | \$ 42,289.19             | \$ (842,898.81)           | 4.78%          |
| <b>Recreation - Beach Total</b>                 | <b>\$ 196,094.00</b>       | <b>\$ 42,289.19</b>      | <b>\$ (153,804.81)</b>    | <b>21.57%</b>  |
| <b><u>Community Centres &amp; Libraries</u></b> |                            |                          |                           |                |
| <i>Revenue</i>                                  |                            |                          |                           |                |
| Community Centres                               | \$ 152,079.00              | \$ 35,181.73             | \$ (116,897.27)           | 23.13%         |
| Sub Total                                       | \$ 152,079.00              | \$ 35,181.73             | \$ (116,897.27)           | 23.13%         |
| <i>Expense</i>                                  |                            |                          |                           |                |
| Community Centres                               | \$ 279,030.00              | \$ 56,484.05             | \$ (222,545.95)           | 20.24%         |
| Libraries                                       | \$ 27,345.00               | \$ 4,687.48              | \$ (22,657.52)            | 17.14%         |
| Sub Total                                       | \$ 306,375.00              | \$ 61,171.53             | \$ (245,203.47)           | 19.97%         |
| <b>Community Centres &amp; Libraries Total</b>  | <b>\$ 154,296.00</b>       | <b>\$ 25,989.80</b>      | <b>\$ (128,306.20)</b>    | <b>16.84%</b>  |
| <b><u>Drainage</u></b>                          |                            |                          |                           |                |
| <i>Revenue</i>                                  |                            |                          |                           |                |
| Drainage  | \$ 779,331.00              | \$ 6,915.69              | \$ (772,415.31)           | 0.89%          |
| <i>Expense</i>                                  |                            |                          |                           |                |
| Drainage  | \$ 809,535.00              | \$ 38,594.88             | \$ (770,940.12)           | 4.77%          |
| <b>Drainage Total</b>                           | <b>\$ 30,204.00</b>        | <b>\$ 31,679.19</b>      | <b>\$ 1,475.19</b>        | <b>104.88%</b> |
| <b><u>Economic Development</u></b>              |                            |                          |                           |                |
| <i>Revenue</i>                                  |                            |                          |                           |                |
| Industry Trade amd Tourism                      | \$ 182,050.00              | \$ -                     | \$ (182,050.00)           | 0.00%          |
| <i>Expense</i>                                  |                            |                          |                           |                |
| Industry Trade amd Tourism                      | \$ 286,100.00              | \$ 35,443.20             | \$ (250,656.80)           | 12.39%         |
| <b>Economic Development Total</b>               | <b>\$ 104,050.00</b>       | <b>\$ 35,443.20</b>      | <b>\$ (68,606.80)</b>     | <b>34.06%</b>  |
| <b>Tax Component Revenue</b>                    | <b>\$ 19,509,404.00</b>    | <b>\$ 7,528,632.01</b>   | <b>\$ (11,980,771.99)</b> | <b>38.59%</b>  |
| <b>Tax Component Expense</b>                    | <b>\$ 19,509,404.00</b>    | <b>\$ 3,619,295.80</b>   | <b>\$ (15,890,108.20)</b> | <b>18.55%</b>  |
|   | <b>\$ -</b>                | <b>\$ (3,909,336.21)</b> | <b>\$ (3,909,336.21)</b>  |                |



**MUNICIPALITY OF LAMBTON SHORES**  
**2018 Draft Operating Year to Date Summary as of March 31, 2018**

|  | 2018<br>Approved<br>Budget | 2018<br>Draft YTD      | Balance<br>Available      | % Used        |
|--|----------------------------|------------------------|---------------------------|---------------|
| <b>User Rate Supported Component</b>   |                            |                        |                           |               |
| <u><b>Water</b></u>                    |                            |                        |                           |               |
| <i><b>Revenue</b></i>                  |                            |                        |                           |               |
| Water                                  | \$ 4,272,984.00            | \$ 943,634.21          | \$ (3,329,349.79)         | 22.08%        |
| <i><b>Expense</b></i>                  |                            |                        |                           |               |
| Water                                  | \$ 4,272,984.00            | \$ 650,267.06          | \$ (3,622,716.94)         | 15.22%        |
| <b>Water Total</b>                     | <b>\$ -</b>                | <b>\$ (293,367.15)</b> | <b>\$ (293,367.15)</b>    | <b>-</b>      |
| <u><b>Wastewater</b></u>               |                            |                        |                           |               |
| <i><b>Revenue</b></i>                  |                            |                        |                           |               |
| Wastewater                             | \$ 1,793,662.00            | \$ 372,355.32          | \$ (1,421,306.68)         | 20.76%        |
| <i><b>Expense</b></i>                  |                            |                        |                           |               |
| Wastewater                             | \$ 1,793,662.00            | \$ 415,624.30          | \$ (1,378,037.70)         | 23.17%        |
| <b>Wastewater Total</b>                | <b>\$ -</b>                | <b>\$ 43,268.98</b>    | <b>\$ 43,268.98</b>       | <b>-</b>      |
| <b>User Rate Component Revenue</b>     | <b>\$ 6,066,646.00</b>     | <b>\$ 1,315,989.53</b> | <b>\$ (4,750,656.47)</b>  | <b>21.69%</b> |
| <b>User Rate Component Expense</b>     | <b>\$ 6,066,646.00</b>     | <b>\$ 1,065,891.36</b> | <b>\$ (5,000,754.64)</b>  | <b>17.57%</b> |
|  | <b>\$ -</b>                | <b>\$ (250,098.17)</b> | <b>\$ (250,098.17)</b>    |               |
| <b>Tax and User Rate Revenue Total</b> | <b>\$ 25,576,050.00</b>    | <b>\$ 8,844,621.54</b> | <b>\$ (16,731,428.46)</b> | <b>34.58%</b> |
| <b>Tax and User Rate Expense Total</b> | <b>\$ 25,576,050.00</b>    | <b>\$ 4,685,187.16</b> | <b>\$ (20,890,862.84)</b> | <b>18.32%</b> |

## THE MUNICIPALITY OF LAMBTON SHORES

**Report TR 16-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council

**FROM:** Janet Ferguson, Treasurer

**RE:** 2018 Tax Rates

**RECOMMENDATION:**

**THAT** Report TR 16-2018 regarding the 2018 tax rates be received; and,

**THAT** the by-law establishing the 2018 Tax Rates for Lambton Shores be approved.

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### **SUMMARY**

This report provides Council with the 2018 tax rates and summarizes the impacts for property owners and allocations of total tax dollars.

### **BACKGROUND**

Municipalities are required to establish tax rates annually and in Lambton Shores there are three components, Education, County and Lambton Shores. Also, for those commercial and industrial properties located within the Forest BIA area identified in By-law 3 of 1994 will have an additional tax rate applied to their assessment.

Education tax rates are set by the Province and in 2018 the Residential rate has been decreased by 5% over the 2017 rate.

Council was provided with the County wide tax policy information in report TR-11-2018 and although Lambton Shores did not support a change to the Multi-residential tax ratio, County Council did approve a reduction of the ratio from 2.4% to 2% of the residential rate. The County Council also supported a reduction of the farm tax ratio from 0.25% to 0.226% of the residential rate. County Council also reviewed the vacancy rebate program and made the decision to continue with this program up to and including the 2019 tax year. The options used for the capping program will continue as they did in 2017.

The County wide tax policies and ratios form the basis for the County and local municipalities to set tax rates. The County has set their rates and the residential rate is a 0.42% decrease over the 2017 rate.

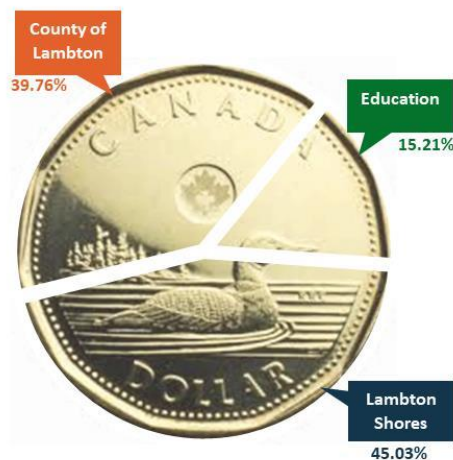
With the change in tax policies, there is a shift in taxation within the various tax classes in Lambton Shores. The end result for the Lambton Shores rate is still a reduction; however, it is a 1.44% decrease over the 2017 rate rather than the originally projected 2.2% reported in TR-5-2018.

The total or combined tax rate (Lambton Shores, County and Education) results in an overall 1.60% reduction over the 2017 total rate. The following table illustrates the total tax rate impact to an average assessed home and to a home that didn't experience an assessment change:

|                                | 2018<br>Tax Rate | Change<br>2017 | 2017<br>Per \$100,000.00<br>Of Assessment | 2018        | Annual<br>Change | 2017<br>Average Assessed Home     | 2018          | Change               |             |           |           |
|--------------------------------|------------------|----------------|---|-------------|------------------|-----------------------------------|---------------|----------------------|-------------|-----------|-----------|
|                                |                  |                | 0.01135534                                | 0.01117339  |                  | \$ 257,985.00                     | \$ 269,954.00 | Annual               | Installment | Monthly   | Daily     |
| <b>Final Combined Tax Rate</b> | 0.01117339       | -1.60%         | \$ 1,135.53                               | \$ 1,117.34 | \$ (18.20)       | \$ 2,929.51                       | \$ 3,016.30   | \$ 86.79<br>2.96%    | \$ 21.70    | \$ 7.23   | \$ 0.24   |
|                                |                  |                |   |             |                  | <b>If no change in assessment</b> |               |                      |             |           |           |
|                                |                  |                |   |             |                  | \$ 257,985.00                     | \$ 257,985.00 |                      |             |           |           |
|                                |                  |                |   |             |                  | \$ 2,929.51                       | \$ 2,882.57   | \$ (46.94)<br>-1.60% | \$ (11.74)  | \$ (3.91) | \$ (0.13) |

The combined tax rate chart is attached for your perusal.

With the continued decrease of the education tax rate the municipal and county rates have a larger share of the total tax rate. Even with this shift, more than half of the total tax dollars are for the Education and County levy. The breakdown is as follows:



Residents of Lambton Shores continue to be the third largest contributor of the County tax levy as shown below:

| MUNICIPALITY      | 2018                    |                | 2017                    |                | 2016                    |                |
|-------------------|-------------------------|----------------|-------------------------|----------------|-------------------------|----------------|
|                   | LEVY AMOUNT             | % OF LEVY      | LEVY AMOUNT             | % OF LEVY      | LEVY AMOUNT             | % OF LEVY      |
| SARNIA            | \$ 37,021,474.00        | 49.487%        | \$ 36,358,623.00        | 49.935%        | \$ 35,700,931.00        | 50.625%        |
| LAMBTON SHORES    | \$ 10,242,777.00        | 13.692%        | \$ 9,866,663.00         | 13.551%        | \$ 9,558,455.00         | 13.554%        |
| PETROLIA          | \$ 2,385,573.00         | 3.189%         | \$ 2,311,814.00         | 3.175%         | \$ 2,155,960.00         | 3.057%         |
| PLYMPTON/ WYOMING | \$ 5,122,767.00         | 6.848%         | \$ 4,946,344.00         | 6.793%         | \$ 4,698,545.00         | 6.663%         |
| OIL SPRINGS       | \$ 191,704.00           | 0.256%         | \$ 185,384.00           | 0.255%         | \$ 177,862.00           | 0.252%         |
| PT. EDWARD        | \$ 1,726,377.00         | 2.308%         | \$ 1,681,909.00         | 2.310%         | \$ 1,658,805.00         | 2.352%         |
| BROOKE-ALVINSTON  | \$ 1,532,241.00         | 2.048%         | \$ 1,485,684.00         | 2.040%         | \$ 1,381,081.00         | 1.958%         |
| DAWN-EUPHEMIA     | \$ 2,234,242.00         | 2.988%         | \$ 2,127,420.00         | 2.923%         | \$ 1,995,133.00         | 2.830%         |
| ENNISKILLEN       | \$ 1,736,742.00         | 2.322%         | \$ 1,691,123.00         | 2.323%         | \$ 1,540,862.00         | 2.185%         |
| ST. CLAIR         | \$ 10,405,809.00        | 13.910%        | \$ 10,057,015.00        | 13.812%        | \$ 9,685,886.00         | 13.735%        |
| WARWICK           | \$ 2,210,806.00         | 2.955%         | \$ 2,099,523.00         | 2.884%         | \$ 1,966,660.00         | 2.789%         |
| <b>TOTAL</b>      | <b>\$ 74,810,512.00</b> | <b>100.00%</b> | <b>\$ 72,811,502.00</b> | <b>100.00%</b> | <b>\$ 70,520,180.00</b> | <b>100.00%</b> |
| Levy Change       |                         | 2.75%          |                         |                | 3.25%                   | 2.84%          |

## **ALTERNATIVES TO CONSIDER**

None

## **RECOMMENDED ACTIONS**

That Report TR 16-2018 be received and the pertinent by-law establishing the 2018 tax rates be approved.

## **FINANCIAL IMPACT**

There is no additional financial impact to Lambton Shores by receiving this report. The Lambton Shores tax rate is established to ensure the municipality receives the total tax levy required through the budget process. The 2018 Lambton Shores tax rate is a 1.44% decrease over the 2017 rate and the total tax rate is an overall reduction of 1.60% over the total 2017 tax rate.

The impact to individual properties varies depending on what has happened with the assessment for the property. Property owners would have received assessment notices from the Municipal Property Assessment Corporation (MPAC) in the fall of 2016 for the taxation years 2017 to 2020. Updated notices are only issued if there was a change to the property that triggered a change to the 4 year projection.

## **CONSULTATION**

Lambton County Tax Policy  
Ministry of Finance

Attachment: 2018 Total Tax Rate Chart

|    | MUNICIPALITY OF LAMBTON SHORES              | TAX   | MUNICIPAL  | COUNTY     | EDUCATION  | TOTAL      |
|----|---|-------|------------|------------|------------|------------|
|    | 2018  | CLASS |            |            |            | TAX RATE   |
|    |   |       |            |            |            |            |
| 1  | RESIDENTIAL                                 | RT    | 0.00503115 | 0.00444224 | 0.00170000 | 0.01117339 |
| 2  | RESIDENTIAL - NO SUPPORT                    | RTN   | 0.00503115 | 0.00444224 | 0.00170000 | 0.01117339 |
| 3  | RESIDENTIAL - P.I.L.- FULL                  | RF    | 0.00503115 | 0.00444224 | 0.00170000 | 0.01117339 |
| 4  | RESIDENTIAL - P.I.L.- GENERAL               | RG    | 0.00503115 | 0.00444224 | 0.00000000 | 0.00947339 |
| 5  | RES. FARMLAND AWAITING DEV. PH.1            | R1    | 0.00176090 | 0.00155478 | 0.00059500 | 0.00391069 |
| 6  | MULTI - RESIDENTIAL - P.I.L. - FULL         | MP    | 0.01006229 | 0.00888448 | 0.00170000 | 0.02064678 |
| 7  | MULTI - RESIDENTIAL                         | MT    | 0.01006229 | 0.00888448 | 0.00170000 | 0.02064678 |
| 8  | MULTI - RESIDENTIAL - NEW CONSTRUCTION      | NT    | 0.00503115 | 0.00444224 | 0.00170000 | 0.01117339 |
| 9  | COMMERCIAL                                  | CT    | 0.00818618 | 0.00722798 | 0.01340000 | 0.02881416 |
| 10 | COMMERCIAL - NEW CONSTRUCTION               | XT    | 0.00818618 | 0.00722798 | 0.01090000 | 0.02631416 |
| 11 | COMMERCIAL - P.I.L. -FULL                   | CF    | 0.00818618 | 0.00722798 | 0.01340000 | 0.02881416 |
| 12 | COMMERCIAL - P.I.L. -FULL - TENNANT PROV    | CP    | 0.00818618 | 0.00722798 | 0.01340000 | 0.02881416 |
| 13 | COMMERCIAL - P.I.L. -GENERAL                | CG    | 0.00818618 | 0.00722798 | 0.00000000 | 0.01541416 |
| 14 | COMMERCIAL - EXCESS LAND                    | CU    | 0.00573033 | 0.00505958 | 0.00938000 | 0.02016991 |
| 15 | COMMERCIAL - EXCESS LAND - NEW CONST        | XU    | 0.00573033 | 0.00505958 | 0.00763000 | 0.01841991 |
| 16 | COMMERCIAL - EXCESS LAND - P.I.L. - FULL    | CV    | 0.00573033 | 0.00505958 | 0.00938000 | 0.02016991 |
| 17 | COMMERICAL - EXCESS LAND - P.I.L. - GENERAL | CW    | 0.00573033 | 0.00505958 | 0.00000000 | 0.01078991 |
| 18 | COMMERCIAL - VACANT LAND                    | CX    | 0.00548979 | 0.00484720 | 0.00745681 | 0.01779380 |
| 19 | COMMERCIAL - VACANT LAND - P.I.L. - FULL    | CY    | 0.00548979 | 0.00484720 | 0.00745681 | 0.01779380 |
| 20 | COMMERCIAL - VACANT LAND - P.I.L. - GENERAL | CZ    | 0.00548979 | 0.00484720 | 0.00000000 | 0.01033699 |
| 21 | COM. FARMLAND AWAITING DEV. PH.1            | C1    | 0.00176090 | 0.00155478 | 0.00059500 | 0.00391069 |
| 22 | OFFICE BUILDING                             | DT    | 0.00772682 | 0.00682239 | 0.01340000 | 0.02794921 |
| 23 | OFFICE BUILDING - EXCESS LAND               | DU    | 0.00540878 | 0.00477567 | 0.00938000 | 0.01956445 |
| 24 | SHOPPING CENTRE                             | ST    | 0.01048247 | 0.00925548 | 0.01340000 | 0.03313795 |
| 25 | SHOPPING CENTRE - EXCESS LAND               | SU    | 0.00733773 | 0.00647884 | 0.00938000 | 0.02319657 |
| 26 | PARKING LOT                                 | GT    | 0.00548979 | 0.00484720 | 0.00745681 | 0.01779380 |
| 27 | PARKING LOT - P.I.L. - FULL                 | GF    | 0.00548979 | 0.00484720 | 0.00745681 | 0.01779380 |
| 28 | INDUSTRIAL                                  | IT    | 0.01030163 | 0.00909581 | 0.01340000 | 0.03279744 |
| 29 | INDUSTRIAL - NEW CONSTRUCTION               | JT    | 0.01030163 | 0.00909581 | 0.01090000 | 0.03029744 |
| 30 | INDUSTRIAL - P.I.L. - FULL                  | IF    | 0.01030163 | 0.00909581 | 0.01340000 | 0.03279744 |
| 31 | INDUSTRIAL - P.I.L. - SHARED                | IH    | 0.01030163 | 0.00909581 | 0.01340000 | 0.03279744 |
| 32 | INDUSTRIAL - EXCESS LAND                    | IU    | 0.00669606 | 0.00591228 | 0.00871000 | 0.02131834 |
| 33 | INDUSTRIAL - VACANT LAND                    | IX    | 0.00669606 | 0.00591228 | 0.00871000 | 0.02131834 |
| 34 | INDUSTRIAL - VACANT LAND - P.I.L. - GENERAL | IZ    | 0.00669606 | 0.00591228 | 0.00000000 | 0.01260834 |
| 35 | LARGE INDUSTRIAL                            | LT    | 0.01511092 | 0.01334217 | 0.01340000 | 0.04185309 |
| 36 | LARGE INDUSTRIAL - EXCESS LAND              | LU    | 0.00982210 | 0.00867241 | 0.00871000 | 0.02720451 |
| 37 | PIPELINE                                    | PT    | 0.00675358 | 0.00596307 | 0.01090000 | 0.02361665 |
| 38 | FARM  | FT    | 0.00113704 | 0.00100395 | 0.00042500 | 0.00256599 |
| 39 | MANAGED FORESTS                             | TT    | 0.00125779 | 0.00111056 | 0.00042500 | 0.00279335 |
| 40 | MANAGED FORESTS - NO SUPPORT                | TTN   | 0.00125779 | 0.00111056 | 0.00042500 | 0.00279335 |
| 41 | EXEMPT                                      | 95E   | 0.00000000 | 0.00000000 | 0.00000000 | 0.00000000 |

## THE MUNICIPALITY OF LAMBTON SHORES

**Report CL 08-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council

**FROM:** Stephanie Troyer-Boyd, Clerk

**RE:** Lambton Shores Community Association Correspondence

**RECOMMENDATION:**

**THAT** Report CL 08-2018 - Lambton Shores Community Association Correspondence be received for information.

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### **SUMMARY**

The purpose of this report is to provide Council with follow up on the concerns identified in the Lambton Shores Community Association correspondence provided to Council at the March 6, 2018 meeting.

### **BACKGROUND**

At the March 6, 2018 meeting of Council, correspondence was received from the Lambton Shores Community Association and Council passed the following resolution:

THAT staff prepare a report on Items 1 and 2 in the correspondence from the Lambton Shores Community Association and

THAT the report includes the usage of the Report It feature on the municipal website.

The first item of concern relates to buses dropping off beach-goers at beach access points in Plan 24. Staff was not made aware of this concern in 2017 or any other time; there were no complaints dealt with by staff regarding buses; nor was this issue raised by the Association when representatives met with staff in July of 2017. The Association is asking Council to consider a bylaw restricting busses from entering Plan 24. Staff advise that there may be concerns with a by-law restricting bus access on certain streets in the municipality as school buses cannot be restricted, the vehicles are transient by nature, and enforcement will be difficult. The Association also identified concerns related to public hygiene on the beach; this is something that the by-law enforcement officer can enforce if they are present to witness a beach by-law infraction. Council should also know that planned bus excursions and travel groups seeking visitor information are directed to the Main Street beach access points for drop-off and remote parking locations pending pick-up.



The second item of concern in the Association letter relates to a specific property and associated reports of traffic congestion. Again, staff was unaware of any particular concern expressed by residents on the street. Staff will monitor the situation in 2018.

The final comment in the letter was regarding the “Report It” feature on the municipal website. Issues reported through this feature are forwarded to specific departmental email addresses and, depending on the nature of the issue, are recorded in the work order tracking application which enables staff to prioritize, schedule, and track issues, complaints or projects. For Council’s information, 196 issues across the municipality were reported through this tool in 2017, over half of which were related to requests for mailing address changes and seasonal water shut-offs. Staff note that only 10 bylaw related concerns across all of Lambton Shores were recorded through the Report-It tool as most are submitted verbally through the bylaw phone line or direct email and are responded to in person. As awareness of the Report-It tool becomes better known, staff have no doubt it will be more frequently be used and may aid in better understanding the location and timing of the issues raised by residents in Plan 24.

### **ALTERNATIVES TO CONSIDER**

There are no alternatives to consider.

### **RECOMMENDED ACTIONS**

Staff will be mindful of the concerns in the correspondence from the Lambton Shores Community Association throughout the summer season and respond accordingly.

### **FINANCIAL IMPACT**

Not applicable.

### **CONSULTATION**

Kevin Williams, CAO  
Chris Martin, By-Law Enforcement Officer

## THE MUNICIPALITY OF LAMBTON SHORES

**Report CL 09-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council

**FROM:** Stephanie Troyer-Boyd, Clerk

**RE:** Port Franks Beach Parking and access

**RECOMMENDATION:**

**THAT** Report CL 09-2018 regarding parking and access for the Port Franks Beach be received; and

**THAT** no changes be made at this time to the current parking and bylaw enforcement program in place in Port Franks.

---

### **SUMMARY**

The Port Franks Beach Homeowners' Association (PFBHA) owns a large parcel of beachfront property in Port Franks and it is the association's request that the municipality implement a permit system for municipally owned parking adjacent to the property. This report reviews the parking situation in the area, provides background information on parking initiatives in other beach communities, and considers a number of alternatives related to effecting a change from the status quo.

### **BACKGROUND**

At the Council meeting of October 17, 2017 Mr. Bill MacDonald represented the Port Franks Beach Homeowners Association and outlined a number of concerns related to parking in the area of the Port Franks beach area. As a result of Mr. MacDonald's presentation, Council adopted the following resolution:

Carried 17-1017-10

**THAT** the presentation from Bill MacDonald regarding issues faced by Port Franks Beach Homeowners Association be received; and

**THAT** staff research and prepare a report that would make specific recommendations and that information from other similar beach communities and input from our association be included in the preparation of the report.

In preparing this report, staff has discussed the request with PFBHA representatives, researched a number of other municipal solutions, and reviewed data from our own related enforcement activities.

While the Port Franks Beach Homeowners Association have acknowledged issues with parking, they have also indicated that they are experiencing frustrations with visitors from outside of Port Franks using their beach, with beach property maintenance issues, unauthorized access to their property, declining membership and financial difficulties. In their presentation and discussions, they have proposed a parking permit system that they believe will alleviate these problems.

***“We believe that the major perpetrators of the things we are dealing with are not property owners in Port Franks but rather are people who come from afar who have no respect for this private property. We feel that these problems will be greatly alleviated if only those people who have the deeded right to use the beach have access to it. The town owns the roads and the parking spots. By allowing anyone to park in these spots near our beach you are inviting anyone who wants to use our private property to do so and you are disrespecting the rights of the property owners in Port Franks.”***

*“PFBHA is beginning to run into financial problems. Paid membership has declined steadily in recent years...this has meant a decline in revenue at the same time as our costs [...] have risen...If this cycle continues, PFBHA will run out of money in about 6 years. If something is not done to increase revenue, there is a very real possibility PFBHA will cease to exist. Something needs to be done now! While raising dues to cover losses is a possibility, this will likely force even more existing members to question the value they receive and may lead to further membership declines. The reason for declining membership appears to be a perceived lack of value by the residents of Port Franks related to the fact that when they wish to use the beach, there is no parking available for them.”*

PFBHA believes that a tiered permitted parking system will encourage membership in their association and in turn alleviate their financial hardships and allow them to continue to maintain their beach property.

The PFBHA owns and maintains the beach property that is illustrated in Attachment A to this report. The PFBHA have noted that they acquired the property in 1977 primarily to ensure Port Franks' residents would continue to have access to this beach. The PFBHA presently has approximately 100 members and at its maximum had 147 members. In confirming land ownership for preparation of this report, it should be noted that the deed to the beach property states that beach is for the use of owners and occupiers of land in Port Franks, and is not solely for members of the PFBHA.

Presently there are two curbside locations in Port Franks where the municipality provides no charge parking with reasonably close access to the Port Franks beach. There are approximately 25 parking spots on Bond Road with trail access to the beach via Bond Road or Sanderson Road. On Mud Creek Trail, the municipality provides approximately 60 spaces with trail access to the beach; both locations have 2

accessible parking spaces. There are also several other streets in Port Franks where roadside parking is permitted and is used by beachgoers. The municipality has historically provided a port-a-potty and garbage receptacles at the beach entrance on Bond Road and garbage receptacles at Mud Creek Trail. It is also noted that there is an unopened road allowance extending from Wedd Road to the beach just to the east of the Bond Road parking area.

Notwithstanding the private ownership of adjacent lands, the shoreline beach area has a history of public use, as does the beachfront shoreline from Grand Bend to Ipperwash. The issue in Port Franks is that the trail entrances to the beach are on private property owned by the PFBHA. As the PFBHA sees it, the municipality is providing free parking for anyone to access their property. Their recommendation is to provide parking permits to only those people they deem entitled to use the Port Franks beach. The PFBHA has proposed a tiered system where members of their association are provided with discounted parking permits, residents of Port Franks are to be provided with non-discounted parking permits and residents of the surrounding area could purchase a limited number of first come first serve parking permits at a higher cost.

Staff have investigated several beach communities and have looked at parking regulations within these municipalities. There is no instance in our research that describes the Port Franks beach situation; where a beach is privately owned but municipal parking is provided. There are definitely municipalities that have permit systems in place. Tiny Township has been referenced by PFBHA; they have a system where limited parking at the end of every concession road is provided for resident permit parking while various lots throughout the expanse of the municipality along Georgian Bay are provided with more spaces available. Wasaga Beach has a paid permit for residents which is an exemption from paying the parking fee only in municipal lots. Innisfil, North Bruce Peninsula and Oro-Mendonte provide no-charge permits for residents to allow them to park for free in designated municipal lots to avoid the daily fee. South Bruce Peninsula which includes Sauble Beach has a system where anyone (resident or not) can purchase an annual parking permit rather than pay per use parking. Tay Township, Saugeen Shores, Goderich, Bluewater provide free beach parking for beach patrons.

While the Municipality of Lambton Shores does not promote Port Franks as a beach destination for tourists, it is recognized that it attracts more than Port Franks residents. As a result of past requests from the Windsor Park residents, there have been various solutions considered over the years in Port Franks. Most notably, with the exception of the established parking area by the beach access, almost all curbside locations on Bond Road, Wedd Road, Dune Drive, Clarke Drive and Sanderson Road have been designated as “no parking”. A number of years ago, there was a permit system in place, and there was a proposed parking ban on Bond Drive that was put in place only to be rescinded one month after it was decided by Council. More recently there have been calls for increased parking fines. Council’s most recent response has been to support updated parking signage, and increase parking enforcement resources. As a result, complaints have decreased.

By-Law Enforcement has had a strong presence in Port Franks over the past 3 summer seasons and parking infractions have increased due to increased patrols. By analyzing the parking ticket data, it is apparent that the majority of the infractions are in the Bond Road area. (almost 90% of the tickets in the past 3 years have been issued around this beach access point). By-Law Enforcement staff have discussed parking issues with the Richmond Park area association representative in the Mud Creek Trail area and they indicate no issues with parking in 2017 and infractions in that area reflect same. By-Law Enforcement staff have concerns that the implementation of a permit system in Port Franks would substantially increase administrative, investigative and enforcement costs to the municipality and not deter or decrease illegal parking as non-permitted beachgoers park to visit the beach.

Despite not owning the Port Frank beach, the Municipality of Lambton Shores has supported the PFBHA by providing parking, a washroom facility and garbage receptacles. It is not the municipality's responsibility to provide enforcement or maintenance on the private beach property owned by PFBHA.

Lambton Shores is blessed with its beach-fringed waterfront. Paid parking is implemented by the Municipality only in Grand Bend, where revenues are used to offset the considerable cost of attracting and accommodating visitors to those developed waterfront amenities. Residents and visitors to the Ipperwash beaches either walk or use limited free parking on municipal road allowances or adjacent crown properties. Residents and visitors to the beaches adjacent to the residential areas south of Grand Bend access the beaches by foot. Southcott Pines has chosen to regulate parking through the development of parking areas on its own land for its own residents.

Staff would not suggest it is the municipality's responsibility to ensure the financial success of the PFHBA through a paid municipal parking program. Like many other areas of Lambton Shores, Port Franks is a beautiful destination and the municipality does not practice visitor deterrence. If the PFHBA was to consider an in-house solution, staff suggest the model implemented by Southcott Pines whereby the Association could develop parking on its own lands, and accordingly restrict parking on that property by whatever means they so choose.

## **ALTERNATIVES TO CONSIDER**

The foregoing discussion has identified a number of alternatives that Council could consider in addressing the concerns of the Port Franks Beach Homeowners Association. In no particular order:

- Implement a permit system for all Port Franks residents – this solution would result in an increased demand on by-law enforcement, time-consuming administrative work, may or may not alleviate maintenance issues faced by the PFBHA, and would not increase PFBHA revenues. There would undoubtedly be

a backlash from individuals that either live elsewhere in Lambton Shores, or are visitors, that have historically attended the Port Franks Beach and find themselves unable to obtain a permit to park.

- Implement paid parking in Port Franks as in Grand Bend – this solution would result in increased by-law enforcement but recognize increased revenues. This could have two outcomes. It may discourage some visitors who are looking for free beach parking and in turn direct them to the Upperwash area where parking is free. Alternatively, it could encourage more visitors to the area in the belief that paid parking is worth it for access to something special. Notwithstanding the impact on visitors to the area, it is reasonable to assume that Port Franks residents would be upset at having to pay to park adjacent to their own beach.
- Status Quo – this solution does not satisfy the request of the PFBHA. That said, Council's recent commitment to increased by-law enforcement resources does seem to be addressing some of the parking concerns expressed in the past.
- Increased signage and enforcement – this solution could limit parking infractions and visitors to the beach but would result in increased costs for by-law enforcement and would not satisfy the request of the PFBHA. It is noted that further parking restrictions would also have a considerable impact on those Port Franks residents that choose to drive and park at the beach. Enforcement staff note that on those "perfect summer days" there simply is not enough parking in the area and many individuals either knowingly park illegally or simply drive around in circles hoping to catch a vacant spot from someone leaving.
- License the parking spots to PFBHA – this solution may satisfy some concerns of the PFBHA as they could control parking and limit entrance to the beach to Port Franks residents. This would effectively privatize the beach access point through the use of a municipal road resource. The municipality could likely eliminate its washroom and garbage services. It would eliminate by-law enforcement requirements for the parking area, but likely increase pressure on all other curbside parking in the area and thus the demand for parking enforcement and future restrictions in an expanded area. As noted earlier, even this alternative will not likely satisfy the ability of the PFBHA to provide all association members with a parking spot on the busy summer days when everyone wants to be at the beach.
- Restrict all parking on Bond Drive and Mud Creek Trail – this solution could satisfy parking issues in the area but may result in increased infractions, would likely increase street parking issues on Riverside Drive, would not satisfy the majority of residents of Port Franks.
- Develop additional parking in the Bond Road area. This could be approached in two different ways. The PFBHA could consider the development of parking areas on its own property, where it would have complete control over use, cost,



and access. Alternatively, the municipality could consider the development of more parking on its own road allowances. While this action may provide a slight relief to the problem of parking pressure, the advantage would be offset by increasing the number of beachgoers driving to the area and be counter to the historic position of the neighbourhood requesting a reduction in available street parking and congestion.

### **RECOMMENDED ACTIONS**

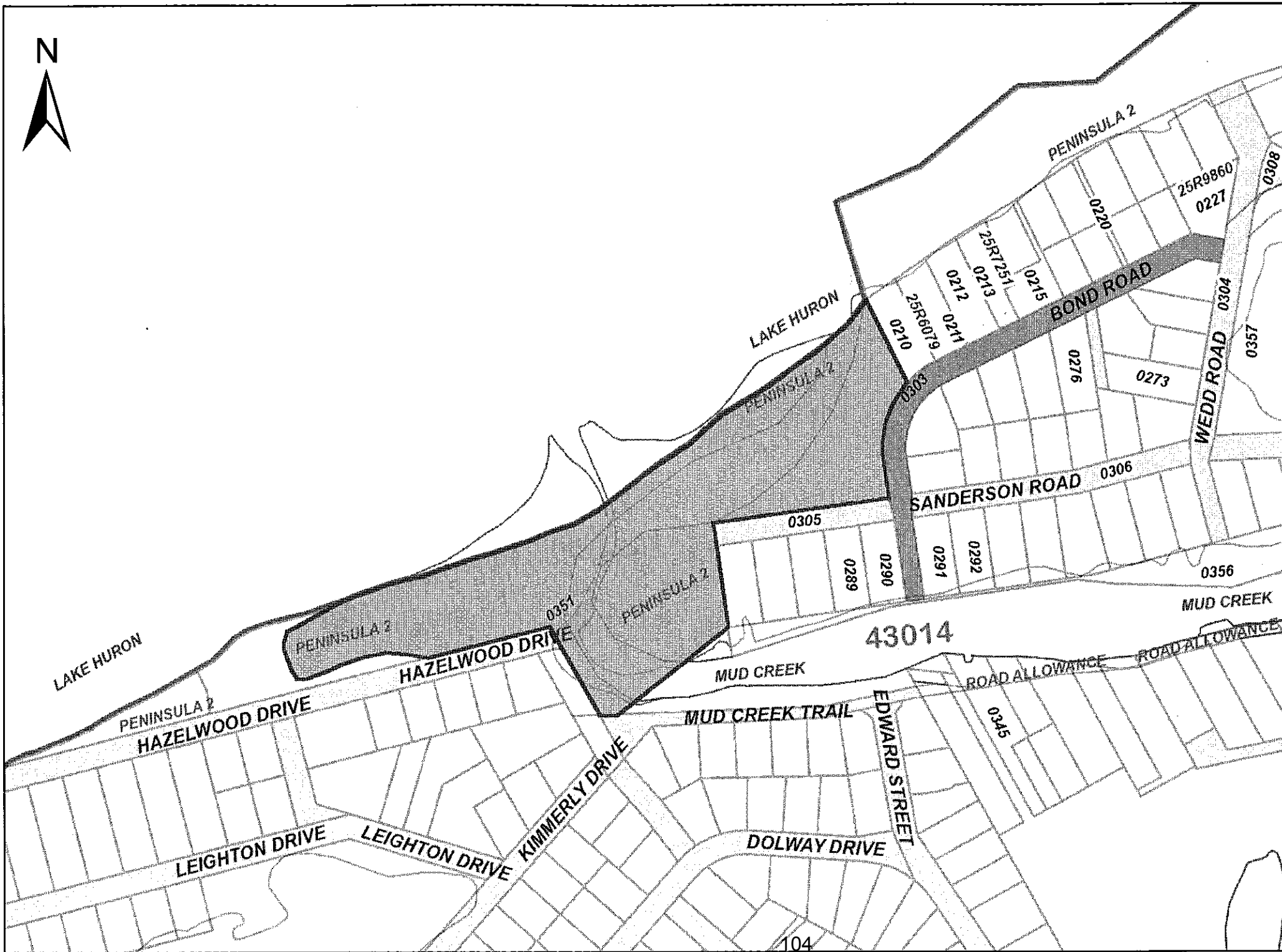
Given the foregoing discussion, staff is not convinced that any of the identified alternatives for change will be considered satisfactory by either the Port Franks Beach Homeowners Association, the residents of Port Franks, Lambton Shores residents residing outside of Port Franks, or summer seasonal visitors to our area. Until such time as different opportunities present themselves, staff suggests no change to current parking and enforcement policy in the area.

### **FINANCIAL IMPACT**

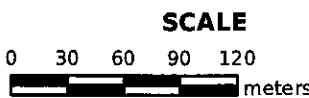
There is no financial impact to the status quo. Should Council decide on a different course of action, the financial impact would need to be determined.

### **CONSULTATION**

PFBHA Members, Bill MacDonald and Mary Aldworth  
Senior Management Team  
By-Law Enforcement Officer, Chris Martin



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FOR MURRAY01



**PROPERTY INDEX MAP**  
LAMBTON(No. 25)

**LEGEND**

|                                  |       |
|----------------------------------|-------|
| FREEHOLD PROPERTY                |       |
| LEASEHOLD PROPERTY               |       |
| LIMITED INTEREST PROPERTY        |       |
| CONDOMINIUM PROPERTY             |       |
| RETIRED PIN (MAP UPDATE PENDING) |       |
| PROPERTY NUMBER                  | 0449  |
| BLOCK NUMBER                     | 08050 |
| GEOGRAPHIC FABRIC                |       |
| EASEMENT                         |       |

**THIS IS NOT A PLAN OF SURVEY**

**NOTES**

**REVIEW THE TITLE RECORDS FOR COMPLETE PROPERTY INFORMATION AS THIS MAP MAY NOT REFLECT RECENT REGISTRATIONS**

THIS MAP WAS COMPILED FROM PLANS AND DOCUMENTS RECORDED IN THE LAND REGISTRATION SYSTEM AND HAS BEEN PREPARED FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT REFERENCE PLANS ARE NOT ILLUSTRATED



## THE MUNICIPALITY OF LAMBTON SHORES

**Report CL 10-2018**

**Council Meeting Date: April 24, 2018**

**TO:** Mayor Weber and Members of Council

**FROM:** Stephanie Troyer-Boyd, Clerk

**RE:** Use of Corporate Resources Policy – Election Campaign Period

**RECOMMENDATION:**

**THAT** Report CL 10-2018 regarding a policy on the Use of Corporate Resources during the Election Campaign Period; and

**THAT** the Use of Corporate Resources Policy for the Election Campaign Period be approved.

---

### **SUMMARY**

This report presents a draft Use of Corporate Resources Policy for the Election Campaign Period for Council consideration and approval.

### **BACKGROUND**

Following the 2014 Municipal Election a number of amendments to the *Municipal Elections Act, 1996 (MEA)* were enacted. Section 88.18 of the MEA now requires municipalities and local boards, before May 1 of an election year, to establish rules and procedures with respect to the use of municipal or board resources during the election campaign period.

The attached draft policy serves as a guideline for Members of Council, Candidates, Registered Third Parties and Staff on the appropriate use of corporate resources for election purposes.

Recognizing that Members of Council are holders of their office until the end of their term, nothing in this Policy shall preclude a Member of Council from performing their job, nor inhibit them for representing the interest of the constituents who elected them.

### **ALTERNATIVES TO CONSIDER**

There is no alternative to consider as it is a requirement of the *Municipal Election Act, 1996 (MEA)* to establish rules and procedures with respect to the use of municipal or board resources during the election campaign period.

### **RECOMMENDED ACTIONS**

That the Use of Corporate Resources Policy – Election Campaign Period be approved.

### **FINANCIAL IMPACT**

There is no financial impact to the Municipality.

### **CONSULTATION**

County Clerks

### **ATTACHMENT**

Policy #90 – Use of Corporate Resources Policy – Election Campaign Period

## **The Municipality of Lambton Shores**

Policy #90  
Effective Date: April 24, 2018

### **Use of Corporate Resources - Election Campaign Period**

This policy provides guidance for the appropriate use of corporate resources during a municipal election period.

#### **Purpose:**

The purpose of this policy is to clarify that all election candidates, including Members of Municipal Council are required to follow the provisions of the *Municipal Elections Act, 1996, as amended* ("MEA"), and that:

- No candidate shall use the equipment, supplies, services, staff or other resources of the Municipality (including Councillor budgets) for any election campaign or campaign related activities.
- No candidate shall use the services of persons during hours in which those persons receive any compensation from the Municipality.

#### **Rationale and Legislative Authority:**

It is necessary to establish guidelines on the appropriate use of corporate resources during an election period to protect the interest of both the Members of Council and the Corporation. The *Municipal Elections Act, 1996* prohibits a municipality from making a contribution to a candidate. The Act also prohibits a candidate, or someone acting on the candidate's behalf, from accepting a contribution from a person who is not entitled to make a contribution.

As a contribution may take the form of money, goods or services, any use by a Member of Council of the Corporation's resources for his or her election campaign would be viewed as a contribution by the Municipality to the Member, which is a violation of the Act.

#### **Application:**

This Policy is applicable to all candidates, including members of Municipal Council.

#### **Specific Policy:**

Further to the Council Code of Conduct and in accordance with the provisions of the *Municipal Elections Act, 1996*:

- Corporate resources, assets and funding shall not be used for any election-related purposes;
- Staff shall not canvass or actively work in support of a municipal candidate or registered third party during the employee's working hours;
- During a campaign period the use of equipment, supplies, services, staff, promotional materials or other resources of the municipality for any campaign or campaign related activities is not permitted. This prohibition includes, but is not limited to:
  - Use of Municipal funds to acquire any resources for any campaign related activities such as stationery, office supplies, or photocopying.
  - Use of Municipal brand, logo, crest, coat of arms, slogan or corporate program identifiers, or the Municipal Election logo and any related identifiers on any election campaign material
  - Use of corporate information technology (IT) assets, infrastructure, or data (e.g. computers, wireless devices, portals, municipal email addresses, municipal business cards, web pages, blogs, municipally issued cell phones) to communicate campaign related messages.
  - Print or distribute any material paid by municipal funds that illustrate that a member of Council or any other individual is registered in any election or where they will be running for office; (Agenda and Minutes of municipal Council and Committee meetings etc. are exempt from this policy.
- Members of Council are responsible for ensuring that the content of any communication material, printed, hosted or distributed by the Municipality of Lambton Shores, is not election-related;
- Once the voting period begins Candidates, or registered third parties shall not use the hyperlink to the voting website on any of their campaign materials or social media accounts;
- All campaign-related email shall be directed to and from personal email addresses during the campaign period;
- To avoid any confusion with any website or social media accounts used for Council work, members of Council who choose to create or use their own websites or social media accounts shall throughout the period from May 1<sup>st</sup> of the municipal election year until Voting Day, include a clear statement, easily found and readable, on each website or social media account's home or bio page indicating that the account is being used:



- Solely for Council work or
  - For both Council work and/or election campaign purposes; or
  - Solely for election campaign purposes
- In any material printed or distributed by the Municipality of Lambton Shores, candidates are not permitted to:
    - Indicate that an individual (either a Member of Council or any other individual) is a candidate registered in any election;
    - Identify where they or any other individual will be running for office; and
    - Profile or make reference to candidates in any election.

Websites or domain names that are funded by the Municipality of Lambton Shores shall not include any election-related campaign material;

The municipality's voice mail system shall not be used to record election related messages or the computer network (including the Municipality's e-mail system) to distribute election related correspondence;

Photographs produced for and owned by the Municipality of Lambton Shores shall not be used for any election purposes;

Distribution lists or contact lists developed utilizing corporate resources or through contact in a Member of Council's role shall not be utilized for election purposes. (A candidate's use of the voters list is exempt from this policy.)

Photos taken utilizing Municipal cameras or sent through Municipal e-mail accounts also shall not be utilized; and

The above recommendations also apply to an acclaimed Member or a Member not seeking re-election.

### **Clarification – Use of Municipal Facilities**

In the course of its day to day business the Municipality offers advertising opportunities to the general public and the availability of room rentals in certain facilities. Candidates are permitted to avail themselves of these opportunities at market rates, the same as any other member of the public.

Candidates are generally permitted to campaign (such as hand out flyers) in public spaces (such as parks, or walkways) and at public events (such as the Canada Day Events) provided they do not disrupt the event or staff functions and provided they comply with all applicable laws.

**Application:**

In accordance with the *Municipal Elections Act, 1996*, the Municipal Clerk is authorized and directed to take the necessary action to give effect to this policy.

**Limitation:**

Nothing in this Policy shall preclude a Member of Council from performing their job as a Councillor, nor inhibit them from representing the interest of the constituents who elected them.

DRAFT

Notice of Motion: April 24, 2018

Moved by: Councillor Wilcox

**THAT** staff provide Council with a review of current smoking regulations and enforcement practices in the municipality.

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

**BY-LAW NUMBER 31 of 2018**

**BEING A BY-LAW TO PROVIDE RULES AND REGULATIONS FOR THE  
GOVERNANCE OF THE CEMETERIES UNDER THE JURISDICTION  
OF THE MUNICIPALITY OF LAMBTON SHORES**

**WHEREAS** it is deemed necessary to provide rules and regulations governing the management, maintenance and control of the Cemeteries under the jurisdiction of the Municipality of Lambton Shores in order to comply with the Funeral, Burial & Cremation Services Act, 2002 S.O. 2002, Chapter 33, and Ontario Regulation 30/11;

**THEREFORE** the Council of the Corporation of the Municipality of Lambton Shores enacts as follows:

That this by-law contains the rules and regulations that govern Arkona Cemetery, Baptist Cemetery, Beechwood Cemetery, and Ward Cemetery and will come in force and effect once it has been approved by the Bereavement Authority of Ontario,

**Definitions**

**Burial** means the opening and closing of an in-ground lot or plot for the disposition of human remains or cremated remains.

**By-laws** means the rules and regulations under which the Cemetery operates.

**Care and Maintenance Fund** means the percentage of the purchase price of all Interment Rights, and set amounts for marker and monument installations that is contributed into the Care and Maintenance Fund; the interest earned on which is used to provide care and maintenance of plots, lots, markers, and monuments at the Cemetery.

**Cemeteries** means Arkona Cemetery, Baptist Cemetery, Beechwood Cemetery, and Ward Cemetery

**Cemetery Operator** means the Municipality of Lambton Shores or those designated for the purpose of overseeing the cemetery on behalf of the municipality.

**Cemetery Owner** means the Municipality of Lambton Shores.

**Columbarium** shall mean a structure containing individual compartments or Niches, designed for the purpose of interring cremated human remains in each sealed compartment.

**Contract** means that agreement that purchasers of interment rights must sign with the cemetery, detailing obligations of both parties and acceptance of the cemetery by-laws.

**Corner Posts** means any stone or other land markers set flush with the surface of the ground and used to indicate the location of a lot or plot.

**FBCSA** means Funeral, Burial & Cremation Services Act, 2002

**Grave** (Also known as Lot) means any in-ground space intended for the interment of a child, adult or cremated human remains.

**Interment** shall mean interment, inurnment or scattering of human remains.

**Interment Right** means the right to require or direct the interment of human remains or cremated human remains in a grave or lot and to direct the associated memorialization.

**Interment Rights Certificate** means the document issued by the cemetery owner to the purchaser once the interment rights have been paid in full, identifying ownership of the interment rights.

**Interment Rights Holder** means any person designated to hold the right to inter human remains in a specified lot.

**Inurnment** shall mean the placing of cremated remains in a Niche.

**Inurnment Rights Holder** shall mean the any person designated to hold the right to inter cremated human remains in a niche.

**Lot** means a single grave space.

**Marker** means any permanent memorial structure that is set flush and level with the ground and used to mark the location of a burial lot.

**Monument** means any permanent memorial structure projecting above the ground installed within the designated space to mark the location of a burial or lot.

**Niche** is an individual compartment in a Columbarium for the inurnment of cremated human remains.

**Plot** means a parcel of land, sold as a single unit, containing either one or multiple lots.

**Resident** means a land owner or resident of the Municipality of Lambton Shores

**Scattering** shall mean the act of spreading cremated human remains over a designated area within the cemetery, with the knowledge and permission of the cemetery operator and in keeping with the cemetery bylaws.

**Scattering Grounds** are an area within the cemetery designated for the scattering of cremated human remains.

**Scattering Rights Holder** shall mean any person designated to hold the right to direct the scattering of cremated human remains in the designated area of the cemetery.

## **General Information**

### **Hours of Operation**

Hours of operation at the Lambton Shores' Cemeteries shall be

1. Visitation Hours 8 a.m. to dusk, every day
2. For Sales and Burial arrangements – the Municipality of Lambton Shores Office is open Monday to Friday 8:30 a.m. to 4:30 p.m.
3. Burial Hours: 8 a.m. to 5 p.m. Monday through Saturday, excluding Statutory Holidays. At the Arkona Cemetery only, Sunday burials are permitted.

### **General Regulations:**

**By-Law Amendments** The cemeteries shall be governed by this bylaw, and all procedures will comply with the Funeral, Burial & Cremation Services Act, 2002 and Ontario Regulation 30/11, which may be amended periodically. This bylaw repeals Bylaw 61 of 2012, Bylaw 65-2013, and Bylaw 65-2016 and any previous bylaws relating to Arkona Cemetery, Baptist Cemetery, Beechwood Cemetery, and Ward Cemetery.

**Liability** The cemetery operator will not be held liable for any loss or damage, without limitation (including damage by the elements, Acts of God, or vandals) to any lot, plot, monument, marker or other article that has been placed in relation to an interment right, save and except for the direct loss or damage caused by gross negligence of the cemetery operations.

**Pets or Other Animals** Pets or other animals, including cremated animal remains, are not allowed to be buried on cemetery grounds.

**Right to Re-Survey** The cemetery has the right at any time to re-survey, enlarge, diminish, re-plot, change or remove plantings, grade, close pathways or roads, alter in shape or size, or otherwise change all or any part of the cemetery, subject to approval of the appropriate authorities.

**Conduct:** The cemetery operator reserves full control over the cemetery operations and management of land within the cemetery grounds.

No person may damage, destroy, remove or deface any property within the cemeteries.

All visitors should conduct themselves in a quiet manner that shall not disturb any service being held. Any persons disturbing the peace may be expelled from the cemetery.

Young children are not permitted on the cemetery grounds except when accompanied by an adult, who shall be responsible for the children's conduct and shall see that they do not run over the graves.

Vehicles in the cemetery shall be driven at a moderate pace and shall not leave designated roadways. Recreational vehicles, such as ATV's and snowmobiles, are not allowed. Drivers shall be held responsible for any damage they cause while in the cemetery.

Dogs are not allowed in the cemetery.

That all contractors employed to do any work in a Lambton Shores' Cemetery submit the required application in the prescribed form, signed by the lot owner or his/her representative, requesting permission to employ such contractor to do the work therein specified, and that the contractor provide to the Municipality proof of liability insurance coverage and W.S.I.B. coverage, if applicable

Minor exemptions to this bylaw may be granted by the cemetery operator.

### **Plots - Sizes, Sale and Resale**

#### **Arkona Cemetery**

- a) Map 1, 2, 3 and 4 – no further sales allowed
- b) Map 3A and 5 - consist of plots measuring 8 ft. (2.34m) by 10 ft. (3.05 m) and contains two (2) lots, each of which may hold one (1) full interment and one (1) interment of cremated remains, or up to six (6) interments of cremated remains, with the exception of Map 5 Range U which consists of plots measuring 8 ft. (2.34 m) by 6 ft. (1.83 m) and may hold one (1) full interment and one (1) interment of cremated remains, or up to six (6) interments of cremated remains.
- c) Map 6 - consists of plots measuring 3 ft. (.91 m) by 4 ft. (1.22 m) and may hold up to two (2) interments of cremated remains. Full interments are not permitted in Map 6. This plot size includes the concrete monument base of 36 in (91 cm) x 18 in (45.7cm).
- d) Map 7 will consist of plots measuring 4 ft. (1.22 m) by 10 ft. (3.05 m) each of which may hold one (1) full interment and one (1) interment of cremated remains, or up to six (6) interments of cremated remains, a columbarium and scattering ground.

#### **Beechwood Cemetery**

- a) Division A consists of plots measuring 8 ft (2.34 m) by 16 ft (4.88 m) and contains four (4) lots, each of which may hold one (1) full interment and one (1) interment of cremated remains, or up to six (6) interments of cremated remains.
- b) Division B which consists of plots measuring 4 ft (1.22 m) by 10 ft (3.05 m) and may hold one (1) full interment and one (1) interment of cremated remains, or up to six (6) interments of cremated remains.
- c) Division C which consists of plots measuring 2 feet by 5 feet and may hold up to three (3) interments of cremated remains. Full interments are not permitted in Division C.
- d) Division D consists of a Columbaria and scattering grounds.



## **Baptist Cemetery**

- a) Plot or lot sales are permitted in the new 2013 section only. This section consists of plots measuring 4 ft. (1.22 m) by 10 ft. (3.05 m) and may hold one (1) full interment and one (1) interment of cremated remains, or up to six (6) interments of cremated remains.

## **Ward Cemetery**

No further plot or lot sales are permitted.

## **Columbarium**

This section applies to any Columbaria in Arkona Cemetery, Beechwood Cemetery, Baptist Cemetery & Ward Cemetery.

All general rules and regulations of the cemetery bylaws shall apply to the Columbaria as far as the nature of the situation permits.

Each niche in the columbarium will allow for the inurnment of the cremated remains of no more than two people.

Only the Cemetery Operator may open and seal niches for inurnments. This applies to the inside sealer and the niche front.

Landscaping in this area is done exclusively by the Cemetery Owner.

Except for at the time of inurnment flowers may not be placed on the ground near the columbarium.

No glass vases or other breakable items shall be placed around the Columbarium.

To ensure the quality control, desired uniformity and standard of workmanship, the Cemetery Owner reserves the right to inscribe all niche fronts or install lettering, adornments or any other approved attachments.

## **Scattering Rights**

This section applies to any Scattering Grounds in Arkona Cemetery, Beechwood Cemetery, Baptist Cemetery & Ward Cemetery.

All general rules and regulations of the cemetery bylaws shall apply to the Scattering Grounds as far as the nature of the situation permits.

A scattering right contract allows for the scattering of the cremated remains of one person. Only the person named in the scattering rights certificate may be scattered.

Only the Cemetery Operator may perform or oversee the scattering of ashes.

Cremated remains may only be scattered within a designated area of the cemetery.

Once scattered; Cremated remains cannot be retrieved.

Landscaping in this area is done exclusively by the Cemetery Owner.

Except for at the time of inurnment flowers may not be placed on the ground near the columbarium.

Memorialization will be in the form of an inscription on the side of the columbarium located near the scattering grounds, or other such marker as provided by the Cemetery Operator for the purpose of memorialization.

**Purchase of Interment Rights** Purchasers of interment rights acquire the right to direct the burial, inurnment, or scattering of human remains, and the installation of monuments, markers and inscriptions, subject to the conditions set out in this by-law.

In accordance with cemetery by-laws, no burial, inurnment, scattering or installation of any monument, marker, inscription, or memorialization is permitted until the interment rights have been paid in full. The purchase of interment rights does not convey any ownership in any Real Estate or real property. The purchaser, upon payment in full of the interment rights will be provided with the following documents by the cemetery operator

- a) An interment rights certificate
- b) A copy of the cemetery's current by-laws
- c) A copy of the cemetery's current price list

**Payment** Lots, Plots, Niches, and Scattering Rights must be paid in full at the time of purchase, unless alternate terms are agreed upon by all parties. The cost of the interment rights is set out in a price list which will be provided to the purchaser at the time of purchase.

**Care and Maintenance Fund Contributions** As required by Sections 166 and 168, of Regulation 30/11, a percentage of the purchase price of all interment rights and a prescribed amount for monuments and markers is to be contributed into the "Care and Maintenance Fund". Interest income from this fund is to be used only to provide general care and maintenance of the cemetery. Contributions to the care and maintenance fund are not refundable except when the interment rights are cancelled within the thirty (30) day cooling off period.

**Cancellation of Interment Rights within 30 day Cooling-Off period** A purchaser has the right to cancel an interment rights contract within thirty (30) days of signing the interment or scattering rights contract, by providing written notice of the cancellation to the cemetery operator. The cemetery operator will refund all monies paid by the purchaser within thirty (30) days from the request of cancellation. If any portion of the interment rights has been exercised, the purchaser or the interment rights holder(s), are not entitled to cancel the contract or re-sell the interment rights.

**Cancellation of Interment Rights after the 30 day Cooling-Off period** Once payment for the interment rights has been made in full, and an interment rights certificate has been issued, the interment rights holder(s), as recorded in the cemetery records, has the right to re-sell the interment rights. Any resale of the interment right shall be in accordance with the requirements of the cemetery bylaw and in keeping with the FBCSA. If any portion of the interment rights has been exercised, the purchaser, or the interment rights holder(s) are not entitled to re-sell the interment rights.

**Transfer of Interment Rights** The transfer of interment rights must be carried out through the cemetery operator and is subject to a transfer fee. The interment rights holder(s) intending to transfer their rights shall provide the following documents to the cemetery operator so that the operator can confirm the ownership of the right to sell and provide the third party purchaser with the required certificate:

- a) A current interment rights certificate.
- b) A written request for the transfer of the interment rights, which includes the names and addresses of the current rights holder(s), the third party purchasers, and the exact location of the interment rights.
- c) Any other documentation in the interment rights holder(s) possession relating to the rights
- d) If any portion of the interment rights has been exercised, the purchaser, or the interment rights holder(s) are not entitled to transfer the interment rights.

**Resale of Interment Rights** Interment rights holders may first offer the interment rights to the cemetery operator. If the cemetery operator does not wish to re-purchase the interment rights for the current price less the original Care & Maintenance amount paid at the time of purchase, then the interment rights may be sold to a third party for no more than the current price listed on the cemetery price list. The sale must be conducted through the cemetery operator and the purchaser must meet the qualifications and requirements as outlined in the cemetery operator's by-laws. All resales of interment rights are subject to a transfer fee.

**Resale to a Third Party** The interment rights holder(s) intending to sell their rights shall provide the following documents to the cemetery operator so that the operator can confirm the ownership of the right and provide the third party purchaser with the required certificate:

- a) A current interment rights certificate.
- b) A written request for the transfer of the interment rights, which includes the names and addresses of the current rights holder(s), the third party purchasers, and the exact location of the interment rights.
- c) Any other documentation in the interment rights holder(s) possession relating to the rights.

Once the required information has been received by the cemetery operator from the current rights holder, the cemetery operator will issue a new interment rights certificate to the third party purchaser. Upon the issuance of the new interment rights certificate

and payment of the transfer fee, the third party purchaser shall be considered the current interment rights holder and the transfer shall be considered complete

The third party purchaser will be provided with the following documents by the cemetery operator:

- a) An interment rights certificate endorsed by the current rights holder
- b) A copy of the cemetery's current by-laws
- c) A copy of the cemetery's current price list
- d) Any other documentation in the interment rights holder(s) possession relating to the rights.

**Resale of Interment Rights to the Cemetery Operator** The cemetery operator may repurchase the interment rights from the rights holder(s) if the cemetery operator so desires and may negotiate a purchase price so long as the seller acknowledges being aware of the cemetery operators current price list amounts for interment rights. The negotiated price shall be the original purchase price less the portion paid into the care and maintenance fund, exclusive of all taxes.

### **Interment, Disinterment and Re-interment**

**Authorization** The interment rights holder(s) must provide written authorization prior to the burial taking place. Should the interment rights holder be the deceased, authorization must be provided by the person authorized to act on behalf of the interment rights holder. When interment rights are jointly held by more than one person, an order from either or any of them or their authorized representative will be accepted.

**Required Documentation** A burial permit issued by the Registrar General or equivalent document showing that the death has been registered with the province must be provided to the cemetery office prior to a burial taking place. A certificate of cremation must be submitted to the cemetery office prior to the burial, inurnment, or scattering of cremated remains taking place.

**Payment** All opening costs must be made to the cemetery within one (1) week of the burial taking place.

**Notice** The cemetery operator shall be given 48 hours notice prior to a burial of human remains or cremated human remains.

**Opening and Closing** The opening and closing of graves may only be conducted by cemetery staff or those designated to do work on the behalf of the cemetery.

### **General Provisions**

- 1) Cremated remains are not allowed to be scattered on a grave.
- 2) Double depth burials are not allowed.
- 3) No interment shall be permitted in any lot where outstanding charges exist, with the exception of at time of need lot purchases.

4) No interment shall be made on Sunday or statutory holiday except on a doctor's certificate that the interment must be made within 24 hours of death in accordance with the regulations of the Ontario Ministry of Health for the control of communicable disease.

**Disinterment** Human remains may be disinterred from a lot provided that the written authorization from the interment rights holder has been received by the cemetery operator and the notification of the Medical Officer of Health. A certificate from the local Medical Officer of Health must be received at the cemetery office before the removal of the casketed remains may take place. A certificate from the local officer of health is not required for the removal of cremated remains, whether buried or in a niche.

### **Monuments and Markers**

No monument, footstone, marker or memorial or other structure shall be erected or permitted on a lot until all charges have been paid in full.

No monument, footstone, marker or memorial of any description shall be placed, moved, altered or removed without the permission of the cemetery operator.

Interments are not allowed inside privately owned monuments.

The cemetery operator will take reasonable precautions to protect the property of the interment rights holder, but it assumes no liability for the loss of, or damage to, any monument, marker, or other structure, or part thereof. Minor scraping of the monument base of an upright monument due to grass and lawn maintenance is considered to be normal wear.

Should any monument or marker present a risk to public safety because it has become unstable, the cemetery owner shall do whatever it deems necessary by way of repairing, resetting, laying down of the monument or marker or any other remedy so as to remove the risk.

The cemetery operator reserves the right to remove at its sole discretion any marker, monument or inscription which is not in keeping with the dignity and decorum of the cemetery.

A monument shall only be erected in a location and within the designated space on a lot, as approved by the cemetery operator.

All monuments shall be constructed of bronze or natural stone.

No monument shall be delivered to the cemetery for installation until the monument foundation has been completed.

Charges for the care and maintenance of the monument or marker will be collected before the installation of the monument or marker and placed in a trust account.

The cemetery operator reserves the right to determine the maximum size of monuments, and the number and the location on each lot or plot. Monuments must not be of a size that would interfere with any future interments.

In Arkona Cemetery, in Maps 1, 2, 3, 3A, 4, and Map 5, with the exception of Range U, there shall be only one (1) monument erected per each plot consisting of two (2) graves plus one (1) flat marker per lot. A monument shall not exceed 4 ft. (1.22 m) in height and 5 ft. (1.52 m) in width.

In Arkona Cemetery, in Map 6, one monument is allowed per plot. The monument must be placed on the existing concrete base (36" x 18") (91cm x 45.7 cm), which is on a portion of the plot. The monument is not to exceed 32 in (81.2 cm) in length and 14 in (35.5 cm) in width and 10 in (25.4 cm) in height.

In Arkona Cemetery, in Map 5 Range U and in Map 7, one (1) upright monument and one (1) flat marker will be allowed per lot. A monument shall not exceed 4 ft. (1.22 m) in height and 5 ft. (1.52 m) in width.

In Beechwood Cemetery, Division A, there shall be only one monument erected on each plot consisting of four lots plus one flat marker per lot. In Division B there is one monument allowed per lot, with the exception of Division B, Range 1 to 8, Lots 1 to 30, where only one flat marker per grave shall be allowed.

A marker shall not exceed 24 in. (60.96 cm) by 18 in. (45.72 cm) on the surface and must not be built above ground level.

The minimum thickness for flat markers including footstones is 4 inches (10 cm).

War Memorial markers placed in veterans graves by the Royal Canadian Legion will be permitted to remain as a permanent marker, in addition to other markers and monuments allowed.

Memorial benches must be approved by the Cemetery Operator and may only be placed in designated locations. Once donated, the memorial bench becomes the property of the cemetery owner. Inscription is paid for by the donor of the bench.

Monuments to be erected shall be set upon an adequate concrete base and a foundation shall be no less than 4 ft. (1.22 m) in depth. All foundations shall be constructed by the monument company at the expense of the interment rights holder.

No base shall be closer than 2 in (5.08 cm) to the plot or lot side lines. All bases shall be a minimum of 1 in (2.54 cm) wider on all sides than the monument placed upon it. No base shall be wider than 2 ft (.61 m).

No foundation shall be placed between November 1 and April 1 of any year.

### **Cemetery Care and Plantings**

Grassed roadways may be closed to vehicular traffic at any time.

A portion of the price of interment rights is trusted into the Care and Maintenance Fund. The interest income generated from this fund is used to maintain, secure and preserve the cemetery grounds. Services that can be provided through this fund include:

- a) Re-leveling and sodding or seeding of lots
- b) Maintenance of cemetery roads and water systems
- c) Maintenance of perimeter walls and fences
- d) Maintenance of cemetery landscaping
- e) Repair and general upkeep of cemetery maintenance buildings and equipment.

All maintenance work at the cemetery may be conducted only by cemetery staff or those designated to do work on the behalf of the cemetery.

The erection of borders, fences, railings, walls and hedges is prohibited.

No person shall plant trees, flower beds or shrubs or in any way change the surface of a burial lot in the cemetery except with the written approval of the cemetery.

If any trees or shrubs situated in any lot, in the opinion of the cemetery operator, become detrimental to the adjacent lots or detrimental to the general appearance of the cemetery by means of their roots, or branches, or in any other way, the cemetery staff or those designated to do work on behalf of the cemetery may, without notice, remove such trees, shrubs or parts thereof.

Flowers placed on a grave for a funeral shall be removed by the cemetery staff after a reasonable time to protect the sod and maintain the tidy appearance of the cemetery.

The cemetery operator reserves the right to regulate the articles placed on lots or plots that pose a threat to the safety of all interment rights holders, visitors to the cemetery and cemetery employees, prevents the cemetery from performing general cemetery operations, or are not in keeping with the respect and dignity of the cemetery. Prohibited articles will be removed and disposed of without notice.

Upon the approval of the Ministry of Consumer Services, this by-law will come into force and effect and all sections of previous by-laws providing rules and regulations governing the management, maintenance and control at the Arkona Cemetery, Baptist Cemetery, Beechwood Cemetery, Ward Cemetery are repealed.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 27<sup>th</sup> day of March, 2018.

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Mayor

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Clerk



**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

**BY-LAW NUMBER 34 of 2018**

**BEING A BY-LAW TO AUTHORIZE AN ENCROACHMENT AGREEMENT WITH  
1707884 ONTARIO LTD. (THE SANDBAR & GRILL) FOR A SIDEWALK PATIO**

**WHEREAS** the Sandbar & Grill o/b 1707884 Ontario Ltd. has requested permission to operate a sidewalk patio in conjunction with their restaurant operations, located at 23 Main Street West, Grand Bend, in the Municipality of Lambton Shores in the County of Lambton; and

**WHEREAS** an agreement has been drafted that outlined the terms and conditions under which the permission for the encroachment would be granted; and

**WHEREAS** it is deemed appropriate for the Municipality to authorize the Mayor and Clerk to sign the necessary agreement.

**THEREFORE** the Municipal Council of the Corporation of the Municipality of Lambton Shores enacts as follows:

1. The Mayor and Clerk are authorized to execute an agreement on behalf of the Corporation between the Municipality of Lambton Shores and 1707884 Ontario Ltd. and to affix to the agreement the Corporate Seal of the Corporation of the Municipality of Lambton Shores;
2. This By-law comes into force and effect upon being finally passed.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 24<sup>th</sup> day of April, 2018.

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Mayor

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Clerk

# ENCROACHMENT AGREEMENT

THIS AGREEMENT made in duplicate this 2nd day of MARCH, 2018

**BETWEEN:**

**1707884 ONTARIO LTD.**

hereinafter called the "Operator" of the FIRST PART

- AND -

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

hereinafter called the "Municipality" of the SECOND PART

**WHEREAS** the Operator has requested permission from the Municipality to install a sidewalk patio, as defined below, which encroaches on Municipal property;

**"Sidewalk Patio"** means a group of tables and chairs and other accessories situated and maintained upon a public sidewalk for the use and consumption of food and beverages sold to the public from, or in an adjoining or adjacent indoor restaurant located and adjacent to the business. A Sidewalk Patio shall extend no wider than the width of the associated indoor food and beverage establishment and shall be fenced. Table service and the consumption of alcohol are permitted.

**AND WHEREAS** the Operator is the operator of a business located at Lot 26, Lot 27 and Lot 43, Plan 24 known as **23 Main Street**, (the "Property") which abuts the municipal property for which the encroachment is requested;

**NOW THEREFORE** this Agreement witnesseth that the Parties hereby acknowledged, covenant and agree each with the other as follows:

1. The sidewalk patio shall comply to all other provisions of applicable bylaws of the Municipality of Lambton Shores.
2. Two (2) metres of clear unobstructed pedestrian access shall be maintained around the sidewalk patio at all times.
3. The sidewalk patio shall operate from May 6, 2018 to November 1, 2018.
4. The sidewalk patio shall be for the sole purpose of food and beverage service associated with the adjacent restaurant. No retail sales of goods or products shall be permitted.

5. No food preparation shall be permitted in the sidewalk patio. This provision includes the use of an outdoor barbeque;
6. No audio speakers shall be permitted on the sidewalk patio and speaker sound from the adjacent restaurant is to be directed into the building rather than projecting out to the sidewalk patio.
7. The maximum area of the sidewalk patio is as shown on Attachment 1.
8. The use of the areas covered by the Encroachment Agreement, shall cease at 12:00 (midnight) p.m.. every day, which means that serving and consumption of food and beverages shall stop at 12:00 (midnight) p.m. each day.
9. The Operator shall bear all costs of construction, installation, maintenance and removal of the sidewalk patio.
10. The Operator acknowledges that he/she is responsible to ensure that the liquor license for the establishment is extended to cover the sidewalk patio. The Operator shall provide proof to the Municipality that the liquor license for the establishment has been extended.
11. The Operator acknowledges that plans showing the location of the sidewalk patio, comprise Schedule "A" to this agreement.
12. The location of the sidewalk patio shall be in accordance with Schedule "A"
13. The sidewalk patio shall be enclosed with an open style fence/barrier which has a minimum height of 0.9 metres and a maximum height of 1.2 metres. Fences must be constructed for easy removal in the off season and they shall not be permanently attached to the sidewalk. Any supporting brackets cannot extend into the required pedestrian access and shall not create a hazard.
14. The Operator shall pay to the Municipality a rental fee of \$1,688.26 for the area of the sidewalk patio encroachment.
15. No music or entertainment provided to patrons of the sidewalk patio shall be amplified.
16. All exterior lighting shall be task lighting, shall not interfere with the sidewalk and shall be totally contained within the sidewalk patio. Lighting levels shall be low and directed onto the sidewalk patio and shall not spill onto abutting private properties or sidewalk. Lighting shall not have exposed cables. No lighting shall be installed without prior approval from the Municipality.



17. The owner/operator shall keep the sidewalk patio free from papers, garbage, rubbish and debris of any kind and the patio furniture clean.
18. The Municipality or any public utility shall have the right to enter any portion of the sidewalk patio at any time for the purpose of installing, maintaining or repairing pipes, cables, sidewalks, wires, poles and other installations.
19. No awnings shall be permitted on the sidewalk patio, but umbrellas are. No umbrella shall project beyond the perimeter fence.
20. The sidewalk patio shall be installed at existing grade.
21. Barrier free access of 1.5 metres in width shall be provided to the sidewalk patio.
22. All outstanding Municipal accounts against the Property are paid in full before the execution of this Agreement.
23. All taxes, charges and existing local improvements assessed against the Property are paid in full as of the date of signing of this Agreement. Such payments are to be made to the Municipality before the execution of this Agreement and a certificate of payment from the Treasury department will be proof that all outstanding charges are paid in full.
24. The Operator shall take out and maintain, at its expense, personal liability and property damage insurance in the minimum amount of \$2,000,000.00, such policy to name the Corporation of the Municipality of Lambton Shores as co-insured and to provide proof of such insurance to the Municipality. **If the insurance policy lapses during the term of this agreement, the permission for the sidewalk café is revoked until such time as the Municipality receives a valid insurance policy meeting the requirements of section 24 of this agreement.**
25. The Operator hereby agrees to indemnify and save harmless the Municipality against any and all losses, costs (including legal costs of a solicitor and his client basis), claims, liabilities, expenses or damage sustained, incurred or arising from this Agreement.
26. The term of this Agreement shall expire on November 1, 2018, and on such date the sidewalk patio shall be removed forthwith at the expense of the owner.
27. In the event the sidewalk patio is removed, this Agreement is hereby terminated.
28. This Agreement is not transferable.
29. The Operator hereby acknowledges the Municipality's right to control the operation of the sidewalk patio, and any violation of the terms of this agreement may result in

suspension or termination of the permission granted. In addition, the Municipality has the right to terminate this Agreement if in the Municipality's view complaints are not being addressed to the Municipality's satisfaction.

**IN WITNESS WHEREOF** the Operator and the Municipality have affixed their respective corporate seals over the hands of their duly authorized signing officers.

**SIGNED, SEALED AND DELIVERED**  
in the presence of:

**THE SANDBAR & GRILL o/b  
1707884 ONTARIO LTD.**

  
Witness

  
Owner/Operator

**THE CORPORATION OF THE  
MUNICIPALITY OF LAMBTON HORES**

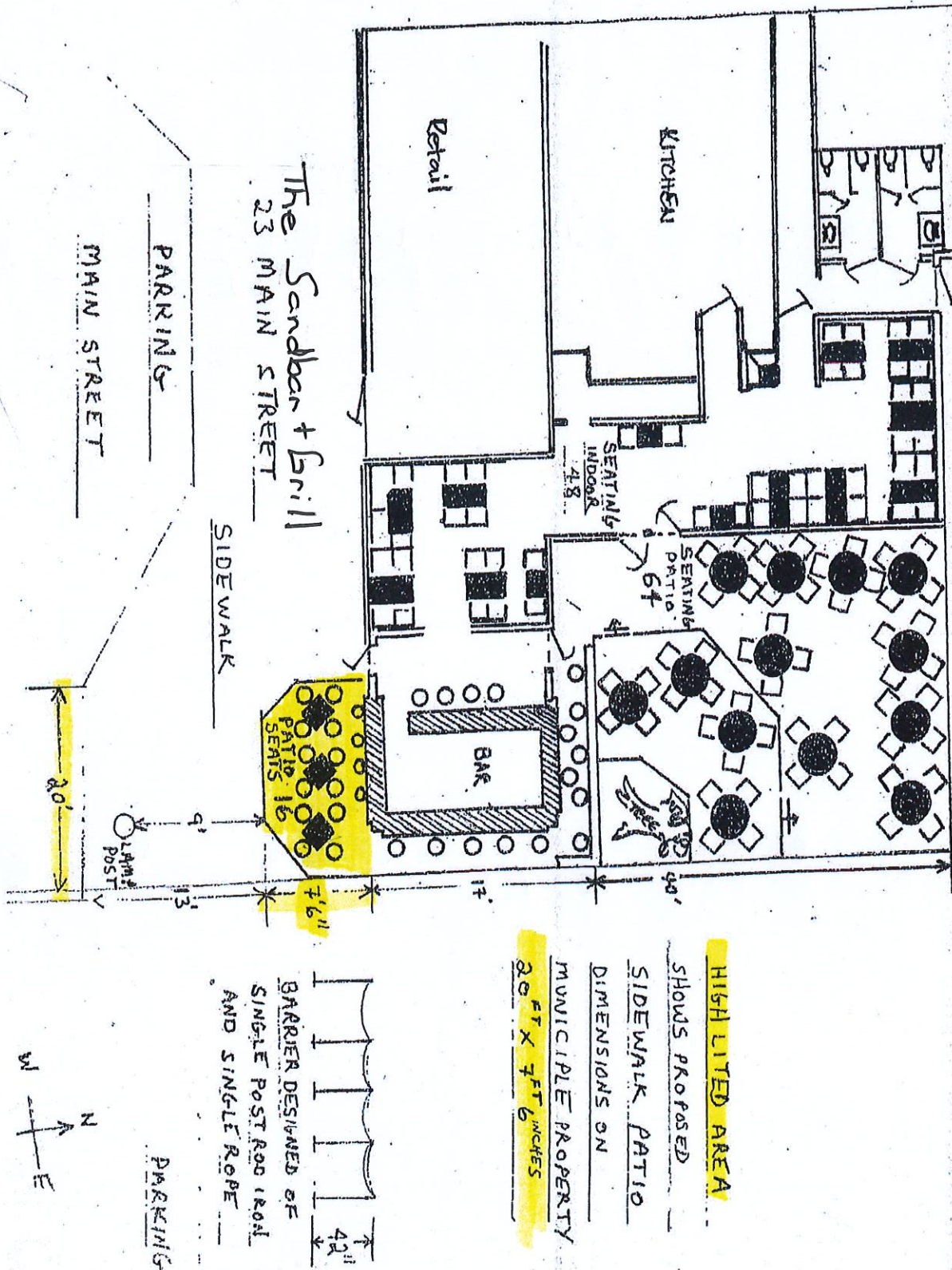
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MAYOR – Bill Weber

\_\_\_\_\_  
CLERK – Stephanie Troyer-Boyd



# SCHEDULE "A"

This is Schedule "A" to the encroachment agreement dated the 2nd day of MARCH, 2018 between the Corporation of the Municipality of Lambton Shores and **The Sandbar & Grill** o/b 1707884 Ontario Ltd. to which it is attached and forms a part.



## **THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

### **BY-LAW NUMBER 35 OF 2018**

#### **BEING A BY- LAW TO AMEND BY- LAW 1 OF 2003 (PART LOT 19, LAKE ROAD EAST CONCESSION, 10014 GREENWAY RD. - DUCHARME)**

**WHEREAS** the Council of the Corporation of the Municipality of Lambton Shores passed a comprehensive Zoning By-law 1 of 2003 on the 4th day of February, 2003; and

**WHEREAS** Council deems it desirable to amend the said By-law; and

**WHEREAS** a public meeting was held on the 16<sup>th</sup> day of May, 2017 under Section 34(12) of the Planning Act, R.S.O., 1990;

**NOW THEREFORE**, the Council of the Corporation of the Municipality of Lambton Shores enacts as follows:

1. That Schedule "A" attached hereto (being a description of the lands affected by this By-law) is hereby declared to form part of this By-law.
2. Section 12.3 of By-law 1 of 2003 is hereby amended by adding the following thereto:

#### **y) EXCEPTION 24 TO THE RESIDENTIAL - 6 (R6) ZONE**

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential - 6.24 (R6-24) on Schedule "A-2" to this By-law and described as Part Lot 19, Lake Road East Concession (BQ), the following regulations shall apply:

#### **PERMITTED USES**

- a) Single Detached Dwelling; and
- b) Buildings, Structures and Uses Accessory to a Single Detached Dwelling

#### **SITE REGULATIONS**

- a) Minimum Lot Area 4,000 sq. metres
- b) Minimum Lot Frontage 44 metres
- c) Minimum Rear Yard 6 metres
- d) See Section 12.2 for Balance of Site Regulations



## **SPECIAL PROVISIONS**

1. No Buildings or structures shall be constructed within the drip line of the trees.
2. No site alteration or tree removal is permitted on the lot until a building permit is obtained from the Municipality.
3. No building permit shall be issued for any buildings or structures in the Residential 6.24 (R6-24) Zone until:
  - A geotextile fencing cloth is installed as a wildlife exclusion barrier along the entire west, south and north boundary of the Residential - 6.24 (R6.24) Zone. The geotextile fence should be at least 0.8 meters high from grade at all locations and be continuously affixed to the ground using sand bags or other materials to ensure there are no gaps that snakes may access through. The barrier fencing should extend out from it's terminal edges by a distance of at least 5 meters and angle out or back at a 45 degree angle (whichever is most beneficial) to direct wildlife, including reptiles, away from and around the construction site. In addition, construction barrier fence shall be installed along the eastern and southern boundary of the Residential - 6.24 (R6.24) Zone and such construction barrier fence shall be connected to the wildlife exclusion barrier to create a continuous barrier around the Residential - 6.24 (R6.24) Zone to prevent equipment from impacting remaining vegetation.
  - A circle barrier fence with a radius of 9 metres should be marked around each dwarf hackberry during on site construction activities to prevent damage to the trees or the critical habitat surrounding them.
  - A Tree Saving and Landscaping Plan for the entire lot is submitted to the satisfaction of the Municipality, which shall address the following:
    - a) Identifies trees to be removed;
    - b) Incorporates the dwarf hackberry into the final landscaping of the subject lands and provides for the barrier fence identified in 5) above to be replaced with a less obvious marker, such as stone monuments, landscape edging, plantings, etc.;
    - c) Includes a suitable landscaping plan incorporating native understorey and sub canopy vegetation species that suit woodland openings, (e.g., lupine, coneflower, dwarf hackberry, serviceberry, etc.) to add for plant diversity to these vegetation layers and also to provide natural forest floor to create suitable habitat for germination of additional dwarf hackberry trees;

d) Retains oak species.

- A grading plan is submitted which will mitigate recharge impacts associated with the development by incorporating stormwater controls such as roof leader water being directed to grassed areas rather than to the drainage ditch along the road frontage.
  - A Septic Permit for a new septic system is obtained from The County of Lambton.
4. Between April 1st and October 30th, all equipment and machinery that is left idle for over 1 hour, or overnight, on the property must be visually examined prior to (re)ignition, to ensure reptiles are not present within the machinery. This visual examination should include all lower components of the machinery, including operational extensions and running gear.
  5. Any protected reptile that is encountered on site must be protected from harm and harassment. Should a protected reptile be observed in the work area and presumed to be unharmed, all project personnel and operating machinery should maintain a minimum 30m distance from it at all times until it has left the area. MNRF Aylmer District must be contacted immediately if this cannot be done. A large Rubbermaid-type container with ventilated lid should be kept on site at all times in the event a protected reptile is injured or killed during the project. Should a protected reptile be injured, it should be immediately transported in the container to a licensed Veterinarian for care and/or euthanasia. During transport the reptile inside the container should be maintained at a temperature between 10 and 30°C. Contact the Aylmer District MNR office immediately if any reptiles are harmed or killed during construction.
  6. The construction area should be clean and free of debris for any activities that occur during the active season for reptiles (April 15th to October 15th). Reptiles may find and occupy materials and equipment stored on site and could be harmed when materials and debris are handled or used. Materials such as excavated soils should only be stored in areas that have previously had understory vegetation (1m or shorter) mowed to a height of 5cm or shorter. Excavated soil should not be stored on the site long-term. Flat materials such as plywood or rubber mats should not be left lying on the ground. Any material stockpiles created on the property during the project must be visually examined for protected reptiles prior to disturbance or removal.
  7. Existing maintained areas (lawn) should be maintained to ensure grass does not grow higher than 7-10cm. Allowing grass to grow greater than 15cm in height could attract reptiles and other wildlife to the construction site.

8. That no grading or construction should occur outside of the proposed development area (the R6-24 Zone).
3. Schedule "A-2" to Zoning By-law 1 of 2003 is hereby amended by changing the zone symbol that applies to those lands as indicated on Schedule 'A' to this By-law from the:

**"AGRICULTURAL - 2 (A2)"**

**to**

**"RESIDENTIAL - 6.24 (R6-24)"**

**AND**

**"ENVIRONMENTAL PROTECTION - NATURAL CONSERVATION (EP- NC)"**

4. This By-law shall come into force and effect pursuant to Section 34(21) or Section 34(30) of the Planning Act, R.S.O. 1990.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 24<sup>th</sup> day of April, 2018.

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Mayor

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Clerk

Municipality of Lambton Shores

SCHEDULE "A"

to By-law No. \_\_\_\_\_

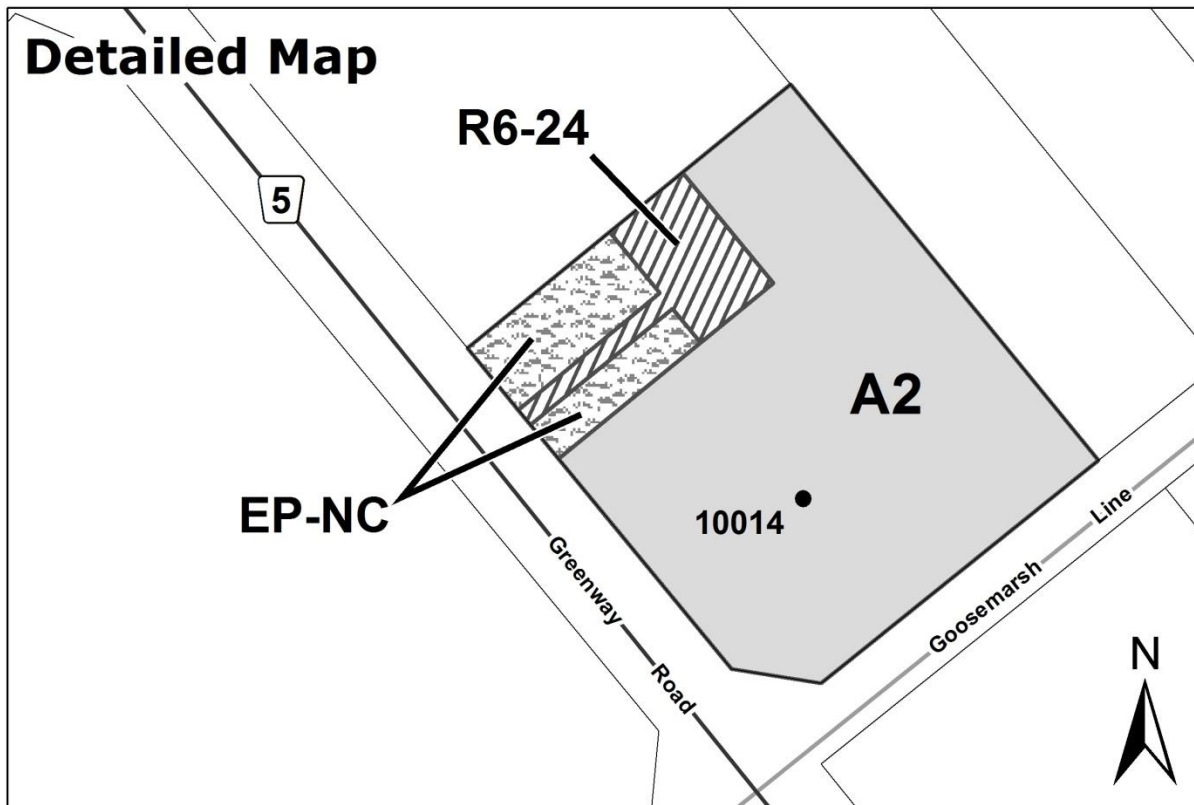
Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 2018

Signed: \_\_\_\_\_

Bill Weber, Mayor

Stephanie Troyer-Boyd, Clerk

**Detailed Map**



Lands to be rezoned from Agricultural-2 (A2) Zone to a Residential-6.24 (R6-24) Zone and an Environmental Protection-Natural Conservation (EP-NC) Zone

APPLICANT: Leo Ducharme and Lindsey Ashworth

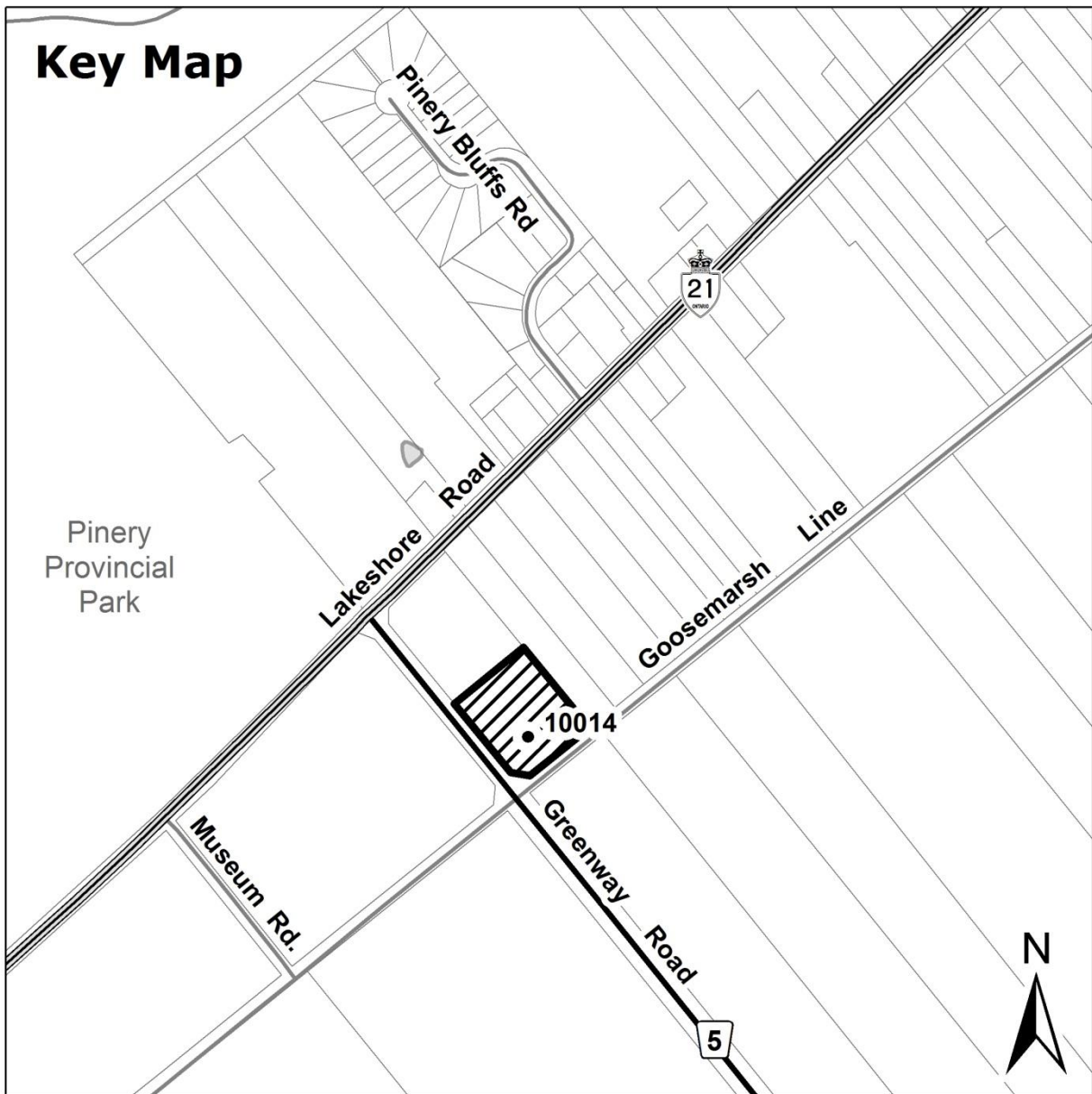
LOCATION: CON LRE PT LOT 19 RP25R7330 PARTS 2  
10014 Greenway Road, Lambton Shores

FILE: ZO-03/2017

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES  
ZONING BY-LAW 35 OF 2018**

**Explanatory Note**

The purpose of this zoning by-law amendment is to amend the existing zoning on the lands from “Agricultural 2 (A2)” to “Residential - 6.24 (R6-24)” and “Environmental Protection - Natural Conservation (EP-NC)” to allow a new single detached dwelling lot to be created.



**SUBJECT AREA**

APPLICANT: Leo Ducharme and Lindsey Ashworth

LOCATION: CON LRE PT LOT 19 RP25R7330 PARTS 2  
10014 Greenway Road, Lambton Shores

FILE: ZO-03/2017

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

**BY-LAW NUMBER 36 of 2018**

**A BY-LAW TO APPOINT PROVINCIAL OFFENCES OFFICERS  
FOR THE MUNICIPALITY OF LAMBTON SHORES**

**WHEREAS** the Council of the Municipality of Lambton Shores deems it prudent to enforce certain Municipal regulations under the Provincial Offences Act; and

**WHEREAS** it is deemed necessary to designate Provincial Offences Officers in order to carry out duties under the Provincial Offences Act;

**THEREFORE** the Council of the Municipality of Lambton Shores enacts as follows:

1. That the following are appointed as Provincial Offences Officers for the enforcement of Municipal By-laws:
  - 1) Ian Kerrigan
  - 2) Brennan Hamilton
  - 3) Kyrstin Krainz
  - 4) Michael Younan
  - 5) Cassidy Anderson
  - 6) Tawnya Glenn-Harris
  - 7) Cole Wright
  - 8) MacKenzie Kelly
2. That By-law No. 50 of 2017 is rescinded.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 24<sup>th</sup> day of April, 2018.

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Mayor

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Clerk



**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

**BY-LAW NUMBER 37 OF 2018**

**BEING A BY-LAW TO SET THE MUNICIPAL TAX RATE FOR THE YEAR 2018  
FOR THE MUNICIPALITY OF LAMBTON SHORES**

**WHEREAS** the *Municipal Act, R.S.O. 2001, Section 312(2)* states that “for purposes of raising the general local municipality levy, a local municipality shall, each year, pass a by-law levying a separate tax rate, as specified in the by-law, on the assessment in each property class in the local municipality rateable for local municipality purposes”; and

**WHEREAS** the Corporation of the County of Lambton has set the rates of taxation for County purposes; and

**WHEREAS** the Province of Ontario will determine the sums required for School Board purposes; and

**WHEREAS** the Corporation of the Municipality of Lambton Shores has determined the sums required for Municipal purposes and for the Forest B.I.A.;

**THEREFORE** the Council of the Corporation of the Municipality of Lambton Shores enacts as follows:

1. THAT the attached “Schedules A and A-1” be adopted as the Municipal tax rates to be levied against the assessment in Lambton Shores for the purpose of raising taxes for municipal purposes for the year 2018.
2. THAT the interim installments of taxes payable to the Municipality of Lambton Shores were due February 28, 2018 and May 31, 2018.
3. THAT the final installments of taxes payable to the Municipality of Lambton Shores shall be due August 31, 2018 and November 30, 2018.
4. THAT this bylaw shall come into force and effect as of the date of the final passing.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 24<sup>th</sup> day of April, 2018.

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Mayor

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Clerk

|    | Schedule "A"                                |       |            |
|----|---|-------|------------|
|    | MUNICIPALITY OF LAMBTON SHORES              | TAX   | MUNICIPAL  |
|    | 2018 TAX RATES                              | CLASS |            |
|    |   |       |            |
| 1  | RESIDENTIAL                                 | RT    | 0.00503115 |
| 2  | RESIDENTIAL - NO SUPPORT                    | RTN   | 0.00503115 |
| 3  | RESIDENTIAL - P.I.L.- FULL                  | RF    | 0.00503115 |
| 4  | RESIDENTIAL - P.I.L.- GENERAL               | RG    | 0.00503115 |
| 5  | RES. FARMLAND AWAITING DEV. PH.1            | R1    | 0.00176090 |
| 6  | MULTI - RESIDENTIAL - P.I.L. - FULL         | MP    | 0.01006229 |
| 7  | MULTI - RESIDENTIAL                         | MT    | 0.01006229 |
| 8  | MULTI - RESIDENTIAL - NEW CONSTRUCTION      | NT    | 0.00503115 |
| 9  | COMMERCIAL                                  | CT    | 0.00818618 |
| 10 | COMMERCIAL - NEW CONSTRUCTION               | XT    | 0.00818618 |
| 11 | COMMERCIAL - P.I.L. -FULL                   | CF    | 0.00818618 |
| 12 | COMMERCIAL - P.I.L. -FULL TENNANT Prov      | CP    | 0.00818618 |
| 13 | COMMERCIAL - P.I.L. -GENERAL                | CG    | 0.00818618 |
| 14 | COMMERCIAL - EXCESS LAND                    | CU    | 0.00573033 |
| 15 | COMMERCIAL - EXCESS LAND - NEW CONST        | XU    | 0.00573033 |
| 16 | COMMERCIAL - EXCESS LAND - P.I.L. - FULL    | CV    | 0.00573033 |
| 17 | COMMERCIAL - EXCESS LAND - P.I.L. - GENERAL | CW    | 0.00573033 |
| 18 | COMMERCIAL - VACANT LAND                    | CX    | 0.00548979 |
| 19 | COMMERCIAL - VACANT LAND - P.I.L. - FULL    | CY    | 0.00548979 |
| 20 | COMMERCIAL - VACANT LAND - P.I.L. - GENERAL | CZ    | 0.00548979 |
| 21 | COM. FARMLAND AWAITING DEV. PH.1            | C1    | 0.00176090 |
| 22 | OFFICE BUILDING                             | DT    | 0.00772682 |
| 23 | OFFICE BUILDING - EXCESS LAND               | DU    | 0.00540878 |
| 24 | SHOPPING CENTRE                             | ST    | 0.01048247 |
| 25 | SHOPPING CENTRE - EXCESS LAND               | SU    | 0.00733773 |
| 26 | PARKING LOT                                 | GT    | 0.00548979 |
| 27 | PARKING LOT - P.I.L. - FULL                 | GF    | 0.00548979 |
| 28 | INDUSTRIAL                                  | IT    | 0.01030163 |
| 29 | INDUSTRIAL - NEW CONSTRUCTION               | JT    | 0.01030163 |
| 30 | INDUSTRIAL - P.I.L. - FULL                  | IF    | 0.01030163 |
| 31 | INDUSTRIAL - P.I.L. - SHARED                | IH    | 0.01030163 |
| 32 | INDUSTRIAL - EXCESS LAND                    | IU    | 0.00669606 |
| 33 | INDUSTRIAL - VACANT LAND                    | IX    | 0.00669606 |
| 34 | INDUSTRIAL - VACANT LAND - P.I.L. - GENERAL | IZ    | 0.00669606 |
| 35 | LARGE INDUSTRIAL                            | LT    | 0.01511092 |
| 36 | LARGE INDUSTRIAL - EXCESS LAND              | LU    | 0.00982210 |
| 37 | PIPELINE                                    | PT    | 0.00675358 |
| 38 | FARM  | FT    | 0.00113704 |
| 39 | MANAGED FORESTS                             | TT    | 0.00125779 |
| 40 | MANAGED FORESTS - NO SUPPORT                | TTN   | 0.00125779 |
| 41 | EXEMPT                                      | E     | 0.00000000 |

**Schedule "A-1"**

| <b>Forest Business Improvement Area</b>  |
|--|
| <b>2018 Levy and Rate</b>  |
| <p>Council approved the Forest BIA levy of \$ 28,840.00</p> <p>For all properties identified in the Forest by-law 3 of 1994</p> <p>In addition to the General Municipal Tax Rate a rate of<br/>0.0048978590<br/>will be applied to their 2018 assessment,<br/>with the following restriction</p> <p>Minnimum Levy of \$100.00<br/>Maximum Levy of \$995.00</p> |

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

**BY-LAW NUMBER 38 OF 2018**

**BEING A BY-LAW TO AUTHORIZE THE PURCHASE OF A BACKHOE  
FROM KUCERA GROUP ALVINSTON**

**WHEREAS** a Request for Proposals was issued for the procurement of a backhoe;

**AND WHEREAS** the low proposal for the supply of a backhoe was submitted by Kucera Group Alvinston.; and

**WHEREAS** the submission was reviewed and deemed acceptable; and

**WHEREAS** the proposal was approved by a resolution at the April 24, 2018 Council meeting; and

**WHEREAS** it is deemed appropriate for the Municipality of Lambton Shores Council to authorize the purchase by by-law;

**THEREFORE** the Council of the Corporation of the Municipality of Lambton Shores enacts as follows:

1. The Mayor and Clerk are authorized to execute a by-law authorizing the purchase of a backhoe.
2. This By-law comes into force and effect upon being finally passed.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 24<sup>th</sup> day of April, 2018.

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Mayor

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Clerk

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

**BY-LAW NUMBER 39 OF 2018**

**BEING A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN THE  
MUNICIPALITY OF LAMBTON SHORES AND AJN BUILDERS INC.  
FOR THE KENNEDY LINE BRIDGE REHABILITATION PROJECT**

**WHEREAS** the Municipality of Lambton Shores invited tenders for the Kennedy Line Bridge Rehabilitation Project; and

**WHEREAS** the submission was reviewed and deemed acceptable; and

**WHEREAS** the tender from AJN Builders Inc. was accepted by Council on April 24, 2018; and

**WHEREAS** it is deemed appropriate for the Municipality to authorize the Mayor and Clerk to sign the necessary agreement;

**THEREFORE** the Council of the Corporation of the Municipality of Lambton Shores enacts as follows:

1. The Mayor and Clerk are authorized to execute an agreement on behalf of the Corporation between the Municipality of Lambton Shores and AJN Builders Inc. and to affix to the contract the Corporate Seal of the Corporation of the Municipality of Lambton Shores;
2. This By-law comes into force and effect upon being finally passed.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 24<sup>th</sup> day of April, 2018.

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Mayor

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Clerk

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

**BY-LAW NUMBER 40 OF 2018**

**BEING A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN THE  
CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES AND  
JOHNSTON BROS. (BOTHWELL) LIMITED FOR GRAVEL**

**WHEREAS** the Municipality of Lambton Shores requested tenders for the 2018 Gravel Program; and

**WHEREAS** the tender submitted by Johnston Bros. (Bothwell) Limited was accepted by Council on April 24, 2018; and

**WHEREAS** it is deemed appropriate for the Municipality to authorize the Mayor and Clerk to sign the necessary agreement;

**THEREFORE** the Council of the Corporation of the Municipality of Lambton Shores enacts as follows:

1. The Mayor and Clerk are authorized to execute an agreement on behalf of the Corporation between the Municipality of Lambton Shores and Johnston Bros. (Bothwell) Ltd. and to affix to the contract the Corporate Seal of the Corporation of the Municipality of Lambton Shores;
2. This By-law comes into force and effect upon being finally passed.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 24<sup>th</sup> day of April, 2018.

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Mayor

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Clerk

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

**BY-LAW NUMBER 41 OF 2018**

**A BY-LAW TO AUTHORIZE AN AMENDING SITE PLAN AGREEMENT WITH  
VERONICA HEIDI BRENNAN FOR 8604 LAKESHORE ROAD**

**WHEREAS** the Council of the Corporation of the Municipality of Lambton Shores deems it expedient to enter into an Amending Site Plan Agreement with Veronica Heidi Brennan affecting lands known as 8604 Lakeshore Road.

**THEREFORE** the Council of the Corporation of the Municipality of Lambton Shores enacts as follows:

1. The Corporation of the Municipality of Lambton Shores is authorized to enter into an Amending Site Plan Agreement with Veronica Heidi Brennan, in the form of the Agreement a copy of which is annexed to this By-law.
2. The Mayor and Clerk are authorized to execute such agreement and to affix to it the Corporate Seal of the Corporation of the Municipality of Lambton Shores.
3. This By-law shall come into force and effect upon being finally passed.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 24<sup>th</sup> day of April, 2018.

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Mayor

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Clerk

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**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

**BY-LAW NUMBER 42 OF 2018**

**BEING A BY-LAW TO AUTHORIZE THE PURCHASE OF  
AN ICE RESURFACING UNIT**

**WHEREAS** a Request for Proposals was issued for the procurement of an ice resurfacing unit;

**AND WHEREAS** the low proposal for the supply of a backhoe was submitted by Zamboni Company Ltd.; and

**WHEREAS** the submission was reviewed and deemed acceptable; and

**WHEREAS** the proposal was approved by a resolution at the April 24, 2018 Council meeting; and

**WHEREAS** it is deemed appropriate for the Municipality of Lambton Shores Council to authorize the purchase by by-law;

**THEREFORE** the Council of the Corporation of the Municipality of Lambton Shores enacts as follows:

1. The Mayor and Clerk are authorized to execute a by-law authorizing the purchase of an ice resurfacing unit.
2. This By-law comes into force and effect upon being finally passed.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 24<sup>th</sup> day of April, 2018.

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Mayor

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Clerk



**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

**BY-LAW NUMBER 43 OF 2018**

**A BY-LAW TO AUTHORIZE AN AMENDING SITE PLAN AGREEMENT WITH  
RICHARD BRUCE THOMAS LOOMAN FOR 16 JAMES STREET NORTH, FOREST**

**WHEREAS** the Council of the Corporation of the Municipality of Lambton Shores deems it expedient it to enter into an Amending Site Plan Agreement with Richard Bruce Thomas Looman affecting lands known as 16 James Street North, Forest.

**THEREFORE** the Council of the Corporation of the Municipality of Lambton Shores enacts as follows:

1. The Corporation of the Municipality of Lambton Shores is authorized to enter into an Amending Site Plan Agreement with Richard Bruce Thomas Looman, in the form of the Agreement a copy of which is annexed to this By-law.
2. The Mayor and Clerk are authorized to execute such agreement and to affix to it the Corporate Seal of the Corporation of the Municipality of Lambton Shores.
3. This By-law shall come into force and effect upon being finally passed.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 24<sup>th</sup> day of April, 2018.

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Mayor

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Clerk

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

**BY-LAW NUMBER 44 OF 2018**

**A BY-LAW TO CONFIRM THE PROCEEDINGS OF APRIL 24, 2018**

**WHEREAS** it has been expedient that from time to time, the Council of the Corporation of the Municipality of Lambton Shores should act by resolution of Council; and

**WHEREAS** it is deemed advisable that all such actions that have been adopted by a resolution of the Council be authorized by By-law;

**THEREFORE** the Council of the Corporation of the Municipality of Lambton Shores enacts as follows:

1. THAT all actions of Council which have been authorized by a resolution of the Council and adopted in open Council and accepted by Council up to and including April 24, 2018 be hereby confirmed; and
2. THAT the Mayor and the proper officials of the Municipality of Lambton Shores are hereby authorized and directed to do all things necessary to give effect to the approved actions or to obtain approvals where required, and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents.
3. THAT any pecuniary interest declared during any Council meeting or Committee meeting is deemed to be in force and the same as though repeated in this by-law.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 24<sup>th</sup> day of April, 2018.

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Mayor

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Clerk