



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

Meeting #: 03-2018
Date: Tuesday, February 13, 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 February 13, 2018 Council meeting be approved as presented.

4. **Closed Session**

There are no items for the Closed Session.

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

5.1 January 23, 2018

11 - 18

RECOMMENDATION:

THAT the minutes of the January 23, 2018 Council meeting be adopted as presented.

6. **Councillor Reports**

7. Statutory Public Meetings

- 7.1 Public Meeting - Zoning By-law Amendment Application ZO-03/2018 for Dale Hayter and Sons Ltd. - 10410 Lakeshore Road (See Report PL 03-2018)**

RECOMMENDATION:

THAT the Council meeting adjourns at p.m. for a Public Meeting held under the Planning Act to hear an application for Zoning By-law Amendment ZO-03/2018 for Dale Hayter and Sons Ltd. - 10410 Lakeshore Road

- 7.2 Public Meeting - Zoning By-law Amendment Application ZO-02-2018 for Rice Development Company Inc. - Brooklawn Dr. and Tattersall Lane, Grand Bend (See Report PL 04-2018)**

RECOMMENDATION:

THAT the Council meeting adjourns at p.m. for a Public Meeting held under the Planning Act to hear an application for Zoning By-law Amendment ZO-02/2018 for Rice Development Company Inc. - Brooklawn Dr. and Tattersall Lane, Grand Bend

RECOMMENDATION:

THAT the public meeting close and the regular Council meeting reconvene at p.m.

8. Presentations

- 8.1 Glen Baillie, Christine Bregman and Lorraine George - Huron Shores Transit Initiative** 19 - 29

RECOMMENDATION:

THAT the PowerPoint presentation from Glen Baillie, Christine Bregman and Lorraine George regarding the Huron Shores Transit Initiative be received.

9. Delegations

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

RECOMMENDATION:

THAT Report PL 03-2018 relating to Zoning By-law Amendment Application ZO-03/2018, submitted by Dale Hayter and Sons Ltd., be received; and

THAT Zoning By-law Amendment Application ZO-03/2018, submitted by Dale Hayter and Sons Ltd. respecting lands known as 10410 Lakeshore Road to amend the existing Commercial - 5 (C5) and Future Development (FD) Zoning on the lands to a site specific Commercial - 5.9 (C5-9) Zone that would permit commercial storage as a permitted use, in addition to the uses currently permitted in the Commercial - 5 (C5) Zone be APPROVED IN PRINCIPLE, subject to:

1.The Implementing By-law including the following provisions:

- Side Yard (minimum):3 metres
- Rear Yard (minimum): 3 metres
- The subject lands being exempt from Section 3.20 provided a 1.8 metre high solid wood fence exists and is maintained or is erected and maintained along any lot line that abuts an existing residential use or a residential zone.

2.That either the current septic system is upgraded or a new septic system is installed to support both the current use of the property and the proposed future expansion, to the satisfaction of the County of Lambton and the Municipality, prior to an implementing zoning by-law being adopted by Council.

10.2 Report PL 04-2018 - Zoning By-law Amendment Application ZO-02/12018 for Rice Development Company Inc. - Brooklawn Drive and Tattersall Lane, Grand Bend

36 - 44

RECOMMENDATION:

THAT Report PL 04-2018 relating to Zoning By-law Amendment Application ZO-02/2018, submitted by the Rice Development Company Inc, be received; and

THAT Zoning By-law Amendment Application ZO-02/2018, submitted by Rice Development Company Inc respecting lands known as Block 26 and Lots 1 to 6, Registered Plan 25M42, to:

a) Amend the Residential 4-2 (R4-2) Zone:

to allow a semi-detached dwelling as a permitted use in compliance with the Residential - 1 (R1) Zone regulations; and

to allow a driveway to a multiple dwelling to traverse the Residential 4-2 (R4-2) Zone on Lot 6, Registered Plan 25M42; and

b) Amend the Residential - 13 (R13) Zone:

to allow a semi-detached dwelling as a permitted use in compliance with the Residential - 1 (R1) Zone regulations;

to allow a multiple dwelling on Block 26, Registered Plan 25M42 to;

be developed at a maximum density of 70 units per hectare;

on a lot with a minimum lot frontage of 10 metres; and

to have a maximum height of 15 metres and 4 stories;

provided the multiple dwelling is located within 40 metres of the south boundary of Block 26, Registered Plan 25M42 and a minimum of 65 metres from Tattersall Road;

be APPROVED.

10.3 Report FES 01-2018 - Lambton Shores Fire and Emergency Services Establishing and Regulating Bylaw and Designated Authority of Fire Chief

45 - 59

RECOMMENDATION:

THAT Staff Report FES 01-2018, "Lambton Shores Fire and Emergency Services Establishing and Regulating Bylaw and designated authority of Fire Chief" be received; and

THAT the Establishing and Regulating Bylaw be approved; and

THAT the Fire Chief Appointment Bylaw be approved.

10.4 Report FES 02-2018 - RFP Award – Triple Combination Pumper Rescue Truck

RECOMMENDATION:

THAT RFP 2017-30 for a Triple Combination Pumper Rescue be awarded to Camions Carl Thibault Inc. for a proposal price of \$579,123.00 (excluding HST); and

10.5 Report TR 06-2018 - Proposed Change to Tax Policy: Vacancy Rebates

RECOMMENDATION:

THAT the elimination of the Vacancy Rebate Program beginning January 1, 2018 be supported.

RECOMMENDATION:

THAT the Forest Business Improvement Area 2018 Budget in the amount of \$28,840.00 be approved.

RECOMMENDATION:

THAT the draft response to the Annual Audit Questionnaire be approved and forwarded to the municipal auditor.

10.8 Report TR 09-2018 - 2017 Draft Year to Date Financial Statements as of December 31, 2017

78 - 94

RECOMMENDATION:

THAT Report TR 09-2018 regarding the 2017 Draft Year to Date Financial Statements be received; and

THAT the following allocations of the 2017 surplus to the identified Reserve funds be approved:

- \$500,000 to Acquisition of Capital Assets –Property
- \$100,000 to Opportunities and Contingency
- Balance to Working Funds

10.9 Report DCS 02-2018 - Beach Hockey Showdown Event on Grand Bend Beach

95 - 100

RECOMMENDATION:

THAT Report DCS 02-2018 regarding the “Beach Hockey Showdown Event on Grand Bend Beach” be received; and

THAT Council approve the attached site plan for the event taking place on August 25, 2018; and

THAT an exemption be granted from Lambton Shores Policy 063 Grand Bend Beach Policy to allow for an additional sports tournament during the prime time season on Grand Bend Beach for 2018; and

THAT an exemption be granted for By-law 38 of 2009: Being a By-law to provide for the Regulation of Municipally Owned Beaches within the Municipality of Lambton Shores to permit the sale and display of goods associated with the event in the event area.

RECOMMENDATION:

THAT Report DCS 05-2018 regarding the “Grand Bend Beachfest” be received; and

THAT Council allow for the sale and service of alcohol, through a Special Occasion Permit in the licensed area identified in the site plan; and

THAT the fees for the event, including rental fees for the beach, stage, and observation deck, and the event application fee be waived; and

THAT an exemption be granted for By-law 38 of 2009: Being a by-law to provide for the Regulation of Municipally Owned Beaches within the Municipality of Lambton Shores to allow the use of barbeques or other cooking devices associated with the event within the licensed area; and

THAT an exemption be granted for By-law 38 of 2009: Being a by-law to provide for the Regulation of Municipally Owned Beaches within the Municipality of Lambton Shores to allow patrons on the beach until 12:00 a.m. on June 24, 2018; and

THAT an exemption be granted for By-law 38 of 2009: Being a by-law to provide for the Regulation of Municipally Owned Beaches within the Municipality of Lambton Shores to permit the sale and display of goods associated with the event in the licensed area.

10.11 Report DCS 06-2018 - Healthy Kids Community Challenge Transfer Payment Agreement

RECOMMENDATION:

THAT Report DCS 06-2018 regarding the “Healthy Kids Community Challenge Transfer Payment Agreement” be received; and

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

10.12	Report DCS 07-2018 - Purchase of 7849 Rawlings Road	129 - 132
-------	--	-----------

RECOMMENDATION:

THAT Report DCS 07-2018 regarding the “Purchase of 7849 Rawlings Road” be received; and

THAT staff be directed to fund the total estimated cost of \$504,907 for the purchase of 7849 Rawlings road from the Acquisition of Capital assets – real property reserve fund; and

THAT the Mayor and Clerk be authorized to execute any documents associated with the purchase of 7849 Rawlings Road.

10.13	Report CL 01-2018 - Potential Council Restricted Acts (Lame Duck Period)	133 - 136
-------	---	-----------

RECOMMENDATION:

THAT the Potential Council Restricted Acts Report CL01-2018 be received for information; and

THAT the necessary by-law be implemented to delegate authority from July 27, 2018 to December 1, 2018; and

THAT the by-law shall come into force only when determined by the Clerk with certainty that less than 75% percent of the current members of Council will be returning to sit on the new Council after Nomination Day of the 2018 Municipal Elections.

10.14	Report CL 03-2018 - Joint Compliance Audit Committee	137 - 138
-------	---	-----------

RECOMMENDATION:

THAT Report CL 03-2018 - Joint Compliance Audit Committee be received; and

THAT the appropriate by-laws be approved.

10.15	Report CL 04-2018 - Appointments to Accessibility Committee	139 - 140
-------	--	-----------

RECOMMENDATION:

THAT Report CL 04-2018 regarding Appointments to Accessibility Committee be received; and

THAT the By-Law 15 of 2018 being a by-law to amend By-Law 109 of 2017 be approved.

RECOMMENDATION:

THAT the 2018 Municipal Election Update report be received for information.

11. Notice of Motion

There were no Notices of Motion submitted by Council.

12. Emergent Issues**13. By-laws and Resolutions**

13.1	By-law 15-2018 - Amending By-law 109 of 2017 - Accessibility Advisory Committee Members	143
13.2	By-law 16-2018 - Delegating Certain Acts during a Lame Duck Period after Nomination Day to the Swearing in of Council	144
13.3	By-law 17-2018 - Authorizing an Amendment to the Transfer Payment Agreement - Clean Water and Wastewater Fund	145 - 147
13.4	By-law 18-2018 - Establish and Administer a Joint Compliance Audit Committee - 2018 Municipal Election	148 - 164
13.5	By-law 19-2018 - Appoint Members to the Joint Compliance Audit Committee	165
13.6	By-law 20-2018 - Authorize Agreement with Minister of Health and Long-Term Care for Extended Transfer Payment	166
13.7	By-law 21-2018 - Establishing a Fire Department	167 - 178
13.8	By-law 22-2018 - Appoint Fire Chief	179
13.9	By-law 23-2018 - Confirming By-law	180

RECOMMENDATION:

THAT By-laws 15-2018 through 23-2018 be read a first, second and third time, passed and signed by the Mayor and Clerk.

14. Adjournment

RECOMMENDATION:

THAT the February 13, 2018 Council meeting adjourn at p.m.



The Municipality of Lambton Shores

REGULAR COUNCIL MEETING MINUTES

Tuesday, January 23, 2018

7:00 p.m.

COUNCIL PRESENT: Mayor Weber, Deputy Mayor Cook, Councillors Maguire, Sageman, Rupke (arrived at 7:00 pm), Dodge, Goodhand, Finlay and Wilcox.

STAFF PRESENT: Kevin Williams – CAO, Stephen McAuley – Director of Community Services, Janet Ferguson – Treasurer, Stephanie Troyer-Boyd – Clerk, Patti Richardson – Planner.

1. Call to Order

Mayor Weber called the meeting to order at 6:30 pm.

2. Declaration of Pecuniary Interest

There were no declarations of pecuniary interest on January 23, 2018.

3. Approval of Agenda

18-0123-01 Moved By: Councillor Dodge
Seconded By: Councillor Sageman

THAT the agenda for the January 23, 2018 Council meeting be approved as presented.

Carried

4. Closed Session

18-0123-02 Moved By: Councillor Finlay
Seconded By: Councillor Dodge

THAT Council move in to Closed Session at 6:32 p.m. to discuss a proposed or pending acquisition or disposition of land by the municipality or local board (land acquisition); in accordance with Section 239 (2)(c) of the Municipal Act, S.O. 2001, c.25 as amended.

Carried

18-0123-03 Moved By: Councillor Maguire
Seconded By: Councillor Dodge

THAT the Closed Session adjourn at 6:45 p.m. to reconvene in open council at 7:00 p.m.

Carried

Mayor Weber reconvened the meeting at 7:00 pm.

18-0123-04 Moved By: Deputy Mayor Cook
Seconded By: Councillor Sageman

THAT Council approves the Agreement of Purchase and Sale for the property located at 7849 Rawlings Road in Forest for an agreed purchase price of \$440,000 for the purposes of establishing an operations depot; and

THAT the required \$50,000 deposit be funded from the Acquisition of Capital assets – real property reserve; and

THAT prior to the closing date of May 1, 2018, staff is directed to prepare a report outlining the final closing costs and present options for sources of funding.

Carried

Councillor Goodhand requested a recorded vote.

In Support – Mayor Weber, Deputy Mayor Cook, Councillors Maguire, Sageman, Rupke, Wilcox, Finlay and Dodge (8)

Opposed – Councillor Goodhand (1)

5. Adoption of Minutes of Previous Council Meeting

The Clerk noted that the minutes have been amended to include Councillor Dodge's vote on the recorded vote in Agenda Item 8.1.

18-0123-05 Moved By: Councillor Dodge
Seconded By: Councillor Wilcox

THAT the minutes of the January 16, 2018 meeting of Council be adopted as amended.

Carried

6. Councillor Reports

Members of Council reported on items of interest to the community.

7. Statutory Public Meetings

7.1 Consideration of the Report - Cliff Road Drain (See Report CL 02-2017)

18-0123-06 Moved By: Councillor Dodge
Seconded By: Councillor Rupke

THAT the Consideration for the Cliff Road Drain under Section 4 of the Drainage Act convenes at 7:04 p.m.

Carried

Tom Pridham and Tim Lozon of R.J. Burnside and Associates Limited presented their report on the Cliff Road Drainage Works. The engineer's noted that the design has been endorsed by the Conservation Authority and has met the set criteria.

The following individuals made comments on the Cliff Road Drain Report:

Jeff Van Moosel of 8661 Vance Drive
Doug Perkins of 5280 Cliff Road
Mary McPherson speaking for husband John of 5279 Cliff Road
John Stefanik of 8586 Vance Drive

18-0123-07 Moved By: Councillor Rupke
Seconded By: Councillor Wilcox

THAT the Consideration of the Cliff Road Drain close and the regular Council meeting reconvene.

Carried

18-0123-08 Moved By: Councillor Dodge
Seconded By: Councillor Wilcox

THAT Agenda Item 10.8 – Report CL 02-2018 – Consideration of the Cliff Road Drain be moved forward on the agenda.

Carried

18-0123-09 Moved By: Councillor Rupke
Seconded By: Councillor Wilcox

THAT Report CL 02-2018 providing Council with information on the Consideration of the Cliff Road Drain be received; and

THAT Council considers the Cliff Road Drain Report, prepared by R.J. Burnside and Associates Limited in accordance with Section 4 of the Drainage Act, R.S.O. 1990, c.D.17. ; and

THAT the Cliff Road Drain Report is adopted; and

THAT the by-law providing for drainage works to the Cliff Road Drain be received and read a first and second time; and

THAT the notice of the Court of Revision meeting be mailed to assessed property owners, all the required agencies and organizations.

Carried

- 7.2 Public Meeting - Zoning By-law Amendment Application ZO-01/18 for Henk and Carol Goertz - 7922 Townsend Line (See Report PL 01-2018)

18-0123-10 Moved By: Councillor Sageman
Seconded By: Councillor Maguire

THAT the Council meeting adjourns at 8:16 p.m. for a Public Meeting held under the Planning Act to hear an application for Zoning By-law Amendment Application ZO-01/18 for Henk and Carol Goertz - 7922 Townsend Line.

Carried

Patti Richardson, Planner presented her report in support of the application. She noted that the application is a condition of consent imposed by the Committee of Adjustment.

There were no members of the public in attendance wishing to speak to the application.

18-0123-11 Moved By: Councillor Dodge
Seconded By: Councillor Wilcox

THAT the public meeting close and the regular Council meeting reconvene at 8:20 p.m.

Carried

8. Presentations

There were no presentations on January 23, 2018.

9. Delegations

There were no delegations on January 23, 2018.

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

- 10.1 Correspondence from R.M. Sharen - Points of Order

18-0123-12 Moved By: Councillor Rupke
Seconded By: Councillor Wilcox

THAT Correspondence Item 10.1 be received.

Carried

Planning

- 10.2 Report PL 01-2017 - Zoning By-law Amendment Application ZO-01/2018 for Henk and Carol Goertz - 7922 Townsend Line

18-0123-13 Moved By: Deputy Mayor Cook
Seconded By: Councillor Maguire

THAT Report PL 01-2018 relating to a Zoning By-law Amendment Application ZO-01/2017, submitted by Henk and Carol Goertz be received; and

THAT Zoning By-law Amendment Application ZO-01/2018, submitted by Henk and Carol Goertz, respecting lands known as 7922 Townsend Line, to amend the existing Agricultural 1 (A1) zoning on the lands to a site specific Agricultural 1.74 (A1-74) Zone that would require that any new dwelling on the lands comply with the Minimum Distance Separation from any animal operation be APPROVED; and

THAT Council approve the Implementing By-law.

Carried

- 10.3 Report PL 02-2018 - Agreement between Cameron John and Cheryl Katherine Hucker and the Municipality to Allow a Dwelling to be Constructed in a Residential Area Using Storage Containers and an Amendment to By-law 67 of 2001 (Property Standards By-law)

18-0123-14 Moved By: Councillor Sageman
Seconded By: Councillor Maguire

THAT Report PL 02-2018 being a report to approve an amendment to By-law 67 of 2001 ((Property Standards By-law) and an Agreement with Cameron and Cheryl Hucker to allow a dwelling to be constructed using storage containers be received; and

THAT a by-law be approved to execute an Agreement between Cameron John Hucker and Cheryl Katherine Hucker and the Corporation of the Municipality of Lambton Shores to permit a single detached dwelling to be constructed using storage containers on lands known as Lot 51, Registered Plan 522 (BO); and

THAT a by-law be approved to amend By-law 67 of 2001 (Property Standards By-law) to allow a dwelling to be constructed using storage containers on Lot 51, Registered Plan 522 (BO).

Carried

Community Services

- 10.4 Report DCS 03-2018 - Capital Project - Pump Station Rehabilitation Project (CWWF Funded Project)

18-0123-15 Moved By: Deputy Mayor Cook
Seconded By: Councillor Sageman

THAT Report DCS 03-2018 regarding the tender award for the Pump Station Rehabilitation Project be received; and

THAT the tender from Selectra Inc. in the amount of \$861,721.53 excluding HST, (\$876,887.83 net HST), for the Pump Station Rehabilitation Project be accepted; and

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

Carried

Finance

- 10.5 Report TR 03-2018 - 2018 Current Expenditure Borrowing and Interim Tax By-laws

18-0123-16 Moved By: Councillor Maguire
Seconded By: Councillor Wilcox

THAT Report TR 03-2018 regarding annual by-laws be received; and

THAT the 2018 Current Expenditure Borrowing By-law be implemented; and

THAT the 2018 Interim Tax Levy By-law be implemented.

Carried

- 10.6 Report TR 04-2018 - 2017 Supplemental Tax Billings and Write-offs

18-0123-17 Moved By: Deputy Mayor Cook
Seconded By: Councillor Sageman

THAT Report TR 04-2018 regarding the Supplemental Tax Billings and Write-offs process in 2017 be approved.

Carried

10.7 Report TR 05-2018 - 2018 Operating and Capital Budget

18-0123-18 Moved By: Councillor Wilcox
Seconded By: Councillor Rupke

THAT Report TR 05-2018 regarding the 2018 Operating and Capital Budget be received; and

THAT the 2018 Draft Operating Budget be amended by \$29,000.00 to include Council's approved changes as reflected in the complete Operating Budget presented in Attachment 1, and

THAT the 2018 Draft Capital Budget be amended by \$330,400.00 to include Council's approved changes as reflected in the complete Capital Budget shown in Attachment 2 and 3, and

THAT the By-Law authorizing the 2018 Operating and Capital Budget be implemented.

Carried

11. Notice of Motion

There were no notices of motion submitted by Council.

12. Emergent Issues

There were no emergent issues brought forward.

13. By-laws and Resolutions

13.1 By-law 100-2017 - Golf Course Drain 2017 Drainage Works - 3rd Reading

18-0123-19 Moved By: Councillor Dodge
Seconded By: Councillor Rupke

THAT By-law 100-2017 be read a third time, passed and signed by the Mayor and Clerk.

Carried

13.2 By-law 04-2018 - Authorizing the Borrowing of Money to Meet Current Expenditures

13.3 By-law 05-2018 - Providing for an Interim Tax Levy for 2018 and for Payment of Taxes, Penalty and Interest Charges

13.4 By-law 06-2018 - Providing for Drainage Works - Cliff Road Drain - 1st and 2nd Readings

- 13.5 By-law 07-2018 - Authorize a Subdivision Agreement with Medway Homes Inc.
- 13.6 By-law 08-2018 - Authorize a Site Plan Agreement with Southside Construction Management Limited
- 13.7 By-law 09-2018 - Zoning Amendment - Goertz - 7922 Townsend Line
- 13.8 By-law 10-2018 - Authorize Agreement with Cameron and Cheryl Hucker - Storage Container Dwelling
- 13.9 By-law 11-2018 - Amendment to Property Standards By-law to Allow Storage Container Dwelling
- 13.10 By-law 12-2018 - Adopt the 2018 Budget
- 13.11 By-law 13-2018 - Authorize Agreement with Selectra Inc. for Pump Station Rehabilitation Project
- 13.12 By-law 14-2018 - Confirming By-Law

18-0123-20 Moved By: Councillor Dodge
Seconded By: Councillor Rupke

THAT By-laws 04-2018 through 14-2018 be read a first, second and third time, passed and signed by the Mayor and Clerk.

Carried

14. Adjournment

18-0123-21 Moved By: Councillor Goodhand
Seconded By: Councillor Wilcox

THAT the January 23, 2018 Council meeting adjourn at 8:29 p.m.

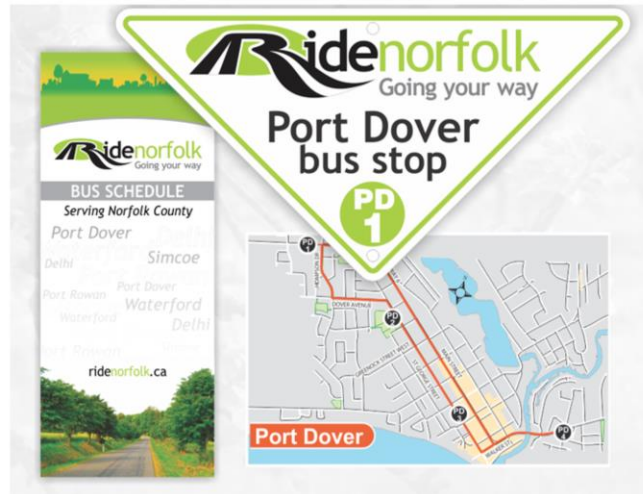
Carried

HURON SHORES TRANSIT

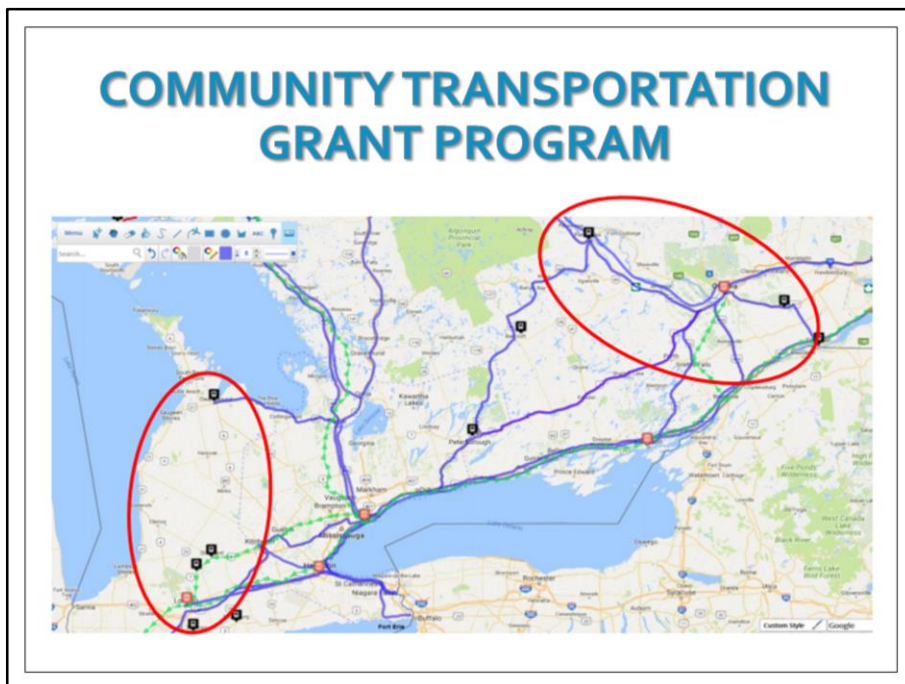


Community Transportation Initiative

THE INSPIRATION...



Norfolk County identified a need for a public transit service to meet residents' and tourism needs. Using the provincial gas tax program, they developed a scheduled, accessible transit service that added approx. \$4 to each municipal property tax bill.



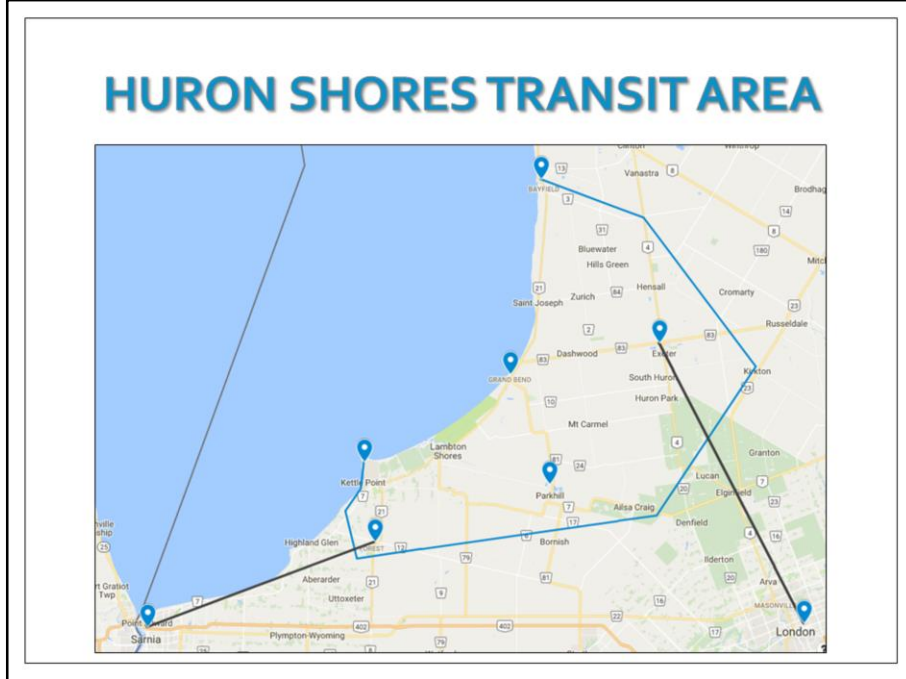
The Ministry of Transportation is releasing a new round of funding for community transportation initiatives. The new Community Transportation Grant Program – Municipal Stream (CT Program) builds on the two-year Pilot Program established in 2015, to fund the development of community transportation solutions to address local transportation needs. The new program is also expanding to fund the development of intercommunity bus services to link communities across counties and regions. The total funding available is \$30 M for a 5 year program. The maximum individual grant is \$500,000 for local community transportation projects **and** \$1.5 M for intercommunity bus projects. Huron Shores Transit can apply for both funding streams.

The new CT Program is an opportunity for municipalities to develop new transportation service or improve existing service to Ontario communities that are not served or are underserved by regular transit and intercommunity bus service. The program emphasizes improving mobility options for the whole community and those who experience transportation barriers, including older adults, people with disabilities, youth, and persons living on low income. The program emphasizes partnerships, coordination, and a collaborative approach to service delivery.

The Ministry is seeking initiatives that can meet growing regional and intercommunity travel demand by:

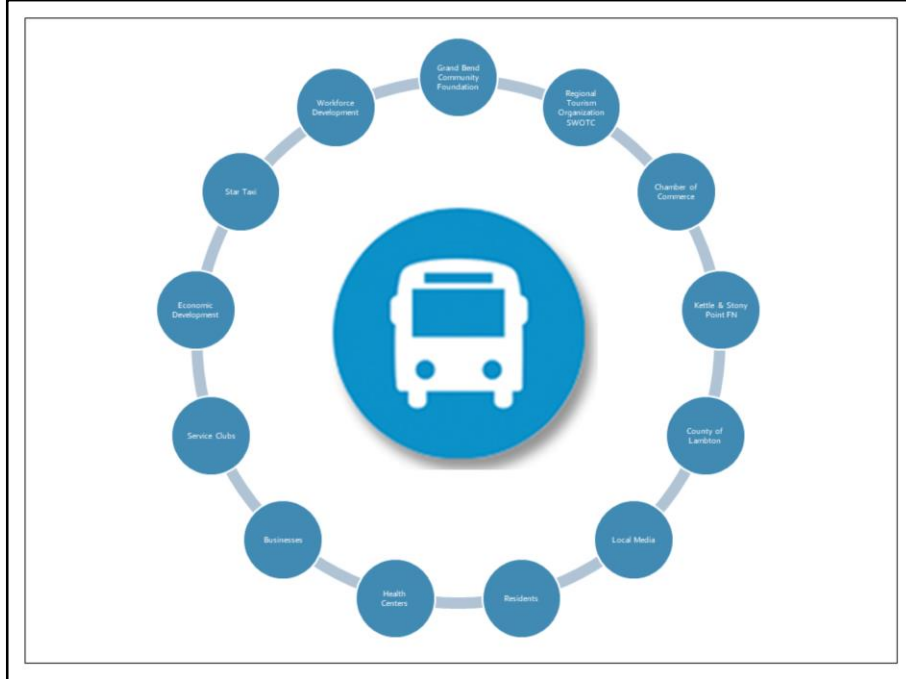
- Developing long-distance intercommunity bus services in priority areas
- Providing local community transportation services that connect to existing, new or planned intercommunity bus routes and other transportation systems; and
- Creating and supporting local transportation hubs to connect passengers safely and conveniently to transportation services.

The deadline for submitting the full application is February 28, 2018



The proposed Huron Shores Transit area includes four municipalities (Lambton Shores, Bluewater, South Huron and North Middlesex) and a First Nation (Kettle and Stony Point).

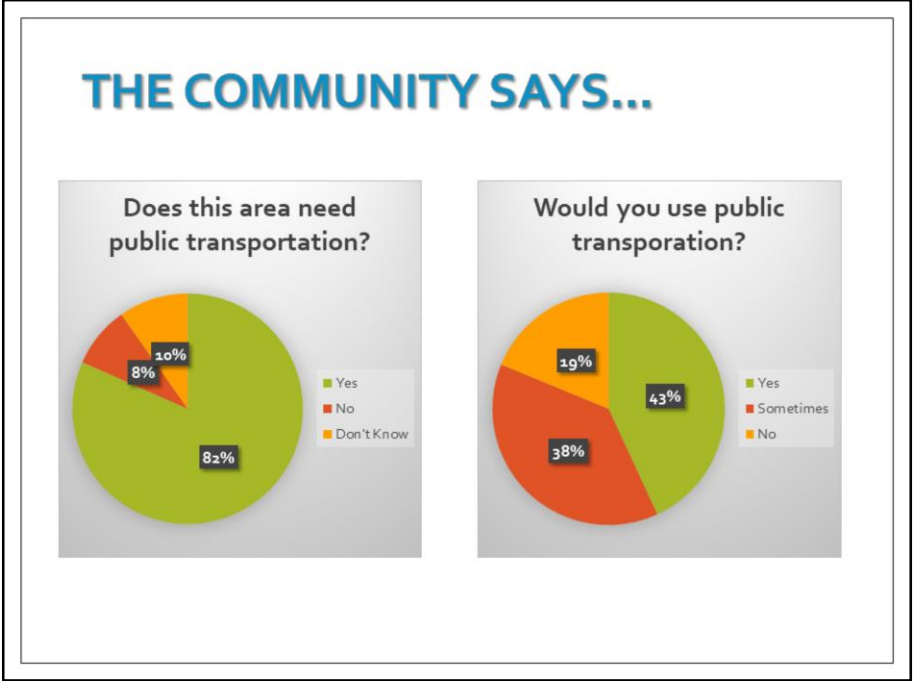
Important Note: The Ministry of Transportation has clearly identified the Huron Shores Transit area as a Priority Area that needs access to public transportation. The Ministry sent three representatives to a steering committee meeting in October 2017 to provide the Community Transportation Grant criteria and strong encouragement to submit an application for funds.



A steering committee was formed in August 2017. It includes:

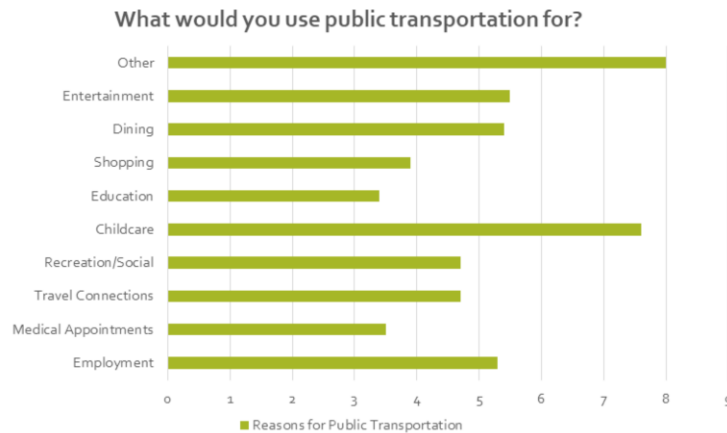
- Kettle & Stony Point First Nation
- Grand Bend & Area Chamber of Commerce
- Zurich Chamber of Commerce
- County of Lambton
- Blackburn Radio
- Local residents
- Community Health Centers
- Local businesses
- Area service clubs
- Municipal economic development departments
- Star Taxi
- County workforce development boards
- Grand Bend Community Foundation (seed funding)
- Regional Tourism Organization SWOTC (matched seed funding)

The committee has been meeting regularly and has hired a contract administrator to facilitate the initiative and community transportation grant.



A 23-question survey was deployed in the Huron Shores area on January 15, 2018. By January 29th, there were 725 responses.

THE COMMUNITY SAYS...



Over 100 respondents commented on this question. They offered many more good reasons for why they would use public transportation, including: visiting family, volunteering, environmental sustainability, sight seeing and tourism, and (of course!) golf.

PLEASE SUPPORT HURON SHORES TRANSIT



Provide a Letter of Support



Distribute the Survey



Include on Your Website

NEXT STEPS AND TIMELINES...

-  February 28: Submit grant application
-  April 2018: Funding announcement
-  Summer 2018: Feasibility work
-  Fall 2018: Staged implementation
-  2022: Continuance planning

Work has begun on the Community Transportation Grant application, which is due February 28, 2018.

The Ministry of Transportation will announce successful funding applicants in April 2018.

Pending the receipt of funding, the Huron Shores Transit Steering Committee will begin feasibility work, and operations planning for a staged implementation beginning in the fall of 2018. The transit system must be operational within one year of receiving grant funds.

The transportation system can receive Community Transportation Grant funding for four years. A continuance plan is to be filed at the end of the fourth year of operation.



FAQ's

Q: Will there be a cost to municipalities?

A: Yes, there is generally a cost to municipalities. Based on the Ride Norfolk model, a \$4 per household cost is anticipated.

THE MUNICIPALITY OF LAMBTON SHORES

Report PL 03-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council
FROM: Patti Richardson, Senior Planner
RE: ZONING BY-LAW AMENDMENT APPLICATION ZO-03/2018
LOCATION: 10410 Lakeshore Road
OWNER: Dale Hayter and Sons Ltd.

RECOMMENDATION:

THAT Report PL 03-2018 relating to Zoning By-law Amendment Application ZO-03/2018, submitted by Dale Hayter and Sons Ltd., be received; and

THAT Zoning By-law Amendment Application ZO-03/2018, submitted by Dale Hayter and Sons Ltd. respecting lands known as 10410 Lakeshore Road to amend the existing Commercial - 5 (C5) and Future Development (FD) Zoning on the lands to a site specific Commercial - 5.9 (C5-9) Zone that would permit commercial storage as a permitted use, in addition to the uses currently permitted in the Commercial - 5 (C5) Zone be APPROVED IN PRINCIPLE, subject to:

1. The Implementing By-law including the following provisions:
 - Side Yard (minimum): 3 metres
 - Rear Yard (minimum): 3 metres
 - The subject lands being exempt from Section 3.20 provided a 1.8 metre high solid wood fence exists and is maintained or is erected and maintained along any lot line that abuts an existing residential use or a residential zone.
 2. That either the current septic system is upgraded or a new septic system is installed to support both the current use of the property and the proposed future expansion, to the satisfaction of the County of Lambton and the Municipality, prior to an implementing zoning by-law being adopted by Council.
-

SUMMARY

This report relates to a zoning by-law amendment application submitted by Dale Hayter and Sons Ltd., affecting lands known as 10410 Lakeshore Road, south of Grand Bend (See Map, Attachment 1)

BACKGROUND

The Owner, Dale Hayter and Sons Ltd., is requesting an amendment to Zoning By-law 1 of 2003 as it affects lands known as 10410 Lakeshore Road to amend the existing Commercial - 5 (C5) and Future Development (FD) Zoning on the lands to a site specific Commercial - 5 (C5) Zone that would permit commercial storage as a permitted use, in addition to the uses currently permitted in the Commercial - 5 (C5) Zone.

The Owner proposes to add two new commercial storage buildings at the rear of the property (See Attachment 2).

The lands are located on the west side of Lakeshore Road (Highway 21) just south of Jennison Crescent. The lands surrounding the subject lands are predominately occupied by single detached dwellings. The subject lands are occupied by four buildings. Two are used as a retail store/flea market and related storage (buildings A and B), one is a commercial storage building (C) and a one is workshop (D) (see Attachment 2).

Official Plan

The subject land are designated "Residential" in the Lambton Shores Official Plan. Commercial uses are generally not permitted on lands in a "Residential" designation. The commercial use of the property was established many years ago under the Bosanquet Official Plan. It appears that the lands were designated "Residential" in the Bosanquet Official Plan, however the plan recognized existing commercial uses. As a result the commercial use of the property is legal non-conforming. However, the new Draft Lambton Shore Official Plan designates the lands "Commercial", which permits a wide range of commercial uses. Commercial storage would be permitted on the land by the new Draft Lambton Shore Official Plan.

The Hayter's first contacted the Municipality respecting the proposed expansion to commercial storage on the subject land in late 2016. They were advised that the new Draft Official Plan, as approved by Council, designated their lands "Commercial" and that commercial storage would be permitted on the lands by the new Plan and that only a zoning amendment would be required once the Plan was finally approved. Unfortunately, final approval of the New Draft Official Plan has taken longer than expected. As Council is aware, it was approved by the County of Lambton last September but was appealed to the Ontario Municipal Board. A pre-hearing for the appeals has been scheduled for May 1. The grounds for the appeals do not affect the subject lands and as such, Staff are of the opinion that considering this application

under the provisions of the New Draft Official Plan is appropriate now. While Council can consider amendments to the zoning by-law to recognize a legal non-conforming use, if they are convinced such uses do not impose adverse effect on neighbouring lands, it is Staff's opinion that the new Draft Official Plan more strongly supports commercial use of the property.

Zoning

The subject lands are located within two zones. The front half of the lands are zoned Commercial - 5 (C5) with the rear half of the lands being zoned Future Development (FD).

The Commercial - 5 (C5) zone provides for the following permitted uses:

- Local Retail Store
- Personal Service Store
- Restaurant
- Retail Store
- Office
- Bank
- One Accessory Dwelling Unit in a building designed for, intended for and used for a Permitted Use
- Buildings, Structures and Uses, accessory to a Permitted Use.

The Future Development Zone recognizes lawfully existing uses.

The Owner proposes to construct two new commercial storage buildings at the rear of the property. The buildings are proposed to be located 3 metres from the south lot line and 3 metres from the rear lot line. A solid wood fence is located along the entire north lot line which screens the proposed and existing use from adjacent residential uses. A wood fence mixed with a chain link fence runs along the south lot line. The Zoning By-law requires that 3 metre wide landscape buffers be provided on lot lines adjacent to residential uses. The Owner is proposing to use the existing solid wood fence along the north lot as a buffer and will install a solid wood fence along the south lot line as a buffer. I have no objection to this, as fencing has been the primary buffer on these commercial lands for years. The commercial storage use proposed will be very low key and should have no negative impact on the adjacent residential lands. Further due to the location of the existing commercial storage building 3 metres from the south lot line and the existence of an access driveway in this 3 metre setback the introduction of a 3 metre wide buffer strip on the south property boundary will impact the functioning of the site.

Servicing

The subject lands are serviced with a private septic system and Municipal water.

Section 22.1.1.5 of the Official Plan provides for this form of servicing provided the proposed site can accommodate an individual sanitary sewage treatment and disposal system. Jocelyn Kerrigan, Private Septic System Coordinator of the Building Services Department at the County of Lambton, advises that the property known as 10410 Lakeshore Road does not have any septic records available for consideration nor was a lot diagram submitted regarding the existing septic system. She contacted the Owner who has submitted some information to the County, however based on the limited information they have, the County is not satisfied with respect to the existing septic system. Staff suggest that any approval of this application be conditional on the County of Lambton and the Municipality being satisfied with respect to the current septic system being upgraded or a new septic system being installed to support both the current use of the property and the proposed future expansion.

ALTERNATIVES TO CONSIDER

None at this time

RECOMMENDED ACTIONS

That Council receive Report PL 03-2018 and approve in principle Zoning By-law Amendment Application ZO-02/2018, submitted by Dale Hayter and Son's Limited affecting lands known as 10410 Lakeshore Road, subject to the conditions in the recommendation section of this report.

FINANCIAL IMPACT

An application fee of \$1,200.00 was paid.

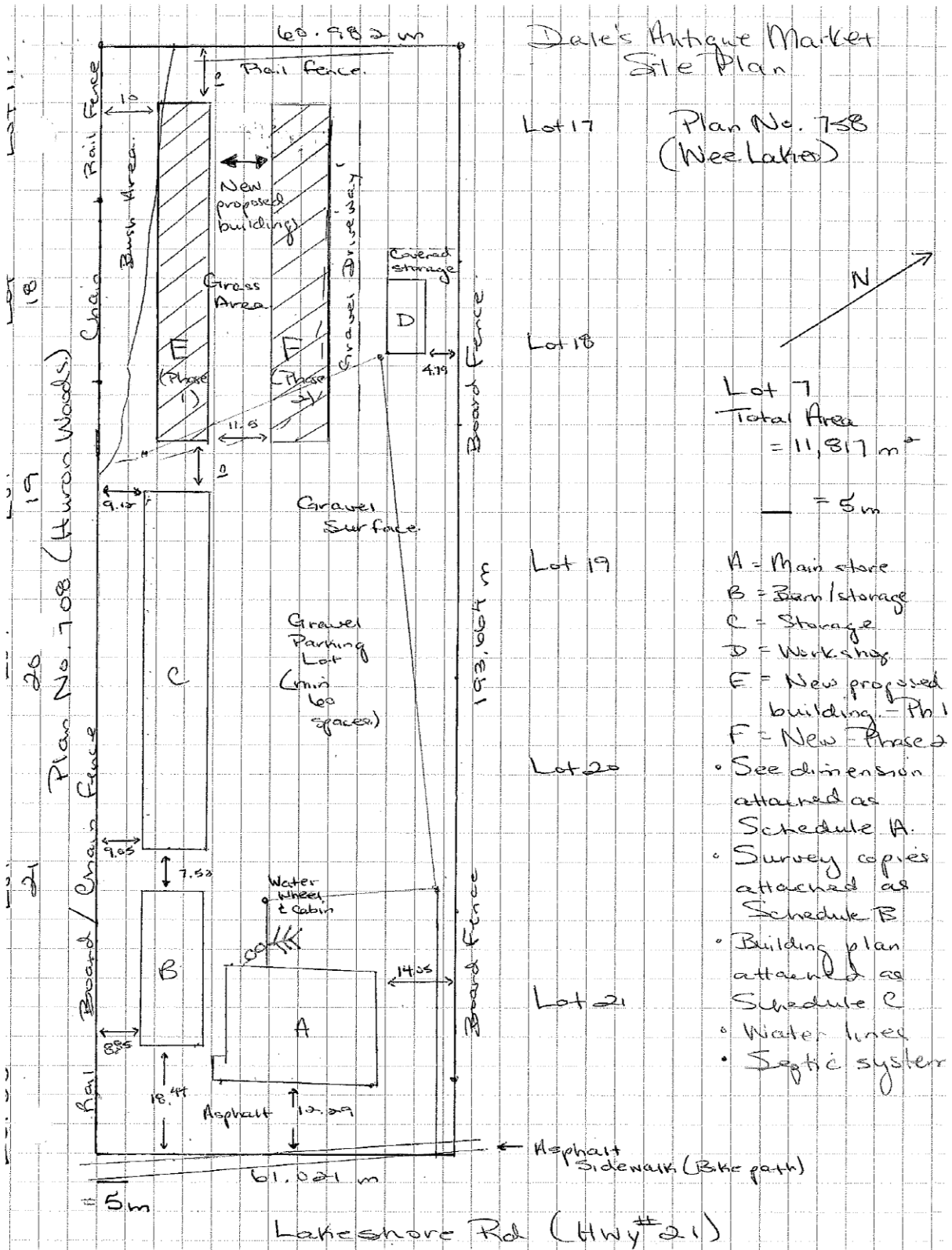
CONSULTATION

County of Lambton Building Services Department



SUBJECT LANDS

ATTACHMENT 2



THE MUNICIPALITY OF LAMBTON SHORES

Report PL 04-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council

FROM: Patti Richardson, Senior Planner

RE: ZONING BY-LAW AMENDMENT APPLICATION ZO-02/2018
LOCATION: Brooklawn Drive and Tattersall Lane, Grand Bend
Block 26 and Lots 1 to 6, Registered Plan 25M42
OWNER: Rice Development Company Inc.

RECOMMENDATION:

THAT Report PL 04-2018 relating to Zoning By-law Amendment Application ZO-02/2018, submitted by the Rice Development Company Inc, be received; and

THAT Zoning By-law Amendment Application ZO-02/2018, submitted by Rice Development Company Inc respecting lands known as Block 26 and Lots 1 to 6, Registered Plan 25M42, to:

a) Amend the Residential 4-2 (R4-2) Zone:

- to allow a semi-detached dwelling as a permitted use in compliance with the Residential - 1 (R1) Zone regulations; and
- to allow a driveway to a multiple dwelling to traverse the Residential 4-2 (R4-2) Zone on Lot 6, Registered Plan 25M42; and

b) Amend the Residential - 13 (R13) Zone:

- to allow a semi-detached dwelling as a permitted use in compliance with the Residential - 1 (R1) Zone regulations;
- to allow a multiple dwelling on Block 26, Registered Plan 25M42 to;
 - be developed at a maximum density of 70 units per hectare;
 - on a lot with a minimum lot frontage of 10 metres; and

- to have a maximum height of 15 metres and 4 stories;

provided the multiple dwelling is located within 40 metres of the south boundary of Block 26, Registered Plan 25M42 and a minimum of 65 metres from Tattersall Road;

be APPROVED.

SUMMARY

This report relates to a zoning by-law amendment application submitted by the Rice Development Company Inc., affecting lands within their subdivision lying north of Main Street East and west of Summergrove Court in Grand Bend (See Map, Attachment 1)

BACKGROUND

Summary of the Application

The Owner, Rice Development Company Inc., is requesting an amendment to Zoning By-law 1 of 2003 as it affects lands located south of Brooklawn Drive and west of Tattersall Lane and described as Block 26 and Lots 1 to 6, Registered Plan 25M42 in Grand Bend, to amend the existing Residential 4-2 (R4-2) Zone and the Residential - 13 (R13) Zone on the lands as follows:

a) Amendments Proposed to the Residential 4-2 (R4-2) Zone:

- to allow a semi-detached dwelling as a permitted use in a Residential 4-2 (R4-2) Zone in compliance with the Residential - 1 (R1) Zone regulations; and
- to allow a driveway to a multiple dwelling to traverse a Residential 4-2 (R4-2) Zone.

b) Amendments Proposed to the Residential - 13 (R13) Zone:

- to allow a semi-detached dwelling as a permitted use in a Residential - 13 (R13) Zone in compliance with the Residential - 1 (R1) Zone regulations;
- to amend Section 19.2 a) to allow a multiple dwelling to be developed at a maximum density of 70 units per hectare provided it is located within 120 metres of the west boundary of Block 26, Registered Plan 25M42, whereas the by-law currently only permits a multiple dwelling to be developed at a maximum density

of 70 units per hectare provided it is located within 90 metres of the west boundary of Block 26, Registered Plan 25M42;

- to amend Section 19.2 c) to reduce the minimum lot frontage required for a multiple dwelling from 30 metres to 10 metres; and
- to amend Section 19.2 g) to increase the maximum height allowed for a multiple dwelling from 12 metres and 3 stories provided it is located within 90 metres of the west boundary of Block 26, Registered Plan 25M42, to 15 metres and 4 stories provided it is located within 120 metres of the west boundary of Block 26, Registered Plan 25M42

Rice Development Company Inc is proposing to develop 7 semi-detached dwellings (14 dwelling units) on the south side of Brooklawn Drive and the west side of Tattersall Lane. In addition, they are proposing to develop a 4 storey multiple dwelling (apartment building) on the south portion of Block 26, Registered Plan 25M42.

The lands subject of this application are currently vacant. Block 26, Registered Plan 25M-42 has approximately 125 metres of frontage on Brooklawn Drive and an area of 1.364 ha. Lots 1 to 6, Registered Plan 25M-42 have minimum lot frontages of 17 metres and lot areas varying from 610 m² to 730 m². The lands abut single detached dwelling lots to the north and east, a 3 storey, 49 unit apartment building to the west, a park to the north and a commercial block to the south.

Official Plan

The lands are designated “Residential” in the Lambton Shores Official Plan. The primary uses permitted on lands in a “Residential” designation are low density housing types, not exceeding 20 units per hectare (8 units per acre) including single and semi-detached dwellings, duplexes and triplexes. Other residential uses are permitted within the Residential designation such as:

- a) Medium-density attached dwellings up to a maximum density of 35 units per residential hectare (14 units per acre);
- b) High density multiple dwellings up to a maximum density of 100 units per residential hectare (40 units per residential acres);

Locational criteria are contained in the Official Plan for medium and high density residential uses. They are as follows:

- a) The development should be located in proximity to Arterial or Collector Roads;
- b) i) preference will be given to medium density development in locations where the development provides a physical transition between low density dwellings, and residential development exceeding a density of 40 units per

residential hectare. Locations in proximity to natural amenities such as watercourses, major open space areas, existing neighbourhood parks, schools and other community facilities, and commercial areas will be encouraged;

- ii) preference will be given to high density development locations in proximity to natural amenities such as watercourses, major open space; or in proximity to central commercial areas; or public transit facilities where available; and at the intersection of Arterial Roads or Arterial and Collector Roads.
- c) i) for medium density development the development should be adequately buffered from and designed to be compatible with abutting low density residential development, should be provided with on-site parking and recreational amenities and is subject to the Site Plan Control provisions of this Plan;
- ii) high density development should be designed to be compatible with adjacent lower density residential development and should be provided with on-site recreation amenities and parking;
- d) i) for medium density development the height of the proposed development should not generally exceed three storeys;
- ii) for high density development the building height should not exceed that which might create a hazard by virtue of the inability of the Municipality to provide adequate fire protection.

Zoning

The subject lands are located within two zones. Block 26, Registered Plan 25M-42 is zoned Residential - 13 (R13) which provides for the following permitted uses:

- Amenity Building
- Home for the Aged
- Multiple Dwelling
- Nursing Home
- Pharmacy
- Retirement Home
- Street Townhouse
- Townhouse

The Residential - 13 (R13) zone allows the following densities:

- Townhouses : maximum 44 units per hectare

- Multiple Dwellings (apartments): maximum 70 units per hectare provided the multiple dwelling is located within 90 metres of the west boundary of Block 26, Registered Plan 25M42; otherwise 50 units per hectare.

The maximum height for buildings is 11 metres.

Lots 1 to 6, Registered Plan 25M-42 are zoned Residential 4-2 (R4-2) which provides for the following permitted uses:

- Single Detached Dwellings
- Modular Home
- Converted Dwelling

The maximum height permitted is 9 metres.

Comments

Staff has reviewed the application and can support the introduction of semi-detached dwellings along the Brooklawn Drive and Tattersall Lane frontages as this housing form is compatible with the area and complies with the intent of the official plan. As well, the amendment requested to support a multiple dwelling driveway to traverse the Residential 4-2 (R4-2) on Lot 6, Plan 25R42 is also supported as it provides for two accesses to the multiple dwelling. The proposed driveway access abuts commercial land to the south and can be properly screened from the adjacent semi-detached dwelling and buffered through the site plan approval process. The location of the proposed access is also desirable as Tattersall Lane is intended to connect directly with Main Street East, through a commercial area and therefore should not negatively impact the residential portion of the subdivision.

The other changes proposed to the Residential - 13 (R13) Zone being:

- to amend Section 19.2 a) to allow a multiple dwelling to be developed at a maximum density of 70 units per hectare provided it is located within 120 metres of the west boundary of Block 26, Registered Plan 25M42; and
- to reduce the minimum lot frontage required for a multiple dwelling from 30 metres to 10 metres;

can also be supported. The current by-law provisions were developed when the Applicant proposed to develop the east 2/3 of Block 26 with a townhouse complex and the west 1/3 with an apartment building. The Applicants have changed their plans for Block 26 by proposing to develop semi-detached dwellings along the Brooklawn Drive and Tattersall Lane frontages and shifting the location of the proposed apartment building to the south boundary of Block 26 adjacent to the commercial lands and shifting

the building to the east, thus resulting in an increase in the distance from the west boundary of Block 26 being required. The proposed development is supported by the Official Plan policies.

Rice Development Company Inc. is also requesting:

- an increase in the maximum height allowed for a multiple dwelling from 12 metres and 3 stories provided it is located within 90 metres of the west boundary of Block 26, Registered Plan 25M42, to 15 metres and 4 stories provided it is located within 120 metres of the west boundary of Block 26, Registered Plan 25M42.

The height maximum for the lands was altered by the Applicant's last proposal from 10 metres to 12 metres. Policies in the current Official Plan:

- for medium density development state that the height of development should not generally exceed three stories
- for high density development state that building height should not exceed that which might create a hazard by virtue of the inability of the Municipality to provide adequate protection;

Section 15.4.2 of the new draft official plan states:

"To maintain Grand Bend's seaside village resort "feel" future development is restricted to low and medium density development in low rise buildings. Building heights are generally restricted to a maximum of three stories, with building heights generally decreasing front Ontario Street to the lake to preserve views."

I have discussed the requested height increase from 3 stories and 12 metres to 4 stories and 15 metres with Lawrence Swift, the Municipality's Fire Chief as it relates to the creation of a fire hazard. Mr. Swift indicates that once a building exceeds 3 stories it is subject to more stringent fire code requirements which include fire separations and alarm and sprinkler systems, which would address any possible fire hazard resulting from the increased height.

In Rice's previous application the height and density of multiple dwellings was increased from 50 units per hectare to 70 units per hectare and the height was increased from 10 metres to 12 metres, provided the building was located within 90 metres of the west boundary of Block 26. The location proposed for the multiple dwelling along the south boundary of Block 26 adjacent to the commercial block actually results in it being located further away from the single detached dwellings located on Deerfield Road, than currently allowed by the Zoning By-law. Staff can support an increase in height to 15 metre and 4 stories for the proposed multiple dwelling provided it is located within 40 metres of the south boundary of Block 26 and a minimum of 65 metres from Tattersall Road. I would suggest that the current and proposed new Official Plan would support a four storey building as:

- it is only marginally higher than the 3 stories
- it is located east of Ontario Street and thus concerns respecting views are not as significant: and
- it will not result in any hazards being created.

Staff also recommend that the other amendments to the Residential - 13 (R13) Zone addressed above be subject to the multiple dwelling being located within 40 metres of the south boundary of Block 26 and a minimum of 65 metres from Tattersall Road.

ALTERNATIVES TO CONSIDER

None at this time

RECOMMENDED ACTIONS

Staff recommends that Council receive Report PL 02-2018 and approve Zoning By-law Amendment Application ZO-02/2018, subject to the conditions in the Recommendations Section of this report.

FINANCIAL IMPACT

An application fee of \$1,200.00 was paid.

CONSULTATION

Lawrence Swift, Lambton Shores Fire Chief

ATTACHMENTS

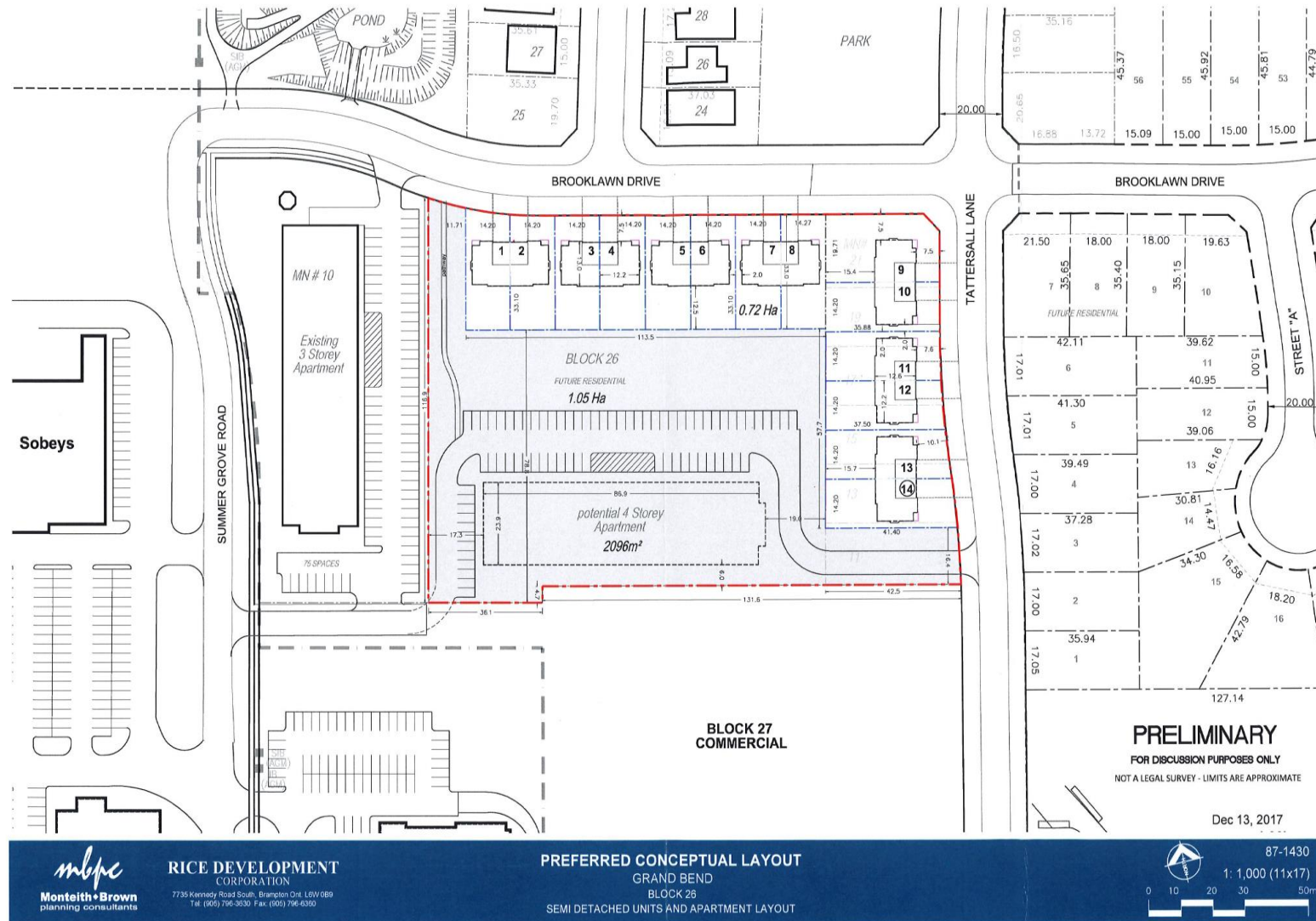
Attachment 1 - Location Map
Attachment 2 – Site Plan

ATTACHMENT 1



SUBJECT LANDS

ATTACHMENT 2



THE MUNICIPALITY OF LAMBTON SHORES

Report FES 01-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council
FROM: Lawrence Swift, Chief - Fire and Emergency Services
RE: Lambton Shores Fire and Emergency Services Establishing and Regulating Bylaw and Designated Authority of Fire Chief

RECOMMENDATION:

THAT Staff Report FES 01-2018, "Lambton Shores Fire and Emergency Services Establishing and Regulating Bylaw and designated authority of Fire Chief" be received; and

THAT the Establishing and Regulating Bylaw be approved; and

THAT the Fire Chief Appointment Bylaw be approved.

SUMMARY

This report provides Council with background information in support of the Establishing and Regulating Bylaw for Lambton Shores Fire and Emergency Services. This by-law includes revisions recommended by the Fire Marshal's Review of 2016, and will clarify Council's policy direction for the Lambton Shores Fire Service going forward.

BACKGROUND

The Municipality of Lambton Shores passed Bylaw 47 of 2001 on May 7, 2001, being a Bylaw to Establish and Regulate Fire Services under provision of the Municipal Act, S.O. Chapter 25, as amended, and the Fire Protection and Prevention Act, 1997, S.O., 1997, c.4 as amended.

The Fire Marshal's review of 2016 included two recommendations directly related to the "E&R" Bylaw. More specifically, these were:

Recommendation #4

The Municipal Council of Lambton Shores should ensure their establishing and regulating bylaw, including the organizational structure, is reviewed, updated and implemented.

Recommendation #5

The Municipal Council of Lambton Shores shall confirm their Establishing and Regulating Bylaw meets the requirements of the *Municipal Act, 2001*.

A Fire Department Establishing and Regulating (E&R) By-law is Council's policy direction to the Fire Department. Key provisions generally addressed in an E&R by-law include:

- general functions and services to be provided
- goals and objectives of the department
- general responsibilities of members
- authority to effect necessary department operations
- method of appointment to the department
- authority to proceed beyond established response areas

A review of the existing establishing and regulating bylaw has been completed to ensure it is clear in addressing provincial legislation and municipal governance. As a result of this review, changes are proposed to reflect the role of Council rather than the former Fire Board, and the role of a Departmental Fire Chief in relation to the five operating stations that serve Lambton Shores. A new provision is recommended to enable the recovery of extraordinary and third party costs. Additionally, and perhaps most importantly, the proposed revision includes a schedule of the public services and any limitations to those services offered by the Department. All of these revisions are reflected in the "marked up" version of the current bylaw and attached to this report as Attachment A. All proposed changes / additions are highlighted for ease of reference. A clean version of the proposed bylaw for Council's adoption is provided within the bylaw section of this meeting's agenda.

Part II of the *Fire Protection and Prevention Act Section 6. (1)* states; *"If a fire department is established for the whole or part of a municipality or more than one municipality, the council of the municipality or the councils of the municipalities, as the case may be, shall appoint a fire chief for the department."* A duty of Council under the E&R By-law is to appoint a Fire Chief. The necessary Bylaw to effect this responsibility is provided within the bylaw section of this meeting's agenda.

ALTERNATIVES TO CONSIDER

This report identifies a number of improvements to the current E&R bylaw. Council may recommend further improvements. The revised bylaw will be treated as a "living document" and is subject to ongoing review in conjunction with officers of the Fire Service. Any future recommendations for change will be identified for Council's consideration.

RECOMMENDED ACTIONS

Staff recommends that Council adopt identified changes to the Establishing & Regulating Bylaw for the Lambton Shores Fire and Emergency Services Department and provide authority for the Fire Chief through the appointment bylaw provided in this agenda.

FINANCIAL IMPACT

There is no financial impact associated with the adoption of this by-law.

CONSULTATION

Chief Swift consulted with Office of the Fire Marshal and Emergency Management concerning current best practices.

Attachment 1 Marked up revisions to Bylaw 47 of 2001.

Corporation of the Municipality of Lambton Shores

By-law No. XX - 2018

Being a By-law to Establish a Fire Department

WHEREAS Section 2 of the *Fire Protection and Prevention Act* requires every municipality to establish a program which must include public education with respect to fire safety and certain components of fire prevention, and to provide such other fire protection services as it determines may be necessary in accordance with its needs and circumstances;

AND WHEREAS Section 5 of the *Fire Protection and Prevention Act* authorizes the Council of a municipality to establish, maintain and operate a fire department to provide fire suppression services and other fire protection services in the municipality;

AND WHEREAS Sections 8 and 11 of the *Municipal Act* authorize a municipality to provide any service that the municipality considers necessary or desirable for the public, and to pass by-laws respecting, *inter alia*, health, safety and well- being of persons, protection of persons and property, and services that the municipality is authorized to provide;

AND WHEREAS Section 391 of the *Municipal Act* authorizes a municipality to impose fees or charges on persons for services or activities provided by the municipality, and for costs payable by the municipality for services or activities provided or done by or on behalf of any other municipality;

AND WHEREAS Section 425 of the *Municipal Act* provides that the Council of a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality is guilty of an offence;

AND WHEREAS Section 446 of the *Municipal Act* provides that if a municipality has the authority under that or any other act, or under a by-law under that or any other Act, to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and the municipality may recover the costs of doing a matter or thing from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS the Council of the deems it desirable, necessary and expedient to amend, consolidate, revise and update its by-law to establish and regulate a fire department for the Municipality of Lambton Shores;

BE IT THEREFORE ENACTED by the Council of the Corporation of the Municipality of Lambton Shores, as follows:

Definitions

1. In this by-law, unless the context otherwise requires,
 - a) **"Approved"** means approved by the Council of the Municipality of Lambton Shores
 - b) **"Chief Administrative Officer"** means the person appointed by Council to act as the Chief Administrative Officer for the Corporation
 - c) **"Corporation"** means the Corporation of the Municipality of Lambton Shores
 - d) **"Council"** means the Council of the Municipality of Lambton Shores
 - e) **"Deputy Chief"** means the person appointed by Council to act on behalf of the Fire Chief of the Fire Department in the case of an absence or a vacancy in the office of Fire Chief
 - f) **"Fire Chief"** means the person appointed by Council to act as the Fire Chief for a Fire Department. ~~under the jurisdiction of the Lambton Shores Fire Board.~~
 - g) **"Fire Department"** means the Municipality of Lambton Shores Fire and Emergency Services
 - h) **"Fire Protection Services"** include fire suppression, fire prevention, fire safety education, communication, training of persons involved in the provision of Fire Protection Services, rescue and emergency services ~~excluding water rescue and the delivery of all those services~~
 - i) **"Limited services"** means a variation of service significantly differing from the norm as a result of extenuating circumstances.
 - ~~i) **"Lambton Shores Fire Board"** means the Board appointed by Council to oversee fire related issues~~
 - j) **"Member"** means any persons employed in, or appointed to, the Fire Department, and assigned to undertake fire protection services, and includes the fire chief, officers, full time and volunteer Firefighters

- k) “**Volunteer Firefighter**” means a Firefighter who provides fire protection services either voluntarily or for a nominal consideration, honorarium, training or activity allowance.

Fire Department Establishment

2. A Fire Department for the Municipality of Lambton Shores to be known as the Lambton Shores Fire and Emergency Services is hereby established and the head of the fire department shall be known as the fire chief.

Structure

~~3. The Fire Departments shall be as approved by Council.~~

3. The fire department shall be structured in conformance with the approved Organizational Chart, **Appendix A**, forming part of this by law.
4. The Council shall appoint by by-law the Fire Chiefs and the Deputy Chiefs. The Chiefs shall recommend the appointment of any other Officers as may be deemed necessary.
5. The Fire Chief may recommend the appointment of any qualified person as a member of the Fire Department, subject to the approved hiring policies of the Municipality of Lambton Shores.
6. Persons appointed as members of the Fire Department to provide fire protection services shall be on probation for a period of 12 months, during which period they shall take such special training and examinations as may be required by the Fire Chief.
7. If a probationary member appointed to provide fire protection or other services fails any such examinations, the Fire Chief may recommend that he/she be dismissed.
8. The remuneration of the Volunteer Members shall be as determined by the Council.
9. Working conditions and remuneration for all full time Members shall be determined by Council in accordance with the provisions of Part IX of the Fire Protection and Prevention Act.
10. If a Medical Examiner finds a member is physically unfit to perform assigned duties and such condition is attributed to, and a result of employment in the Fire

Department, the **Fire Chief** may assign the member to other employment in the Fire Department or may retire him/her.

11. Where the Fire Chief designates a member to act in the place of an Officer in the Fire Department, such member, when so acting, has all of the powers and shall perform all duties of the Officer replaced.
12. The Fire Chief may reprimand, suspend or recommend dismissal of any member for infraction of any provisions of this by-law, policies, general orders and departmental rules that, in the opinion of the Fire Chief, would be detrimental to discipline or the efficiency of the Fire Department.
13. Following the suspension of a member, the Fire Chief shall immediately report, in writing, the suspension and recommendation to the Chief Administrative Officer.
14. The procedures for termination of employment prescribed in Part IX of the Fire Protection and Prevention Act shall apply to all full-time Members of the Fire Department.
15. A Volunteer Firefighter shall not be dismissed without the opportunity for a review of termination, if he/she makes a written request for such a review within seven working days after receiving notification of the proposed dismissal. The Chief Administrative Officer shall conduct the review.

Duties and Responsibility

16. The Fire Chief is **ultimately** responsible to Council, through the Chief Administrative Officer, **as set out in subsection 6(3) of the Fire Protection and Prevention Act** for the proper administration and operation of the Fire Department including all Fire Department functions and programs.
17. **The Fire Chief shall be deemed to be the Chief Fire Official of the municipality for the purposes of the Fire Protection and Prevention Act and regulations enacted thereunder, and shall have all statutory authority and shall carry out all prescribed duties and responsibilities in respect thereof.**
18. **The Fire Chief is responsible for complying with all Fire Marshal's directives as mandated by the Fire Protection and Prevention Act.**
19. Each division of the Fire Department is the responsibility of the Fire Chief and is under the direction of the Fire Chief or a Member designated by the Fire Chief. Designated members shall report to the Fire Chief on divisions and activities under their supervision and shall carry out all orders of the Fire Chief.

Policy and Procedures

18. The Fire Chief shall collectively implement all approved policies and shall develop such operating guidelines, general orders and departmental rules as necessary to implement the approved policies and to ensure the appropriate care and protection of all Fire Department personnel and Fire Department equipment.
19. The Fire Chief shall review periodically all policies, orders, rules and operating procedures of the Fire Department and may establish an Advisory Committee consisting of such members of the Fire Department as the Fire Chief may determine from time to time to assist in these duties.

Budgets and Reports

20. The Fire Chief shall submit to the Chief Administrative Officer and Council for approval, the annual budget estimates for the Fire Department, an annual report and any other specific reports requested by the Chief Administrative Officer or Council.

Powers

21. The Fire Chief shall take all proper measures for the prevention, control and extinguishments of fires and the protection of life and property and shall exercise all powers mandated by the Fire Protection and Prevention Act, and the Fire Chief shall be empowered to authorize:
 - a) Pulling down or demolishing any building or structure to prevent the spread of fire
 - b) Any necessary actions which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident, when unable to contact the property owner
 - c) Recovery of expenses incurred by such necessary actions for the Corporation in the manner provided through the Municipal Act and the Fire Protection and Prevention Act.
 - (d) Taking any and all steps as set out in Part V, VI and VII of the Fire Protection and Prevention Act.
 - (e) Enforcement of all municipal by-laws in respect of fire safety and fire prevention.

Recovery of Costs

22. If as the result of a Fire Department response to a fire, rescue, or other emergency, the Fire Chief, or his or her designate, or the highest ranking officer in

charge determines that it is necessary to retain a private contractor, rent specialized equipment, or use consumable materials other than water in order to suppress or extinguish a fire, preserve property, prevent fire from spreading, remove hazardous materials, assist in or otherwise conduct an investigation to determine the cause of a fire, or otherwise control or eliminate an emergency situation, the Corporation may recover the costs incurred for taking such actions, from the owner of the property on which the fire or other emergency occurred.

Emergency Response Outside of Municipal Boundaries

23. The Fire Department shall not respond to a call with respect to a fire or emergency outside the limits of the Municipality except with respect to a fire or emergency:
- a) that, in the opinion of the Fire Chief or designate of the Fire Department, threatens property in the Municipality or property situated outside the Municipality that is owned or occupied by the Municipality
 - b) in a Municipality with which an approved agreement has been entered into to provide Fire Protection Services which may include automatic aid
 - c) on property with which an approved agreement has been entered into with any person or Corporation to provide Fire Protection Services
 - d) at the discretion of the Fire Chief, to a Municipality authorized to participate in any County, District or Regional Mutual Aid Plan established by a Fire Coordinator appointed by the Fire Marshal or any other similar reciprocal plan or program
 - e) on property beyond the Municipal boundary where the Fire Chief or designate determines immediate action is necessary to preserve life or property and the appropriate department is notified to respond and assume command or establish alternative measures, acceptable to the Fire Chief or designate.

Levels of Service

24.

- a) The Lambton Shores Fire and Emergency Services shall provide such approved services as specified and listed in **Appendix "B"**
- b) In consideration of the reliance by the Fire Department on the response of Volunteer Firefighters, whose deployment to emergencies in sufficient numbers cannot in all instances be guaranteed, adverse climate conditions, delays or unavailability of specialized equipment required by the Fire

Department, or other extraordinary circumstances which may impede the delivery of Fire Protection Services, any Approved service set out in Schedule "B" may from time to time be provided as a Limited Service as defined in this by-law, as determined by the Fire Chief, his or her designate, or the highest ranking Officer in charge of a response.

- c) The Municipality of Lambton Shores accepts no liability for delay or inability to supply the services set out in Appendix "B" of this by law due to the provision of its approved services as limited services or due to the existence of unsafe conditions encountered reroute, impeding access to property, and/or environmental factors/constraints.

25. This by-law comes into effect the day it is passed by Council.

AN APPROVED ORGANIZATIONAL CHART FORMS PART OF THIS BY LAW AS Appendix "A"

AN APPROVED LIST OF SUPPLIED SERVICES FORMS PART OF THIS BY LAW AS Appendix "B"

READ A FIRST AND SECOND TIME this Xth day of XXXXX

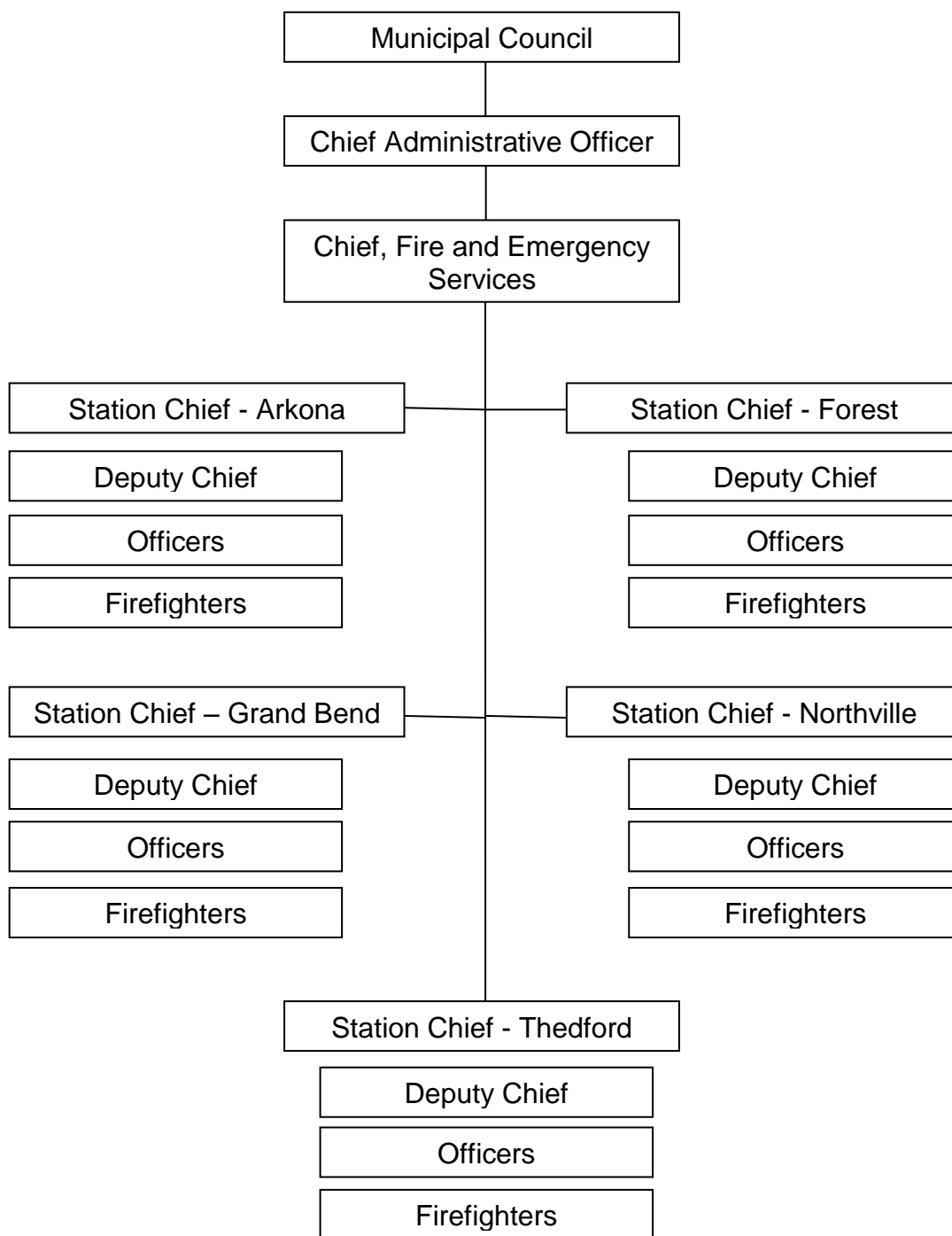
READ A THIRD TIME AND FINALLY PASSED this Xth day of XXXXXX.

MAYOR

CLERK

Appendix "A"
Municipality of Lambton Shores
Lambton Shores Fire and Emergency Services

ORGANIZATION CHART



Note: Within the Officer and Firefighter categories some members or contractors may be specialized to deliver the following activities:

- Public Education
- Fire Prevention
- Training
- Driver/Engineer

Appendix "B"
Municipality of Lambton Shores
Lambton Shores Fire and Emergency Services

**CORE SERVICES PROVIDED
(Response and Support)**

A) Emergency Response

1. Basic firefighting services – responding to fires, alarms of fire, and pre-fire conditions to provide fire suppression services.
2. Structural firefighting - including interior rescue and fire attack, and sometimes limited rescue and fire attack in accordance with the fire services level of training, standard operating guidelines, Occupational Health and Safety Guidelines and the number and type of personnel and equipment available to the service and on each specific emergency response.
3. Emergency responses to water access properties, and those properties accessed via private roads, private lanes or private driveways, or fields are subject to the following limitations
 - a) Emergency response to water access properties will be limited to safe travel and environmental conditions. If in the opinion of the Fire Chief or his/her designated unsafe environmental conditions exist, no services shall be provided. Fire Department vehicles shall not enter any body of water, frozen or otherwise, at any time.
 - b) Emergency Response to properties accessed via private roads, private lanes, private driveways or fields may be limited by the condition of such road, land, or driveway including:
 - (i) The ability of such road, lane, driveway, or field to support and accommodate fire department equipment, vehicles and apparatus; and
 - (ii) The failure of the owner or user of the land upon which the road, lane, or driveway, is located to maintain in a condition that is passable by fire department vehicles and apparatus.
4. Vehicle firefighting
5. Grass, brush, and forestry firefighting
6. Marine firefighting – shore based and defensive only
7. Tiered Medical Assistance services (in accordance with Fire-EMS agreement)
8. Vehicle Accidents
9. Vehicle Extrication
10. Transportation incidents involving vehicles, trains, aircraft and watercraft
11. Public hazard assistance services – carbon monoxide incidents and electrical

- / natural gas emergencies
- 12. Public assistance – assist public where the Fire Department has the equipment and/or specialized skills to mitigate the incident
- 13. Other agency assistance (EMS, Police etc.)
- 14. Participation and support in the emergency plan and operations
- 15. Mutual Aid
- 16. Automatic Aid
- 17. Fire Protection agreements
- 18. Joint service agreements

B) Public Education and Fire Prevention

Public Education and Fire Prevention activities shall be provided in accordance with the approved fire department Public Education/Fire Prevention and Smoke Alarm policies.

Activities include:

- Fire inspection services
- Public education services
- Fire investigation services
- Plans examination services
- Risk assessment services
- Consultation services
- Assistant to the Fire Marshall duties

C) Emergency Planning

- Pre-incident planning services
- Community Emergency Management planning services

D) Fire Department Administration

- Planning and developmental services
- Financial services
- Records management services
- Department Human resources services
- Customer relation services
- Health and Safety services
- Legal services
- Technology services
- Training and education services
- Fleet, equipment and facility maintenance services

E) Training and Education

- Training Program Standards – National Fire Protection Association (NFPA) is the primary training standard. Other standards may be used in the absence of an NFPA standard.
- Providing Station Training - Regular practice drills
- Program Development Services

F) Maintenance

- Fleet and Equipment Services
- Facility Maintenance Services

THE MUNICIPALITY OF LAMBTON SHORES

Report FES 02-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council

FROM: Lawrence Swift, Chief - Fire and Emergency Services

RE: RFP Award – Triple Combination Pumper Rescue Truck

RECOMMENDATION:

THAT Report FES 02-2018 regarding the “RFP Award– Triple Combination Pumper Rescue Truck” be received; and

THAT RFP 2017-30 for a Triple Combination Pumper Rescue be awarded to Camions Carl Thibault Inc. for a proposal price of \$579,123.00 (excluding HST); and

THAT the Mayor and Clerk be authorized to execute any necessary documents with respect to the purchase of the Triple Combination Pumper Rescue Truck.

SUMMARY

This report presents a summary of the proposal award for a replacement fire truck for the Thedford Station. Funding of \$600,000 for this project has been allocated from the Fire Services Reserve Fund through the 2017 Capital Budget. Staff is recommending award to Camions Carl Thibault Inc.

BACKGROUND

In 2017, Council included \$600,000 in the capital budget for replacement of the existing 1992 model year Thedford pumper. The request for proposal (RFP) process was used to procure bids for this project, enabling proponents to propose design concepts for the desired apparatus while ensuring other factors including cost, warranties, expediency and experience are all given consideration. The RFP document was released on October 17, 2017 and closed on November 17, 2017 with three submissions.

The RFP process is different from the standard tender process because submissions are evaluated based on marking criteria published in the RFP document. The criteria are established to determine the best value for dollar for the services. For this RFP, the following marking criteria were used:

PROPOSAL CRITERIA	CRITERIA WEIGHTING
Corporate Qualifications	25
Proposal meets/exceeds specs	30
Quality/Warranty Policy/Service distance	10
Component Warranties Certificates	10
Price	25
Total	100

Staff reviewed the proposals with the following scoring results:

PROPONENT	TOTAL SCORE	PRICE (excluding HST)	PRICE (net HST)
Carl Thibault	95	\$622,233.00	\$633,308.75
Fort Garry	88	\$653,701.00	\$665,336.88
Metal Fab	78	\$656,082.19	\$677,760.45

In a standard tender, a municipality is obligated to award the contract based on the low bid price received. In a RFP competition, a municipality is obligated to award the contract to the proponent that scores the highest based on the published evaluation criteria. After a review of all submissions, and coincidentally also with the lowest bid price, staff recommend that Council award this project to Camions Carl Thibault Inc. Thibault is an experienced manufacturer of fire apparatus with equipment in service across Ontario.

The RFP submissions all exceeded Council's budget allocation of \$600,000. In order to recommend procurement within the available budget, staff has worked with Camions Carl Thibault Inc. to modify design elements of the vehicle to achieve cost savings without minimizing the functional requirements of the vehicle. As a result of modifications to the cab, body cabinets, engine and generator specifications the cost of the vehicle has been reduced by \$43,100.00 to \$579,123.00. The total price, (net HST) will be \$589,431.39. Ancillary costs such as the installation of radio equipment and Lambton Shores branding fall outside of the contract costs, however remain within the overall budget.

ALTERNATIVES TO CONSIDER

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

RECOMMENDED ACTIONS

After a thorough review of the submitted bids, it is recommended that Camions Carl Thibault Inc, be awarded supply and delivery of Thedford's new fire truck. With Council

award at this meeting, a pre-construction meeting will be held his month, with delivery anticipated prior to the end of 2018.

FINANCIAL IMPACT

The 2017 budgeted amount approved by Council for the Thedford Pumper replacement was \$600,000. After negotiating a few changes with Carl Thibault, the contract price excluding HST will be \$579,123.00 and total price net of HST is \$589,431.39. The committed funds for this project will be drawn from the Fire Services Reserve Fund; with any unspent balance being returned to the fund.

CONSULTATION

Proposals have been reviewed by a committee of personnel from the Thedford Station, Chief Swift, and the CAO.

THE MUNICIPALITY OF LAMBTON SHORES

Report TR 06-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council

FROM: Janet Ferguson, Treasurer

RE: Proposed Change to Tax Policy: Vacancy Rebates

RECOMMENDATION:

THAT Report TR 06-2018 regarding a Proposed Change to the Lambton County Tax Policy for the Vacancy Rebate program be received; and

THAT the elimination of the Vacancy Rebate Program beginning January 1, 2018 be supported.

SUMMARY

This report provides Council with background on the Vacancy Program activity in Lambton Shores for consideration in response to the Briefing Note (attached) from the County of Lambton for the proposed elimination of the program in Lambton County.

BACKGROUND

The Briefing Note provided by the County of Lambton provides significant detail on the history and legislation for the Vacancy Rebate program. This note is being provided to all Councils of lower tier Municipalities in Lambton County as part of the new initiative to include direct correspondence to Councils for tax policy input for Lambton County.

Lambton Shores has had a Vacancy Rebate by-law to support the Vacancy Program since 2001. Property owners have until the end of February in the year following the year in which the property had a vacancy to submit an application for a reduction in taxes for the area of the building that had been vacant for at least 90 consecutive days. The following chart illustrates the program activity for the last five years:

2012		2013		2014		2015		2016	
Total Municipal Portion	Breakdown of Properties	Total Municipal Portion	Breakdown of Properties	Total Municipal Portion	Breakdown of Properties	Total Municipal Portion	Breakdown of Properties	Total Municipal Portion	Breakdown of Properties
\$6,078.51	Forest - 3	\$6,793.34	Forest - 2	\$5,750.17	Forest - 3	\$4,490.73	Forest - 2	\$3,080.71	Forest - 2
	Bosanquet - 5		Bosanquet - 3		Bosanquet - 3		Bosanquet - 2		Bosanquet - 3
	Thedford - 3		Thedford - 4		Thedford - 3		Thedford - 0		Thedford - 0
	Grand Bend - 3		Grand Bend - 4		Grand Bend - 4		Grand Bend - 4		Grand Bend - 3
	Grand Total = 14		Grand Total = 13		Grand Total = 13		Grand Total = 8		Grand Total = 8

As you can see, there has been a decline in the number of properties using the program as well as financial impact to Lambton Shores.

ALTERNATIVES TO CONSIDER

Lambton Shores may choose to support the elimination of the Vacancy Program or request that the program continue. Although the program provides relief to property owners for vacant areas, it would be more beneficial to the property owner and the communities to have commercial and industrial properties in use.

RECOMMENDED ACTIONS

That Council receives Report TR 06-2018 regarding the elimination of the Vacancy Rebate Program and provides direction to the County Council representatives on the program.

FINANCIAL IMPACT

If Council chooses to support the elimination of the program, this would result in a savings of the write off of taxation. This amount is difficult to determine as the properties and areas submitted vary from year to year. On average over the last five years the impact has been approximately \$5,238.69 annually.

CONSULTATION

John Innes, Lambton County Treasurer

Attachment – Lambton County Briefing Note



Proposed Change to Tax Policy: Vacancy Rebates

The County of Lambton is proposing that as part of Council's 2018 update to its Tax Policy, that Vacancy Rebates be eliminated. While the County of Lambton has been responsible for the administration of tax policy since the Province introduced Current Value Assessment almost 20 years ago, the authority to change or eliminate vacancy rebates only became an option in 2017 as a result of a change in Provincial policy.

Since the Province introduced this authority a large number of jurisdictions have already moved to review the availability of Vacancy Rebates by their constituent Municipalities. In virtually every instance, this review led to the conclusion that the program should be ended. The only variable has been whether this elimination will be gradual or immediate.

The County of Lambton is now looking to act upon this issue as well. To ensure that commercial/industrial class property owners and ratepayers in general understand why staff is proposing a change to this policy, this Briefing Note has been created. Its intent is to explain why the Province of Ontario changed its policies and gave Municipalities the option to eliminate and no longer provide Vacancy Rebates. Therefore this paper examines why the Province created these rebates in the first place and what has changed since they were created to make the provision of these reductions no longer the imperative it once was.

Why Were Vacancy Rebates Created?

Before the introduction of Current Value Assessment (CVA) in the early 1990's, property taxation policies in Ontario were much more opaque than they are now. The Province administered this policy and provided Municipalities with assessment values against which there were 2 basic rates - a residential and a commercial. Assessed values reflected the policy objectives of the Government and were provided without explanation.

In addition, businesses paid a separate levy called the *Business Occupancy Tax* or BOT. The BOT was assessed directly against any commercial or industrial entity that occupied a taxable property. Business owners were billed directly and were responsible for paying the BOT. Property owners had no responsibility for payment or collection of this tax from business owners who were tenants.

This all changed when the Harris Government introduced the concept of CVA to Ontario's property tax system. Under CVA, assessment values are based on and intended to reflect the realizable value that an owner could obtain from selling their property in an "arms' length" transaction. As a result, assessment values as issued by

the Municipal Property Assessment Corporation (MPAC) were no longer adjusted to account for Provincial priorities and policy objectives. Instead, the Government directed that the Council for the responsible Municipality in each jurisdiction (usually the County or Region) be responsible for administering Tax Policy - what portion of the municipal tax burden should be borne by what type of property. And while this change resulted in greatly increased transparency of how tax liabilities were calculated, Municipalities were still restricted in what policy options their Councils could employ. For example, the Province directed that as part of these new rules, the portion of property tax that was previously recovered in the form of the BOT would be rolled into the regular property tax payable on commercial and industrial properties.

However, this change created a problem: it shifted the responsibility for paying the BOT away from business owners and onto property owners. Therefore, in order to compensate for this, the Province introduced the concept of "Vacancy Rebates". This program stipulated that whenever a commercial or industrial property became vacant for an extended period of time, the property owners could then apply to their Municipalities to temporarily reduce the amount of property tax they needed to pay until such time as the property became occupied again.

The intent of this policy was to replicate the previous practice, where the BOT would not be paid if there was no active business operating. As property owners became use to these new practices, their practices changed as well. In fact, many property owners began to actively manage the assessment and taxation of their properties.

Why Eliminate this Rebate Program Now?

When the Vacancy Rebate Program was introduced, it was the practice of MPAC to set assessment values on the basis that the property was fully occupied. This is why rebating or reducing the taxes payable when the property was not fully occupied made sense. However, over the past two decades, this valuation practice has changed.

It changed predominately as a result of property owners actively managing the assessment of their properties. They filed appeals, and multiple property owners across the Province were able to argue successfully that assuming properties would be 100% occupied all the time was wrong, that it is normal for any business to have vacancies, and that the value of their properties should reflect this fact. These successful appeals led MPAC to gradually change its valuation practices and to factor in what portion of a property would on average be vacant. As a result, the assessment value of commercial and industrial properties with tenants began to be decreased to reflect what portion of them was normally unoccupied. In other words, property owners were seeing their taxes reduced from what they had been paying without the need to apply for Vacancy Rebates.

But even though property owners were now having their "base amount" of taxation reduced automatically to reflect occupancy levels, the Province continued to require Municipalities to provide the Vacancy Rebate program. As a result, commercial/

industrial property owners could obtain reductions and tax savings far in excess of what had originally been intended (e.g. two reductions for the same vacancy). Municipalities brought this anomaly to the attention of the Ministry of Finance and it responded by initiating a review of the Vacancy Rebate program in 2015.

This review was conducted through the formation of two separate Working Groups (WGs). One WG was comprised of representatives from Municipalities, the other of representatives from commercial and industrial property owners. Individual and independent input was then provided by each WG as to what issues, concerns and recommendations they had with regards to the Vacancy Rebate Program.

The Ministry of Finance accepted the contention that circumstances have changed, that "base" assessment values now factor in the regular, average vacancy of properties and that adjusting this factor to account for changing business circumstances is now understood as being a reasonable basis for adjustment, meaning that the purpose and function of the Vacancy Rebate program has been largely replaced by these changes in valuation practice. It then presented these conclusions to a joint meeting of the two WGs in 2016.

That Ministry of Finance position was accepted by both municipal and industry representatives, meaning that there was no significant opposition from either WG to Municipalities being given the ability to end the practice of providing Vacancy Rebates. In part, this was because in order to ensure that any such change did not happen without the knowledge of the local business community, the Province stipulated that the local Municipality with responsibility for Tax Policy in the jurisdiction considering a change must first notify the local business community of its intentions to change its policies.

However, once this notification has occurred, the Municipality would then be able to request that the Minister of Finance have the Ontario Government pass a Regulation enacting the local Municipality's decision. The first of these Regulations was issued in Spring 2017.

The Plans for Lambton County Municipalities

Essentially every Municipality that has reviewed the Vacancy Rebate program and its use in its jurisdiction has concluded that the program should be terminated as it no longer serves the purpose for which it was created. The only variable has been as to when the Program is terminating.

Lambton County is no different, and is proposing that its constituent Municipalities no longer offer Vacancy Rebates for any vacancy occurring after December 31, 2017. This date was selected because January 1, 2018 is the start of the municipal fiscal year and it allows property owners to exercise their right of appeal to MPAC and the Assessment Review Board should they believe the "vacancy adjustment" applied to the value of their properties for 2018 should be adjusted.

To fulfill the notice and advisory requirements stipulated by the Ministry of Finance, the County of Lambton is doing the following:

1. Meeting with the Chamber of Commerce and its members on January 24, 2018
2. Placing of an advertisement in local newspapers to notify commercial and industrial property owners of its intent to terminate its Vacancy Rebate Program
3. Posting details of this proposal on the County's website and social media platforms
4. Circulating this notice to Area Municipalities with a request that it be placed as correspondence on the Agenda for a meeting of their Councils

In this way it is believed that a majority of commercial and industrial property owners in Lambton County will be informed of this change, the reasons for it and what it means to the taxation of their properties. Further, it also means that should they so desire, property owners will have an opportunity to express their concerns and provide their comments to their local Councillors before County Council is asked to approve this change as part of its 2018 Tax Policy determinations, which are scheduled to occur in February.

John R. Innes, BA(ACS), CPA, CA
General Manager, Finance, Facilities and Court Services
County Treasurer, CFO and Deputy CAO

January 15, 2018

THE MUNICIPALITY OF LAMBTON SHORES

Report TR 07-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council

FROM: Janet Ferguson, Treasurer

RE: Forest Business Improvement Area 2018 Budget

RECOMMENDATION:

THAT Report TR 07-2018; regarding the Forest Business Improvement Area 2018 Budget is received, and

THAT the Forest Business Improvement Area 2018 Budget in the amount of \$28,840.00 be approved.

SUMMARY

The Forest Business Improvement Area (BIA) has approved their 218 Budget and are now presenting it to Council (Attached) for final approval as per section 205 (2) of the Municipal Act. The total budget amount is unchanged from 2017.

BACKGROUND

The former Town of Forest established a BIA in 1994 which continues to operate through the management support of the Municipality and funding from the commercial properties identified in the prescribed area as per the Town of Forest By-law 3 of 1994.

The BIA operates under a Board established by the affected property owners; which, manages the day to day programs and projects. The BIA Council representative is Deputy Mayor Cook.

The BIA is required to submit their annual Budget for Council's approval. As you will see, the budget is the same level as 2017 and has remained at this level since 2009.

Once Council approves the budget staff calculates a factor based rate calculated on the total assessment of the properties in the affected area. There is an established minimum levy of \$100.00 and a maximum of \$995.00. Although the budget allocation remains the same, the factor and total charge to affected properties will fluctuate due to the changes in assessment that may occur. The rate will be brought forward when the municipal tax rate by-law is presented at a future meeting.

ALTERNATIVES TO CONSIDER

None

RECOMMENDED ACTIONS

That Council receives and approves the proposed 2018 Forest BIA Budget as presented.

FINANCIAL IMPACT

The BIA levy is only applicable to the properties in Forest identified in Forest By-law 3 of 1994. The funds are collected through the Municipal tax billing process; however, all funds are remitted to the BIA Board. The financial transactions are audited in conjunction with the Lambton Shores annual audit. The total budget amount of \$28,840.00 is unchanged from 2017.

CONSULTATION

Lynn Van Haaren, BIA

Attachment – BIA Letter and 2018 BIA Budget



January 23, 2018

Lambton Shores Council
c/o Ms. Janet Ferguson

Re: Forest B.I.A. 2018 Budget

Dear Janet,

Please find attached the proposed budget for the Forest B.I.A. for the year 2018. I would like to take this opportunity to thank Council and Staff for their assistance and direction during 2017. Finally I would like to offer further co-operation between the B.I.A. and the Municipality in 2018 and beyond.

This budget was configured by the Board at our November 2017 Director's meeting and approved by the members. Once again the BIA hosted a number of successful events throughout the year attracting a variety of visitors and residents to the downtown. Future projects for this year would include new banners and Christmas lighting which we have already received some funding from Lambton Shores through grants and the matching program. We have also entered into a program with the Kiwanis to bring free WiFi to the downtown area.

We will continue to beautify and promote our downtown and make every effort to ensure that Lambton Shores and specifically Forest is an appealing destination for visitors and locals alike. We believe we can achieve continued success with your welcomed guidance and support.

Thank you,

Chris Williamson
BIA Chairperson

Forest BIA PROPOSED 2018 Budget					
Categories		Budget 2017		Proposed Budget 2018	
	BIA Bucks	\$1,800.00		\$1,200.00	
	Advertising	\$7,580.00		\$8,000.00	
	Special event days			\$3,000.00	
	Annual Dinner	\$1,000.00		\$1,000.00	
	Sub-Total	\$10,380.00		\$13,200.00	
Improvements & Beautification					
	Tractor maintenance & gas	\$100.00		\$100.00	
	Beautification	\$3,580.00		\$1,595.00	
	Website	\$365.00		\$365.00	
	Signage	\$835.00		\$0.00	
	Sub-Total	\$4,880.00		\$2,060.00	
Contingencies					
	Special Events/conferences	\$0.00		\$0.00	
	Education	\$0.00		\$0.00	
	Writeoff's	\$0.00		\$0.00	
	Sub-Total	\$0.00		\$0.00	
Administration					
	Administrators Salary	\$6,480.00		\$6,600.00	
	BIA Promtion Consultant	\$4,000.00		\$5,680.00	
	Event Co-ordinator	\$1,800.00		\$0.00	
	Student Salary	\$500.00		\$500.00	
	Office Expenses	\$200.00		\$200.00	
	Professional Fees (audit)	\$600.00		\$600.00	
	Sub-Total	\$13,580.00		\$13,580.00	
	TOTAL	\$28,840.00		\$28,840.00	
Capital Budget (carry forward)T-bill			\$12,919.65		
	Future projects:				
	banners, lights		\$4,500.00		
	Décor 2018		\$2,000.00		
	Balance assigned to contingencies		\$6,500.00		

THE MUNICIPALITY OF LAMBTON SHORES

Report TR 08-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council

FROM: Janet Ferguson, Treasurer

RE: Annual Audit Reporting Requirement

RECOMMENDATION:

THAT Report TR 08-2018; regarding the 2017 Annual Audit Reporting Requirement be received; and

THAT the draft response to the Annual Audit Questionnaire be approved and forwarded to the municipal auditor.

SUMMARY

This report presents the 2017 Annual Audit Questionnaire for Council's response.

BACKGROUND

Municipalities are required to conduct an annual audit by an outside person or firm licensed under the Public Accounting Act. BDO Canada LLP, Sarnia Branch, continues to be the Lambton Shores auditor and has started the 2017 audit.

Auditors are required to provide comments on all aspects of the financial reporting for the municipality and this includes determining impacts of risk. In 2010 the Canadian Audit Standards were revised and included new requirements for fraud detection. Each year the Auditor provides a letter to the Mayor and Council with 3 questions pertaining to fraud and error and requests an answer from Council. The 2017 audit letter is attached (attachment 1) as is a draft response similar to what was provided to the 2016 letter (attachment 2) for historical information.

The Finance Department has internal policies and procedures to safeguard the municipality and the various operations throughout Lambton Shores. If fraud is suspected staff would report to the Department Head and subsequently to the Chief Administrative Officer (CAO) and follow up as required. The CAO would then provide Council with the pertinent information. I am pleased to report that staff is not aware of any fraud against Lambton Shores.

ALTERNATIVES TO CONSIDER

None

RECOMMENDED ACTIONS

That Council provides the required responses to the Annual Audit Questionnaire. Pending any further input or identified concern from Council, the Mayor is authorized to respond as was done in prior years.

FINANCIAL IMPACT

There is no financial impact by accepting this report and further with no known fraud issues, there is no financial impact as a result of fraud. The annual audit costs are included in the approved 2017 Budget.

CONSULTATION

None

Attachment 1 – BDO Canada LLP letter

Attachment 2 – 2017 Draft Council response letter



Tel: 519 336 9900
Fax: 519-332-4828
www.bdo.ca

BDO Canada LLP
Kenwick Place
250 Christina Street North
Sarnia Ontario N7T 7V3 Canada

January 24, 2018

Mayor Weber and Council
Corporation of the Municipality of Lambton Shores
7883 Amtelecom Parkway
P.O. Box 610
Forest, Ontario N0N 1J0

Dear Sirs:

We are writing to you in your capacity as members of Council of the Corporation of the Municipality of Lambton Shores ("Lambton Shores").

Generally accepted auditing standards require that we, as auditors for Lambton Shores communicate to Council with regards to fraud and error and the impact it may have on the audited financial statements of Lambton Shores for the year ended December 31, 2017.

In this regard, we would ask that you provide us with responses to the following questions:

1. Has management communicated with the Council concerning its processes for identifying and responding to the risks of fraud and error in the entity?
2. How do council members exercise oversight of management's processes for identifying and responding to the risks of fraud and error in the entity and how they exercise oversight of the internal controls that management has established to mitigate those risks?
3. Do council members have any knowledge of any actual, suspected or alleged fraud affecting the entity?

Should you have any questions concerning the foregoing, please contact us. Otherwise, we will look forward to hearing from you in due course.

Yours truly,

BDO CANADA LLP

Pete Barnes, CPA, CA
Partner

February 13, 2018

BDO Canada LLP
250 Christina Street N
P.O. Box 730
Sarnia, Ontario N7T 7J7

Attention: Peter Barnes

Dear Sir:

Your letter of January 24, 2018 to the members of the Municipality of Lambton Shores' Council, regarding the audited financial statements for 2017 was reviewed at the February 13, 2018 Council meeting.

In the letter, three questions were posed to the members, and the following are the response to the questions:

1. Has management communicated with the Council concerning its processes for identifying and responding to the risks of fraud and error in the entity?

Yes.

2. How do council members exercise oversight of management's processes for identifying and responding to the risks of fraud and error in the entity and how they exercise oversight of the internal controls that management has established to mitigate those risks?

The Municipality of Lambton Shores has in place policies and procedures to establish internal financial control, and staff would report any issues to the CAO and subsequently the CAO would report to Council. The controls include providing information on the status of the municipal accounts on a quarterly basis. Council approves the municipal accounts on a quarterly basis, and all cheques require 2 signatures – those over \$25,000.00 require the Mayor or Deputy Mayor to sign with the staff member. Policies are also in place with respect to tendering, purchasing, cash handling and reporting as well as security on electronic equipment.

3. Do council members have any knowledge of any actual, suspected or alleged fraud affecting the entity?

The council members do not have any knowledge regarding any actual, suspected or alleged fraud affecting the Corporation.

Trusting this is the information that you require.

Sincerely,

Bill Weber
Mayor

THE MUNICIPALITY OF LAMBTON SHORES

Report TR 09-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council

FROM: Janet Ferguson, Treasurer

RE: 2017 Draft Year to Date Financial Statements as of December 31, 2017

RECOMMENDATION:

THAT Report TR 09-2018 regarding the 2017 Draft Year to Date Financial Statements be received; and

THAT the following allocations of the 2017 surplus to the identified Reserve funds be approved:

- \$500,000 to Acquisition of Capital Assets –Property
- \$100,000 to Opportunities and Contingency
- Balance to Working Funds

SUMMARY

This report presents the 2017 unaudited Draft Operating and Capital financial statements for Lambton Shores and provides a brief summary of business unit activities from the past year.

BACKGROUND

Operating and Capital Financial statements are presented to Council throughout the year to advise Council on the status of various projects and provide budget comparisons. Additional staff reports are provided on various tenders and project updates as necessary. This report is to provide Council with a pre-audit review of the 2017 financial transactions and propose allocations of surplus funds. Please be aware that there may be additional transactions take place that will impact the final financial position for 2017.

The 2017 internal year end functions are nearing completion. The interim audit process started on February 7, 2018 and the final audit work will be scheduled in early March.

As noted during the 2018 Budget process, the draft unaudited December 31, 2017 financial statements reflect a favorable financial position for Lambton Shores. Notwithstanding further adjustments, the total operating expenditures are under budget by approximately 3% resulting in a savings of \$737,387. Overall revenues exceeded budget by 0.25% or \$60,767. Reflecting a 2017 year-end close at 97% of budget, the

surplus is currently estimated to be approximately \$795,000. The surplus was generated from various program savings, vacant staff positions and increased revenues. The most notable sources of these budget savings include:

\$250,000 in Administrative areas – project cost savings, wages, and increased revenue from fees and taxes

\$290,000 from Roads and Winter Control activities and vacancies

\$130,000 through favourable summer Beach and Harbor operations

Staff is bringing the estimated year end position forward prior to the audit being completed to allow Council an opportunity to provide direction if required and so that the pertinent accounting can be done prior to the audited Financial Statements being presented to Council.

The following review of the business units provides explanations for the various fluctuations that support the overall financial position.

CAO Report

2017 has been a year of significant advancement on Council's identified Action Plan Objectives. Branding and wayfinding efforts are well in hand, with municipal facilities and vehicles all now identified, with municipal signage for area attractions set to be installed in the spring. Marketing and visitor attraction efforts including electronic media have been stepped up with the dedicated assistance of our Special Event and Marketing coordinator. A new community guide has been produced for distribution to residents and visitors to Lambton Shores. Council's desire to attract development has been advanced through the 2017 adoption of new Development Charges policy including a reduced rate structure to encourage development in Thedford and Arkona.

Council has continued to support its asset management plan ensuring the timely replacement of vital infrastructure, and most significantly has undertaken its planned review of municipal workplaces. As a result of this feedback, Council was quick to identify the need to address replacement of the outdated Forest Works facility and approve the position of full time Fire Chief. Both of these items have now been actioned. Other notable community improvement projects include replacement of the Grand Bend Beach boardwalk, the Esli Dodge tennis courts, improvements to the Thedford and Arkona ball parks, shoulder paving between the Port Franks Community Centre and Hwy 21 and reconstruction was initiated on the King Street connecting link through Forest.

In 2017, Council adopted revisions to its Emergency Management Program, and took steps to address public concerns related to the noise and beach bylaws. Council's advocacy efforts have led to the expansion of natural gas services into Ipperwash and the recent announcement of a new K-12 school planned for Forest.

As evidenced through the balance of this report, staff continues to illustrate prudent fiscal management, and works to take advantage of opportunities that increase revenue

and leverage third party grants. From the perspective of personnel, all full time vacancies have now been filled with 2017 welcoming Mary-Ann Reggi as an Operator, Rebecca Moser as Engineering Tech, Stephanie Troyer-Boyd as Clerk and Lawrence Swift as Fire Chief.

Tax Supported

General Government

The General Administration operations in 2017 experienced an increase in revenues and achieved savings in operation and project costs. Items to note are: the 2017 budget included funds for additional resources resulting from the Winegard report which were not utilized, wage savings due to vacant positions, IT contract savings, and lower than budgeted tax write-offs resulting in a net savings \$250,000.

Planning

Overall, the number of planning applications in 2017 was consistent with 2016 and previous years. Legal fees were significantly lower than what was budgeted resulting in a small overall surplus position.

Building & Assessment

In 2017, there was a 17% increase in the number of permits issued over the previous year. Of the 260 permits issued, 79 were for new residential dwelling units. The arrangement with the County of Lambton to provide relief services for the Chief Building Official continues to be successful in providing coverage during staff absences.

Protection to Person & Property

In 2017, over 1900 parking tickets were issued. Continued diligence with enforcement in Port Franks and Ipperwash has provided increased compliance with by-law requirements.

Fire Services

As shown in the attached table of fire calls, we were fortunate to experience a 15% reduction in call volumes, particularly in the Grand Bend and Northville response areas. This was a primary factor resulting in an overall cost savings of approximately 5% or \$60,000 for the overall service budget.

FIRE CALL SUMMARY							
2017							
	Arkona	Forest	Grand Bend	Northville	Thedford		TOTAL
Fire (structure/vehicle)	3	5	5	2	8		23
Hydro/Gas Leak , misc		4	4	3	2		13
CO alarm - not false			5				5
False Alarm -CO		6	5	1	1		13
False Alarm - Fire	3	11	14		7		35
Open Burn/Grass Fire	1	3	7	3	4		18
MVC	3	7	12	7	3		32
Medical Assist	4	18	26	9	9		66
Other	3	6	4	2	3		18
Vandalism	4		1	1			6
As at Dec 31, 2017	21	60	83	28	37		229
As at Dec 31, 2016	24	56	91	52	42		265

Transportation Services

Community Services General

General Roads

The general roads budget for 2017 was on budget. Slight increases in labour costs charged to the roads were typically offset by a reduction in contracted services. In total \$2,100,411 was spent on roads operations; which, is approximately 4% under budget. In the General Roads budget we are currently showing a surplus of approximately \$82,000, however this number will be reduced slightly as additional invoices are yet to be received.

Winter Control

Winter Control Operations are significantly under budget by approximately \$130,000 due to the (favourable) weather conditions experienced in 2017. The savings are derived from a reduction in staff wages and materials purchased. Budgeting for this line is based on a three year rolling average. It should be noted that a reduction in staff wages in winter control will be accounted for in other areas of the budget as staff

continue to work through the winter season; however, no impact for overtime costs that would typically happen.

Street Light / Traffic Control

Street Lights & Traffic Control operations were under budget by approximately \$29,000. Much of this surplus was the result of the Municipality starting to see the reduced energy costs of new LED lighting.

Harbours

Harbour operations ended this year in a favourable financial position of nearly \$60,000. The Transient Dockage and the Boat Launch revenue in Grand Bend were above budget and the fuel sales were significantly higher. These could be explained by the rearrangement of the South Basin to accommodate more transient boaters, and the Boat Launch and fuel sales increase is attributed simply to more boaters / usage.

Increased revenue was offset by additional staffing requirements and the purchase of fuel for resale. Staff was brought in earlier and stayed later than normal in order to assist the new Harbour Master with the opening and closing of the harbour. Full time staff hours were decreased in 2017 as the Harbour Master and the part time staff were able to complete several tasks on their own.

In Port Franks at the Harbour, the contracted services expense has increased. Our dock in and dock out procedure calls for a contractor to come in and work with a specialized truck to do the job safely. This was adjusted in the 2018 approved Budget.

Arenas

Overall rental revenue for both arenas was up modestly; however, staffing expenses were slightly higher than budgeted do to the lack of part time operators which required full time operators to be utilized. Utility costs, specifically hydro costs continue to increase with the net result being a net budget overrun of approximately \$45,000.

Solid Waste Management

All areas of Solid Waste Management were within budget. The Municipality realized additional garbage collection fees associated with growth. Expenses were on budget with no significant variances. The compost and leaf pick-up program continued to be successful; both in the delivery of the service and the expenses budgeted to carry out the service. Staff worked this year to extend the leaf collection programming dates to try and accommodate the long fall we experienced.

Cemeteries

This business unit is difficult to budget due to the unpredictability of occurrences. In 2017, revenues exceeded budget and expenses were controlled resulting in a favourable net position of approximately \$20,000.

Recreation & Leisure Services

The large variance in revenue and expense areas of this business unit is as a result of the Healthy Kids Program. The funding is flowed through this business unit but there is no negative impact to our financial position as a result of this program. The Ministry of Health and Long Term Care has extended the Healthy Kids Community Challenge program to September 30, 2018.

The Municipality did not compete in the Communities in Bloom challenge in 2017; however, the local Communities in Bloom Committee, with support from the Municipality, did host the 2017 Provincial Awards in September with over 50 participants attending.

Council supported 19 community projects through the Vibrancy Fund, plus funds allocated for Canada 150 celebrations and promotions throughout Lambton Shores, and 24 community projects through the Community Grant Program. These grants represented a total cash commitment of \$ 207,316.86.

Staff continue to monitor the Municipality's advertising and promotions and identify publications that would provide a direct benefit for the Municipality to be included in. Typically these publications have a large distribution and represent an excellent return on investment for the Municipality. In 2017, the Municipality placed advertisements in Tourism Sarnia-Lambton Guide and Map, the St. Clair Region Conservation Area Guide, Daytripping magazine, Grand Bend Area Chamber of Commerce and Tourism Visitor Guide, Pinery Park Guide, as well as through local newspapers for targeted audiences (i.e. wedding editions).

Recreation Parks

Revenue generated through user fess was up slightly in 2017 for the use of our parks and sports fields. 2017 was not a particularly hot year, as such grass cutting hours were increased in order to properly maintain the field and parks. Also included in the operating budget for 2017 was the completion of the Esli-Dodge Tennis Courts.

Recreation Beach

The Grand Bend Beach maintained its Blue Flag status for 2017, which is a testament to the excellent water quality, environmental initiatives, accessibility and safety of the beach. Staff were invited to present best practices at the Grand Bend Beach at a Blue Flag seminar in December.

There were two projects that took place on the beach in 2017 that improved accessibility: the installation of an accessible mat over the sand area of the beach, and the replacement of the wood boardwalk to a concrete boardwalk.

New signage clearly explaining the beach flag system and beach by-laws was installed throughout the beach.

The beach patrol was busy this year, with 16 rescues, seven assists, 66 first aid assists and 27 missing person searches.

Expenses were controlled and revenues were slightly higher than budgeted in this business unit. The beach concession had a great year, showing a net surplus of approximately \$22,000, \$12,700 more than budgeted. As a result, beach operations reflect a positive position of nearly \$70,000.

Community Centres & Libraries

Hall rentals were generally on track as budgeted. Expenses were also generally in budget with the exception of some utility costs, specifically hydro at the larger halls.

Drainage

The Drainage section of the budget pertains to Municipal Drains and Natural watercourses. In general the cost of any drainage work within this department is assessed back to landowners who use the drains.

Economic Development

This area of the budget carries costs associated with support of Lambton Shores' branding, signage and visitor services. In 2017, the Signage master plan was completed and the first phase of wayfinding signage installations has begun. Initiatives associated with Council's action plan to improve our marketing, website and social media presence are showing demonstrable results.

Facebook:

2016 Overall Results		2017 Overall Results	
6,279	Average Weekly Reach	9,515	Average Weekly Reach
	Average Weekly Page		Average Weekly Page
659	Engagement	923	Engagement
191	New Followers in 2016	266	New Followers in 2017

Twitter:

2016 Overall Results		2017 Overall Results	
5,508	Average Monthly Impressions	12,225	Average Monthly Impressions
72	Average Monthly Link Clicks	107	Average Monthly Link Clicks
307	New Followers in 2016	350	New Followers in 2017

RED Grant

The Municipality of Lambton Shores was awarded a \$75,550.00 grant to help advance its Visitor and Resident Attraction Marketing Campaign. The grant, which represents 50% of the total marketing campaign costs, was received from the Rural Economic Development (RED) Program, through the Ontario Ministry of Agriculture, Food and Rural Affairs.

The purpose of the marketing campaign is to clearly demonstrate the Municipality's brand and develop a contemporary marketing strategy that better positions the Municipality as the premier destination to visit, live and work along the Blue Water Coast in Southwestern Ontario.

The project includes: installation of wayfinding signage throughout the Municipality; development of a video series highlighting the exceptional quality of life in Lambton Shores; modifications to the existing website; development of print materials that highlight things to do and places to visit; development of a mobile app through the established "Pingstreet" interface; and, development of web-based and print product that can be adopted by local business operators for both their own promotion and the Municipality's broader brand recognition.

The Special Events and Marketing Coordinator is leading the deliverables associated with the RED grant, which are expected to be completed over the spring and summer of 2018.

User Rate Supported

Water and Wastewater

Water and Wastewater revenues were within 1% of the budgeted amounts. In the water system, expenses were all within or under budget. On the wastewater side, all expenses were within budget with the exception of the Grand Bend sewage Plant expenses which will exceed the budgeted amount once the final reconciliation is done. This exceedance is primarily due to utilities costs which have been higher than expected.

SUMMARY

Although there may be some transactions to come that will affect the final 2017 financial position as well as the annual audit, staff are estimating that there will remain a significant surplus. Staff are recommending that surplus funds be allocated to existing reserve funds for future expenditures. These allocations are outlined under the Recommended Actions below.

Capital

The 2017 Capital Program is summarized in attachment 2 with notes on the status of the various projects. Both the tax supported and user rate supported components were under budget due to project savings as well as some projects not proceeding.

ALTERNATIVES TO CONSIDER

Staff have reviewed the financial transactions and identified areas where there were savings or additional revenue recognized. Recommendations have been provided to allocate the surplus based on current capital needs and to have a future budget tool.

Council could choose to utilize the surplus funds in another manner than recommended such as an allocation to another reserve fund, or to a specific project.

RECOMMENDED ACTIONS

| That Report TR 09-2018 be received and that the 2017 surplus allocation be as follows:

- \$500,000 to the Acquisition of Capital Assets –Property
- \$100,000 to Opportunities and Contingencies
- Balance to the Working Funds (approximately \$195,000)

FINANCIAL IMPACT

The recommendations outlined above would provide direction to finalize the 2017 year-end financial statements with no additional financial impact to Lambton Shores. Approving the recommendations as presented will fund a required capital purchase and provide funds to mitigate future budget increases and future possible operating revenue shortfalls.

New or different recommendations may not have the same result and the financial impact would have to be identified upon the direction.

CONSULTATION

Director of Community Services, Steve McAuley
Clerk, Stephanie Troyer-Boyd
CAO, Kevin Williams

Attachment 1 – Draft 2017 Operating Financial Statement
Attachment 2 – Draft 2017 Capital Financial Statement

MUNICIPALITY OF LAMBTON SHORES					
2017 Draft Operating Year to Date Summary as of December 31, 2017					
	2017 Approved Budget	2017 Draft YTD	Balance Available	% Used	
Tax Supported Component					
<u>Taxation Levy</u>	\$ 11,292,656.00	\$ 11,295,442.91	\$ 2,786.91	100.02%	
<u>General Government</u>					
Revenue					
General	\$ 3,234,627.00	\$ 3,209,003.55	\$ (25,623.45)	99.21%	
Expense					
General	\$ 2,489,358.00	\$ 2,210,036.54	\$ (279,321.46)	88.78%	
General Total	\$ (745,269.00)	\$ (998,967.01)	\$ (253,698.01)	134.04%	
<u>Policing</u>					
Revenue					
Policing	\$ 79,400.00	\$ 78,171.00	\$ (1,229.00)	98.45%	
Expense					
Policing	\$ 2,586,168.00	\$ 2,586,171.96	\$ 3.96	100.00%	
Policing Total	\$ 2,506,768.00	\$ 2,508,000.96	\$ 1,232.96	100.05%	
<u>Planning</u>					
Revenue					
Planning and Zoning	\$ 67,950.00	\$ 59,835.19	\$ (8,114.81)	88.06%	
Expense					
Planning and Zoning	\$ 25,451.00	\$ 10,918.82	\$ (14,532.18)	42.90%	
Planning Total	\$ (42,499.00)	\$ (48,916.37)	\$ (6,417.37)	115.10%	
<u>Building & Assessment</u>					
Revenue					
Building and Assessment Admin	\$ 282,050.00	\$ 319,511.69	\$ 37,461.69	113.28%	
Expense					
Building and Assessment Admin	\$ 282,050.00	\$ 319,511.69	\$ 37,461.69	113.28%	
Building Total	\$ -	\$ -	\$ -	-	
<u>Protection to Person & Property</u>					
Revenue					
Bylaw / Parking / Prop. Stnds Enforce.	\$ 86,111.00	\$ 78,031.90	\$ (8,079.10)	90.62%	
Sub Total	\$ 86,111.00	\$ 78,031.90	\$ (8,079.10)	90.62%	
Expense					
Bylaw / Parking / Prop. Stnds Enforce.	\$ 203,117.00	\$ 189,575.78	\$ (13,541.22)	93.33%	
Crossing Guards	\$ 26,970.00	\$ 24,598.93	\$ (2,371.07)	91.21%	
Conservation Authority	\$ 331,850.00	\$ 325,327.53	\$ (6,522.47)	98.03%	
Sub Total	\$ 561,937.00	\$ 539,502.24	\$ (22,434.76)	96.01%	
Protection to Person & Property Total	\$ 475,826.00	\$ 461,470.34	\$ (14,355.66)	96.98%	

MUNICIPALITY OF LAMBTON SHORES					
2017 Draft Operating Year to Date Summary as of December 31, 2017					
	2017				
	Approved		2017	Balance	
	Budget		Draft YTD	Available	% Used
<u>Fire Services</u>					
<u>Revenue</u>					
Fire Prevention and Inspection	\$ -	\$	6,300.00	\$ 6,300.00	-
Arkona FD	\$ 25,350.00	\$	24,350.70	\$ (999.30)	96.06%
Northville FD	\$ 3,000.00	\$	4,493.10	\$ 1,493.10	149.77%
Forest FD	\$ 19,000.00	\$	18,953.76	\$ (46.24)	99.76%
Grand Bend FD	\$ 68,000.00	\$	68,712.29	\$ 712.29	101.05%
Thedford FD	\$ 3,000.00	\$	1,457.03	\$ (1,542.97)	48.57%
Sub Total	\$ 118,350.00	\$	124,266.88	\$ 5,916.88	105.00%
<u>Expense</u>					
Fire Prevention and Inspection	\$ 15,000.00	\$	20,109.60	\$ 5,109.60	134.06%
Arkona FD	\$ 153,350.00	\$	139,210.76	\$ (14,139.24)	90.78%
Northville FD	\$ 177,563.00	\$	151,210.34	\$ (26,352.66)	85.16%
Forest FD	\$ 270,591.00	\$	262,577.61	\$ (8,013.39)	97.04%
Grand Bend FD	\$ 256,787.00	\$	242,050.88	\$ (14,736.12)	94.26%
Thedford FD	\$ 220,946.00	\$	225,429.86	\$ 4,483.86	102.03%
Sub Total	\$ 1,094,237.00	\$	1,040,589.05	\$ (53,647.95)	95.10%
Fire Services Total	\$ 975,887.00	\$	916,322.17	\$ (59,564.83)	93.90%
<u>Transportation Services</u>					
<u>Revenue</u>					
Community Services General	\$ 103,150.00	\$	17,975.29	\$ (85,174.71)	17.43%
Roadways	\$ 16,500.00	\$	115,590.60	\$ 99,090.60	700.55%
Sub Total	\$ 119,650.00	\$	133,565.89	\$ 13,915.89	111.63%
<u>Expense</u>					
Community Services General	\$ 888,380.00	\$	682,930.54	\$ (205,449.46)	76.87%
TRF to Equipment Replacement RF	\$ 329,770.00	\$	329,770.00	\$ -	100.00%
TRF to Road Purposes RF	\$ 1,404,930.00	\$	1,404,930.00	\$ -	100.00%
Roadways	\$ 2,017,446.00	\$	2,100,411.20	\$ 82,965.20	104.11%
Winter Control	\$ 492,938.00	\$	362,300.99	\$ (130,637.01)	73.50%
Street Light / Traffic Control	\$ 156,470.00	\$	127,033.28	\$ (29,436.72)	81.19%
Sub Total	\$ 5,289,934.00	\$	5,007,376.01	\$ (282,557.99)	94.66%
Transportation Services Total	\$ 5,170,284.00	\$	4,873,810.12	\$ (296,473.88)	94.27%
<u>Harbours</u>					
<u>Revenue</u>					
Grand Bend	\$ 366,406.00	\$	451,863.82	\$ 85,457.82	123.32%
Port Franks	\$ 191,032.00	\$	194,235.79	\$ 3,203.79	101.68%
Sub Total	\$ 557,438.00	\$	646,099.61	\$ 88,661.61	115.91%
<u>Expense</u>					
Grand Bend	\$ 388,721.00	\$	421,688.82	\$ 32,967.82	108.48%
Port Franks	\$ 198,309.00	\$	202,347.80	\$ 4,038.80	102.04%
Greater Harbour Maintenance	\$ 50,000.00	\$	41,657.94	\$ (8,342.06)	83.32%
Sub Total	\$ 637,030.00	\$	665,694.56	\$ 28,664.56	104.50%
Harbours Total	\$ 79,592.00	\$	19,594.95	\$ (59,997.05)	-24.62%

MUNICIPALITY OF LAMBTON SHORES 2017 Draft Operating Year to Date Summary as of December 31, 2017					
	2017 Approved Budget	2017 Draft YTD	Balance Available	% Used	
<u>Arenas</u>					
<i>Revenue</i>					
Legacy Recreation Centre	\$ 206,060.00	\$ 217,692.51	\$ 11,632.51	105.65%	
Shores Recreation Centre	\$ 321,962.00	\$ 325,038.01	\$ 3,076.01	100.96%	
Forest Arena	\$ 450.00	\$ 5.00	\$ (445.00)	1.11%	
Sub Total	\$ 528,472.00	\$ 542,735.52	\$ 14,263.52	102.70%	
<i>Expense</i>					
Legacy Recreation Centre	\$ 638,679.00	\$ 653,813.38	\$ 15,134.38	102.37%	
Shores Recreation Centre	\$ 751,315.00	\$ 804,845.73	\$ 53,530.73	107.12%	
Forest Arena	\$ 33,014.00	\$ 25,289.77	\$ (7,724.23)	76.60%	
Sub Total	\$ 1,423,008.00	\$ 1,483,948.88	\$ 60,940.88	104.28%	
Arenas Total	\$ 894,536.00	\$ 941,213.36	\$ 46,677.36	105.22%	
<u>Solid Waste Management</u>					
<i>Revenue</i>					
Solid Waste Management	\$ 460,264.00	\$ 471,278.00	\$ 11,014.00	102.39%	
<i>Expense</i>					
Solid Waste Management	\$ 875,976.00	\$ 863,487.25	\$ (12,488.75)	98.57%	
Solid Waste Management Total	\$ 415,712.00	\$ 392,209.25	\$ (23,502.75)	94.35%	
<u>Cemeteries</u>					
<i>Revenue</i>					
Forest - Beechwood	\$ 34,552.00	\$ 38,564.99	\$ 4,012.99	111.61%	
Arkona	\$ 9,246.00	\$ 13,310.77	\$ 4,064.77	143.96%	
Pinery, Ward & Baptist / Misc.	\$ 1,401.00	\$ -	\$ (1,401.00)	0.00%	
Sub Total	\$ 45,199.00	\$ 51,875.76	\$ 6,676.76	114.77%	
<i>Expense</i>					
Forest - Beechwood	\$ 36,436.00	\$ 32,348.39	\$ (4,087.61)	88.78%	
Arkona	\$ 22,350.00	\$ 15,894.11	\$ (6,455.89)	71.11%	
Pinery, Ward & Baptist / Misc.	\$ 8,164.00	\$ 4,497.87	\$ (3,666.13)	55.09%	
Sub Total	\$ 66,950.00	\$ 52,740.37	\$ (14,209.63)	78.78%	
Cemeteries Total	\$ 21,751.00	\$ 864.61	\$ (20,886.39)	3.98%	
<u>Recreation & Leisure Services</u>					
<i>Revenue</i>					
Gen Admin, Fitness Area, Gymnasium	\$ 404,941.00	\$ 585,175.47	\$ 180,234.47	144.51%	
<i>Expense</i>					
Gen Admin, Fitness Area, Gymnasium	\$ 1,137,124.00	\$ 1,315,604.37	\$ 178,480.37	115.70%	
Recreation & Leisure Services Total	\$ 732,183.00	\$ 730,428.90	\$ (1,754.10)	99.76%	
<u>Recreation Parks</u>					
<i>Revenue</i>					
Parks, Ball Diamonds, Pavillions	\$ 197,750.00	\$ 215,702.55	\$ 17,952.55	109.08%	
<i>Expense</i>					
Parks, Ball Diamonds, Pavillions	\$ 507,498.00	\$ 517,469.32	\$ 9,971.32	101.96%	
Recreation - Parks Total	\$ 309,748.00	\$ 301,766.77	\$ (7,981.23)	97.42%	

MUNICIPALITY OF LAMBTON SHORES 2017 Draft Operating Year to Date Summary as of December 31, 2017					
	2017 Approved Budget	2017 Draft YTD	Balance Available	% Used	
<u>Recreation - Beach</u>					
Revenue					
Beach, Beach House, Patrol, P.Lot	\$ 677,155.00	\$ 715,126.63	\$ 37,971.63	105.61%	
Expense					
Beach, Beach House, Patrol, P.Lot	\$ 843,871.00	\$ 813,465.96	\$ (30,405.04)	96.40%	
Recreation - Beach Total	\$ 166,716.00	\$ 98,339.33	\$ (68,376.67)	58.99%	
<u>Community Centres & Libraries</u>					
Revenue					
Community Centres	\$ 140,129.00	\$ 148,921.48	\$ 8,792.48	106.27%	
Sub Total	\$ 140,129.00	\$ 148,921.48	\$ 8,792.48	106.27%	
Expense					
Community Centres	\$ 264,151.00	\$ 270,799.90	\$ 6,648.90	102.52%	
Libraries	\$ 28,700.00	\$ 16,108.80	\$ (12,591.20)	56.13%	
Sub Total	\$ 292,851.00	\$ 286,908.70	\$ (5,942.30)	97.97%	
Community Centres & Libraries Total	\$ 152,722.00	\$ 137,987.22	\$ (14,734.78)	90.35%	
<u>Drainage</u>					
Revenue					
Drainage	\$ 479,331.00	\$ 184,686.01	\$ (294,644.99)	38.53%	
Expense					
Drainage	\$ 509,318.00	\$ 212,559.72	\$ (296,758.28)	41.73%	
Drainage Total	\$ 29,987.00	\$ 27,873.71	\$ (2,113.29)	92.95%	
<u>Economic Development</u>					
Revenue					
Industry Trade amd Tourism	\$ 82,710.00	\$ 73,548.29	\$ (9,161.71)	88.92%	
Expense					
Industry Trade amd Tourism	\$ 231,422.00	\$ 208,837.60	\$ (22,584.40)	90.24%	
Economic Development Total	\$ 148,712.00	\$ 135,289.31	\$ (13,422.69)	90.97%	
<u>User Rate Supported Component</u>					
<u>Water</u>					
Revenue					
Water	\$ 4,192,386.00	\$ 4,177,378.34	\$ (15,007.66)	99.64%	
Expense					
Water	\$ 4,192,386.00	\$ 4,177,378.34	\$ (15,007.66)	99.64%	
Water Total	\$ -	\$ -	\$ -	-	
<u>Wastewater</u>					
Revenue					
Wastewater	\$ 1,691,000.00	\$ 1,687,979.66	\$ (3,020.34)	99.82%	
Expense					
Wastewater	\$ 1,691,000.00	\$ 1,687,979.66	\$ (3,020.34)	99.82%	
Wastewater Total	\$ -	\$ -	\$ -	-	
Tax and User Rate Revenue Total	\$ 24,737,569.00	\$ 24,798,336.33	\$ 60,767.33	100.25%	
Tax and User Rate Expense Total	\$ 24,737,569.00	\$ 24,000,181.04	\$ (737,387.96)	97.02%	

**Municipality of Lambton Shores
2017 Capital Program
As of December 31st, 2017**

PROJECTS	FINAL 2017 BUDGET	2017 EXPENSES	Report #	COMMENTS
TAX SUPPORTED PROJECTS				
<u>General</u>				
IT	\$ 55,500.00	\$ 30,579.39		Complete
Subtotal General	\$ 55,500.00	\$ 30,579.39		
PROTECTION TO PERSONS				
<u>Fire Departments</u>				
<u>Arkona</u>				
Bunker Gear	\$ 30,000.00	\$ 20,092.77	CAO 02-2017	Complete
Breathing Gear	\$ 125,000.00	\$ 124,129.29	CAO 03-2017	Complete
<u>Northville</u>				
Bunker Gear	\$ 21,000.00	\$ 29,899.28	CAO 02-2017	Complete
Breathing Gear	\$ 40,000.00	\$ 44,932.88	CAO 03-2017	Complete
<u>Forest</u>				
Bunker Gear	\$ 33,000.00	\$ 29,784.93	CAO 02-2017	Complete
Breathing Gear	\$ 6,000.00	\$ 5,738.34	CAO 03-2017	Complete
Parking Lot - Asphalt	\$ 19,000.00	\$ 18,335.32	DCS 35-2017	Complete
Hose	\$ 7,000.00	\$ 6,842.34		Complete
<u>Grand Bend</u>				
Bunker Gear	\$ 42,000.00	\$ 22,115.16	CAO 02-2017	Complete
Breathing Gear	\$ 56,000.00	\$ 55,874.01	CAO 03-2017	Complete
<u>Thedford</u>				
Pumper	\$ 600,000.00	\$ 600,000.00		RFP complete, funds committed.
Bunker Gear	\$ 9,000.00	\$ 8,958.43	CAO 02-2017	Complete
Breathing Gear	\$ 80,000.00	\$ 78,524.62	CAO 03-2017	Complete
Subtotal Protection To Persons	\$ 1,068,000.00	\$ 1,045,227.37		
TRANSPORTATION SERVICES				
<u>Road Re-Construction</u>				
TH - Allen St - King to Elizabeth	\$ 465,000.00	\$ 267,287.97	DCS 36-2017	Complete
FO - King St E Connecting Link	\$ 1,684,152.00	\$ 1,049,347.15	DCS 50-2017	Complete for 2017 balance in 2018
<u>Re-Surface Treatment</u>				
BOS - Ravenswood Line - Northville to Ipperwash Rd	\$ 1,100,000.00			Grant funding denied
BOS - Ravenswood Line - Widder to 0.5km E of Gordon	\$ 60,000.00	\$ 126,415.87	DCS 64-2017	Complete
TH - Franklin St - Elizabeth to Pearl	\$ 42,680.00	\$ 42,675.67	DCS 64-2017	Complete
TH - Elizabeth St - Franklin to Allen	\$ 107,320.00	\$ 66,351.29		Complete
<u>Sidewalks / Walkways</u>				
Annual Sidewalk Replacement Program	\$ 81,600.00	\$ 134,252.63		Complete
Asphalt Bike / Pedestrian Path - PFCC to Hwy 21	\$ 138,000.00	\$ 75,387.40		Complete
<u>Bridge / Culvert</u>				
GB Ontario St Bridge / Traffic Study	\$ 282,952.00	\$ 64,621.39		Ongoing with BM Ross and MTO
Pedestrian Bridge	\$ 75,000.00			Developer Engineer (Stantec) preparing plans
Rock Glen Rd - Culvert	\$ 50,000.00	\$ 16,175.77	DCS 15-2017	Complete
Kennedy Line		\$ 10,673.10	TR 16-2017	Complete
<u>Street Light</u>				
Intersection/ Safety	\$ 16,300.00	\$ 19,851.88		Complete
Streetslight - Thedford light posts	\$ 65,000.00	\$ 218.02		Tender Closed January 2018
Intersection Lighting	\$ 20,000.00			Not required in 2017
Vehicle & Equipment Replacement Program				
<u>General</u>				
Equipment	\$ 10,000.00	\$ 9,186.84		Complete
CCTV Cameras	\$ 8,000.00	\$ 8,145.17		Complete
Riding Mower	\$ 12,000.00	\$ 8,313.79	DCS 31-2017	Complete
Roadside Disk Mower	\$ 16,000.00	\$ 10,112.66	DCS 39-2017	Complete
<u>Bucket Truck</u>				
Genie Lift	\$ 100,000.00	\$ 71,083.77	DCS 27-2017	Complete
<u>Loader</u>				
Loader	\$ 220,000.00	\$ 207,813.76	DCS 28-2017	Complete
Subtotal Transportation Services	\$ 4,554,004.00	\$ 2,187,914.13		

**Municipality of Lambton Shores
2017 Capital Program
As of December 31st, 2017**

PROJECTS	FINAL 2017 BUDGET	2017 EXPENSES	Report #	COMMENTS
RECREATION & CULTURAL SERVICES				
HARBOURS				
<u>GB Harbour</u>				
Monarch Boat	\$ 3,596.00	\$ 2,709.95		Complete
Docks - South Basin	\$ 10,000.00			Not required in 2017
Boat Launch Ramp	\$ 8,000.00	\$ 49,657.94	DCS 29-2017	Complete
<u>PF Harbour</u>				
Docks - Finger	\$ 15,450.00	\$ 14,803.09		Complete
Parking Lot	\$ 20,000.00	\$ 16,022.57		Complete
ARENAS				
<u>Legacy</u>				
Banquet Tables	\$ 3,400.00	\$ 2,657.86		Complete
<u>Shores</u>				
Interior Furniture	\$ 17,500.00	\$ 17,350.08		Complete
<u>Forest Arena</u>				
Cenotaph upgrades	\$ 25,000.00	\$ 26,926.67		Complete
COMMUNITY CENTRES				
<u>Port Franks CC</u>				
Banquet Tables	\$ 3,400.00	\$ 2,657.87		Complete
<u>Shores Fitness & Gym</u>				
Municipal Fitness Equipment Replacement	\$ 20,000.00	\$ 19,797.70		Complete
Gym Floor	\$ 6,500.00	\$ 4,884.48		Complete
<u>Thomas Hall</u>				
Staging	\$ 6,000.00	\$ 5,774.00		Complete
<u>Forest Library</u>				
Interior Upgrades	\$ 5,000.00	\$ 4,833.60		Complete
PARKS/BEACH				
<u>Beach/Beach House</u>				
Beach House	\$ 10,000.00	\$ 11,712.46		Complete
Concession	\$ 10,000.00	\$ 8,100.00		Complete
Shower Drain	\$ 10,000.00	\$ 7,499.71		Complete
<u>Grand Bend Beach</u>				
Boardwalk	\$ 140,000.00	\$ 128,077.67	DCS 22-2017	Complete
Mobi Mat	\$ 5,000.00	\$ 5,006.59		Complete
<u>Grand Bend Lions Park</u>				
Bleachers	\$ 5,000.00	\$ 5,092.04		Complete
<u>Optimist Park</u>				
Fence	\$ 5,000.00	\$ 2,691.48		Complete
<u>Thedford Ball Diamond Park</u>				
Ball Diamond	\$ 20,000.00	\$ 19,772.45	DCS 30-2017	Complete
Parking Lots				
<u>Mid Town Parking Meter</u>				
Parking Meter	\$ 10,000.00	\$ 10,174.15		Complete
Community Signs				
Wayfinding Signs	\$ 75,000.00	\$ 44,789.02	DCS 54-2017	Committed
Entrance Sign (Thedford)	\$ 3,000.00	\$ 3,000.00	DCS 54-2017	Complete
Service Club Signs	\$ 5,000.00	\$ 5,000.00	DCS 54-2017	Complete
Decorations				
Christmas Decorations	\$ 20,000.00	\$ 7,987.68		Complete
Subtotal Recreation & Cultural Services	\$ 461,846.00	\$ 426,979.06		
Total Tax Supported Projects	\$ 6,139,350.00	\$ 3,690,699.95		

**Municipality of Lambton Shores
2017 Capital Program
As of December 31st, 2017**

PROJECTS	FINAL 2017 BUDGET	2017 EXPENSES	Report #	COMMENTS
USER RATE SUPPORTED PROJECTS				
Water System				
Water System General				
North Area Meter Changeout	\$ 72,000.00	\$ 41,372.44		Complete
Water Mains				
FO - MacHenry St - Broadway to Morris	\$ 650,293.00	\$ 205,689.90	DCS 61-2017	Substantially Complete
Road Related Replacements (FO King St E)	\$ 169,950.00	\$ 225,000.00	DCS 50 -2017	Complete
Miscellaneous				
LAWS System	\$ 45,368.00	\$ 42,440.40		Complete
Hwy 21 Chamber Upgrades	\$ 30,000.00			Carry over
Thedford Booster Station upgrades	\$ 75,000.00			Carry over
Leak Detection Study	\$ 40,000.00			Carry over
Tower / reservoir maintenance	\$ 100,000.00			Carry over
BOS - NV Water Tower Radio	\$ 35,000.00			Carry over
Water Hydrant Identification	\$ 50,000.00	\$ 12,012.26		Draft model complete. Project to be completed in 2018
Subtotal Water System	\$ 1,267,611.00	\$ 526,515.00		
WASTEWATER SYSTEM				
Collection Systems				
Road Related Replacements (FO King St E)	\$ 33,000.00	\$ 75,000.00	DCS 50 -2017	Complete
Mollard Line Forcemain		\$ 520,423.89	DCS 57-2017	2018 Budget
Miscellaneous Items				
GB - Alberta St PS - Electrical Components	\$ 105,000.00	\$ 15,335.70	DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
GB - Alberta St PS - SCADA	\$ 50,000.00		DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
GB - Alberta St PS - Deisel Storage Tank	\$ 12,000.00		DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
GB - PS 4 Green Acres Wet Well Process Components	\$ 58,200.00	\$ 8,500.35	DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
GB - PS 4 Green Acres Electrical and Process Controls	\$ 20,000.00		DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
GB - PS 4 Green Acres SCADA	\$ 50,000.00		DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
GB - PS 1 Beach SCADA	\$ 50,000.00		DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
GB - PS 1 Beach Electrical	\$ 144,000.00	\$ 21,031.83	DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
GB - PS 1 Beach Asbestos Removal	\$ 30,000.00		DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
GB - Morenz Lane PS Electrical and Process Controls	\$ 73,900.00	\$ 11,246.74	DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
GB - Morenz Lane PS SCADA	\$ 50,000.00		DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
ARK - STP Blower #1 Replacement	\$ 20,000.00			Not proceeding with project.
TH - Main St PS Process Control	\$ 67,700.00		DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
TH - Main St PS Electrical	\$ 84,000.00	\$ 12,268.56	DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
TH - Main St PS SCADA	\$ 45,000.00		DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
TH - Main Lift SCADA Controls	\$ 75,000.00	\$ 10,954.04	DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
TH - Main Lift Wet Well Process Components	\$ 6,300.00		DCS 03-2018	Awarded to Selectra Inc. To be completed in 2018
Thedford Lagoon reconstruction	\$ 150,000.00	\$ 13,552.15		Engineering assessment complete. Project to be completed in 2018
Subtotal Wastewater System	\$ 1,124,100.00	\$ 688,313.26		
Total User Rate Supported Projects	\$ 2,391,711.00	\$ 1,214,828.26		
Grand Total	\$ 8,531,061.00	\$ 4,905,528.21		

THE MUNICIPALITY OF LAMBTON SHORES

Report DCS 02-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council

FROM: Steve McAuley, Director of Community Services

RE: Beach Hockey Showdown Event on Grand Bend Beach

RECOMMENDATION:

THAT Report DCS 02-2018 regarding the “Beach Hockey Showdown Event on Grand Bend Beach” be received; and

THAT Council approve the attached site plan for the event taking place on August 25, 2018; and

THAT an exemption be granted from Lambton Shores Policy 063 Grand Bend Beach Policy to allow for an additional sports tournament during the prime time season on Grand Bend Beach for 2018; and

THAT an exemption be granted for By-law 38 of 2009: Being a By-law to provide for the Regulation of Municipally Owned Beaches within the Municipality of Lambton Shores to permit the sale and display of goods associated with the event in the event area.

SUMMARY

This report seeks Council approval for a “Grand Bend Beach Hockey Showdown” on the Grand Bend Main Beach, August 25, 2018.

BACKGROUND

The Community Services Department has received an application for the use of the Grand Bend Beach for a Beach Hockey Showdown on August 25, 2018. The event is proposed as a fundraiser for Childcan, which is a social services organization located in London. Childcan is a registered charity that provides support to families that are coping with childhood cancer, through parking passes, food vouchers, financial support, funeral costs and other expenses directly related to a childhood cancer diagnosis. The catchment area of the organization is the same as the Children’s Hospital London Health Sciences Centre, which includes residents of Lambton Shores.

The tournament will consist of four age divisions, ranging from ages 11 to adult, with eight teams per division and five players per team. The event is expected to draw between 200 – 300 people, including participants. The sport is played on an 18m x 9m field. Participants use regular hockey or floor hockey sticks with a wiffle ball.

Since the event is considered to be a new major event, the site plan requires approval from Council, per Lambton Shores Policy 063 Grand Bend Beach Policy. A copy of the proposed site plan is attached. The total area required is 100m x 25m, or 2,500 sq. m. The event is ideal in this location because pedestrians are still able to access other areas of the beach through the boardwalk. The event would also not be obstructing any lifeguard towers. An alternative site plan is included on the Main Beach area should the preferred location not be available due to beach conditions. It is important to note that the areas on the attached site plan are approximate, and actual set up may vary slightly.

The event organizer has partnered with a local restaurant, The Highway Girl, to sell food and non-alcoholic beverages to tournament participants. A portion of the proceeds from food and beverage sales will be donated back to Childcan.

The event organizer has also arranged for offsite parking for the tournament, and is in the process of securing a shuttlebus to transport event participants in order to help alleviate possible traffic congestion.

In addition to site plan approval, the event also requires Council approval/exemption for the following stipulations identified in Policy 063 Grand Bend Beach Policy:

9. Restrictions

9.4 Sports Tournaments: *Sports tournaments take up a significant portion of the beach and can impact regular beach traffic. Sports tournaments and large-scale sporting events will not be permitted on the Grand Bend Beach during prime time, with the exception of the pre-existing Not So Pro Beach Volleyball Tournament. Sports tournaments and large-scale sporting events will be encouraged to apply for non-prime time.*

Since Policy 063 Grand Bend Beach Policy was implemented, the Not So Pro Beach Volleyball Tournament has ceased to operate on the Grand Bend Beach. There are, however, two youth volleyball tournaments that take place on the beach: a one-day tournament in June and a two-day tournament in July. Both events are operated by the Scorpions Volleyball League.

An exemption from this policy restriction is required to allow the tournament to take place on August 25, which is during the prime beach season.

In addition to the above policy exemptions, the event organizer also requires an exemption to the following By-law:

- By-law number 38 of 2009: Being a By-law to provide for the Regulation of Municipally Owned Beaches Within the Municipality of Lambton Shores:

3. Use of Beach for the Sale or Display of Goods

3.1 No person shall display, offer to sell or rent, or distribute goods, services or pamphlets on the beach or any parking lot adjacent to the beach, with the exception of health and safety awareness displays under agreement with the municipality unless in conjunction with a rental of the beach for a community event, and with the written permission of the Municipality.

An exemption to this section of the By-law is required in order to allow the event organizer to sell hats, shirts and other swag items associated with the event to tournament participants.

ALTERNATIVES TO CONSIDER

The following alternative is presented for Council consideration:

1. Approve the event on an alternate date

There are currently two volleyball tournaments that take place on the Grand Bend Beach during the prime beach season (June – August). Since sporting events take up a large portion of the beach, Council may choose to approve the event as requested on an alternate date outside of the prime beach season when the beach is less busy. The event organizer has indicated on the application that September 1st or 7th could be alternate dates for the event. Staff do not recommend September 1st as that date falls on the Labour Day long weekend, therefore September 7th would be preferable.

RECOMMENDED ACTIONS

THAT Report DCS 02-2018 regarding the “Beach Hockey Showdown Event on Grand Bend Beach” be received; and

THAT Council approve the attached site plan for the event taking place on August 25, 2018; and

THAT an exemption be granted from Lambton Shores Policy 063 Grand Bend Beach Policy to allow for an additional sports tournament during the prime time season on Grand Bend Beach for 2018; and

THAT an exemption be granted for By-law 38 of 2009: Being a By-law to provide for the Regulation of Municipally Owned Beaches within the Municipality of Lambton Shores to permit the sale and display of goods associated with the event in the event area.

FINANCIAL IMPACT

Beach rental fees in the amount of \$297.25 + HST per day will be collected for the event.

CONSULTATION

Facilitator of Recreation and Leisure
Manager of Parks and Facilities
By-law and Protective Services

Attachments:

1. Site Plan

Grand Bend Beach Hockey Showdown Site Plan—Option A—PREFERRED



Grand Bend Beach Hockey Showdown Site Plan—Option B—ALTERNATIVE



THE MUNICIPALITY OF LAMBTON SHORES

Report DCS 05-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council

FROM: Steve McAuley, Director of Community Services

RE: Grand Bend Beachfest

RECOMMENDATION:

THAT Report DCS 05-2018 regarding the “Grand Bend Beachfest” be received; and

THAT Council allow for the sale and service of alcohol, through a Special Occasion Permit in the licensed area identified in the site plan; and

THAT the fees for the event, including rental fees for the beach, stage, and observation deck, and the event application fee be waived; and

THAT an exemption be granted for By-law 38 of 2009: Being a by-law to provide for the Regulation of Municipally Owned Beaches within the Municipality of Lambton Shores to allow the use of barbeques or other cooking devices associated with the event within the licensed area; and

THAT an exemption be granted for By-law 38 of 2009: Being a by-law to provide for the Regulation of Municipally Owned Beaches within the Municipality of Lambton Shores to allow patrons on the beach until 12:00 a.m. on June 24, 2018; and

THAT an exemption be granted for By-law 38 of 2009: Being a by-law to provide for the Regulation of Municipally Owned Beaches within the Municipality of Lambton Shores to permit the sale and display of goods associated with the event in the licensed area.

SUMMARY

The Community Services Department has received an application for the use of the Grand Bend Beach from the Grand Bend Optimist Club to host “Grand Bend Beachfest” on June 23, 2018 with set up taking place June 22 and clean-up taking place June 24.

This report seeks Council approval for the applicable by-law and policy exemptions required by the event organizers.

BACKGROUND

Last year marked the inaugural Grand Bend Beachfest, hosted by the Grand Bend Optimist on Grand Bend Beach. The event promotes local food and beverages (including local beer, wine and ciders), and concerts on the Rotary Community Stage.

The Optimist Club has submitted an application requesting the use of the Grand Bend Beach on Saturday, June 23 from 10:00am – 10:00pm for the second annual Beachfest. The event will follow a very similar format to the inaugural event, but the Club has opted to reduce the operational hours for 2018. The event will be open to all ages, with age of majority attendees being identified through a wrist band. A copy of the 2017 approved site plan for the event is attached for information. The same site plan will be utilized for the 2018 event.

Staff are supportive of the site plan. This site plan allows for access to the beach area through the lower level of the beach house, allows the public to access the concession area and leaves the boardwalk accessible for non-event patrons. Temporary free-standing industrial fencing will be utilized to delineate the licensed area.

Council approval is required to allow for the sale and service of alcohol on the “plaza area”, as identified by the licensed area on the site plan. Currently, the Policy 048 Municipal Alcohol Policy only allows for liquor service on the observation deck of the beach house.

Staff will meet with the event organizers and the Alcohol and Gaming Commission of Ontario (AGCO) if required, prior to the event taking place to review the requirements of the Municipal Alcohol Policy and to ensure that all requirements under the policy will be adhered to. Glass bottles or glasses will not be permitted in the licensed area, per the policy.

The Optimist Club wishes to be granted exclusive use of the North Beach Parking Lot as part of their event, which was done in 2017. Attached is a letter from event organizer Mr. Scot Musser, outlining this request. Council should note that the 2016 revenue from the North Beach Parking Lot of the same weekend in 2016 (Friday – Sunday) was \$7,910.00. The Huron Street Lot will be available for the general public, rather than a shared use for public and event attendees, which was the case in 2017.

As indicated in the attached letter, the Optimist Club also wishes to have fees waived for this event, including the rental fees for the use of the stage, observation deck, and beach area, as well as the event application fee. Per the current fee by-law, the total request before taxes is \$1,232.45 plus applicable taxes. This request is eligible under the Community Grant program (in kind request), and approval is recommended.

In addition to the above policy exemptions and requests, the Optimist Club also requires exemptions to the following By-laws:

- By-law number 38 of 2009: Being a By-law to provide for the Regulation of Municipally Owned Beaches Within the Municipality of Lambton Shores:

2. Prohibited Matters relating to municipally owned beaches:

g) use any type of barbeque or device for the purpose of cooking on any beach, municipally owned structure or parking lot adjacent to the beach;

An exemption to this section of the by-law is required because the Optimist Club anticipates that some of the food vendors associated with the event will want to prepare/cook on site. Lambton Public Health will be notified of this, and all vendors wishing to prepare food on site will be required to follow Public Health regulations.

h) be present on the sand beach area between the hours of 11:00 p.m. and 6:00 a.m.

An exemption to this section is required because the event is expected to end at 10:00 p.m. and staff believe it is reasonable to assume that vendors may still be cleaning up until 12:00 a.m.

3. Use of Beach for the Sale or Display of Goods

3.1 No person shall display, sell, offer to sell or rent, or distribute goods, services or pamphlets on the beach or any parking lot adjacent to the beach, with the exception of health and safety awareness displays under agreement with the municipality unless in conjunction with a rental of the beach for a community event, and with the written permission of the Municipality.

An exemption to this section of the by-law is required in order to allow vendors associated with the event to sell food, alcohol and other goods associated with the event, within the licensed area.

Staff will be implementing a temporary road closure on Grand Bend Main Street at the turnaround between the hours of 8:00 a.m. and 10:00 a.m. on June 23 to allow this area to act as an unloading zone for vendors associated with the event. Vendors arriving outside of this time will be directed to unload in the North Beach Parking Lot. This will alleviate congestion in this area.

ALTERNATIVES TO CONSIDER

There are no alternatives presented at this time. The Grand Bend Optimist Club has an excellent track record for hosting community events and staff will continue to work with event organizers to ensure any necessary policy requirements are met.

RECOMMENDED ACTIONS

THAT Report DCS 05-2018 regarding the “Grand Bend Beachfest” be received; and

THAT Council allow for the sale and service of alcohol, through a Special Occasion Permit in the licensed area identified in the site plan; and

THAT the fees for the event, including rental fees for the beach, stage, and observation deck, and the event application fee be waived; and

THAT an exemption be granted for By-law 38 of 2009: Being a by-law to provide for the Regulation of Municipally Owned Beaches within the Municipality of Lambton Shores to allow the use of barbeques or other cooking devices associated with the event within the licensed area; and

THAT an exemption be granted for By-law 38 of 2009: Being a by-law to provide for the Regulation of Municipally Owned Beaches within the Municipality of Lambton Shores to allow patrons on the beach until 12:00 a.m. on June 24, 2018; and

THAT an exemption be granted for By-law 38 of 2009: Being a by-law to provide for the Regulation of Municipally Owned Beaches within the Municipality of Lambton Shores to permit the sale and display of goods associated with the event in the licensed area.

FINANCIAL IMPACT

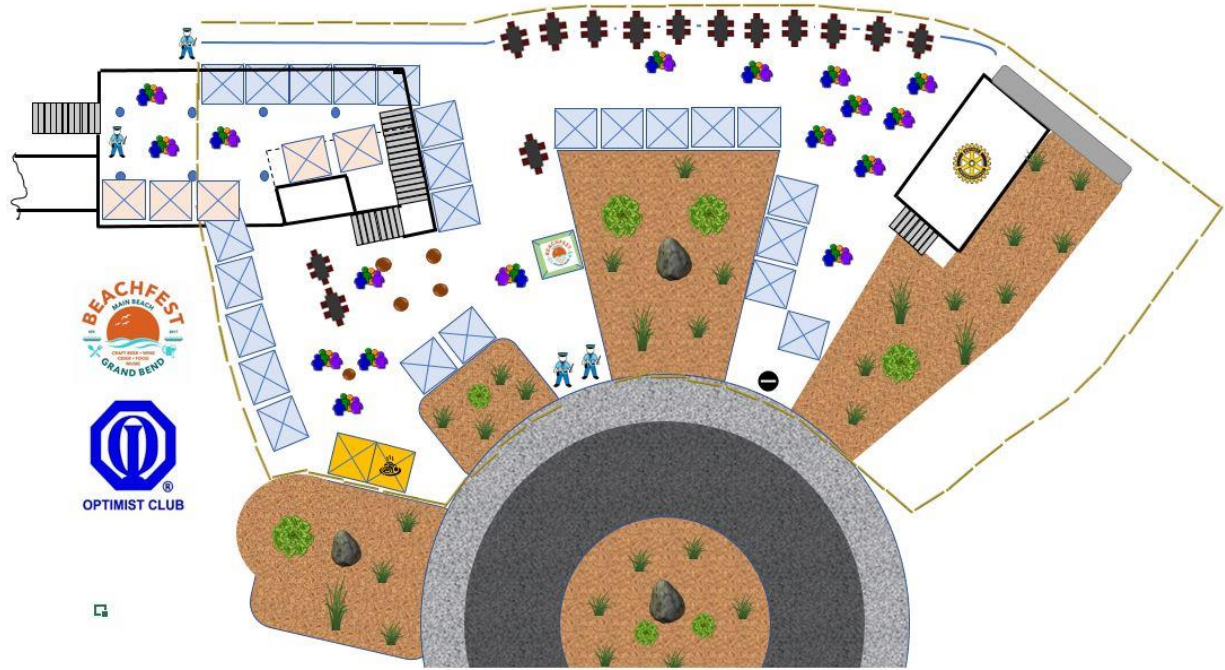
Since Council has previously granted exclusive use of the North Beach Parking Lot to the Optimist Club for past events, there has always been an unknown amount of lost parking revenue for the third weekend in June (Father’s Day weekend). In 2016, the total parking revenue for the North Beach Parking Lot during the same weekend being requested for Beachfest (June 24-26, 2016) was \$7,910.00 (Friday-Sunday). The impact of the Saturday only parking lot use is not known.

CONSULTATION

Facilitator of Recreation and Leisure, Manager of Parks and Facilities, By-law and Protective Services

Attachments:

1. Site Plan
2. Letter from the Grand Bend Optimist Club



Scot Musser
Grand Bend Optimist Club

Jan.22/2018

Ashley Farr
Facilitator of Recreation and Leisure
Municipality of Lambton Shores
9575 Port Franks Road
Thedford, ON
N0M 2N0

Hi Ashley,

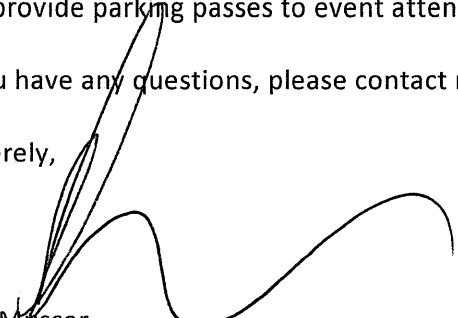
Please accept this letter as our club's formal request to have any fees waived for the use of the beach house and stage for our 2018 Beachfest event.

Also, in order to provide parking for our event attendees, we would also like to request the exclusive use of the North beach lot for parking. We would use a similar system as we did last year, and provide parking passes to event attendees.

If you have any questions, please contact me at 519-868-6690.

Sincerely,

Scot Musser
President

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above the printed name and title.

THE MUNICIPALITY OF LAMBTON SHORES

Report DCS 06-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council

FROM: Steve McAuley, Director of Community Services

RE: Healthy Kids Community Challenge Transfer Payment Agreement

RECOMMENDATION:

THAT Report DCS 06-2018 regarding the “Healthy Kids Community Challenge Transfer Payment Agreement” be received; and

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

SUMMARY

This report provides Council with an update on the Healthy Kids Community Challenge that was granted in 2015 to the “Lambton Partners”, a collaborative of the Municipality of Lambton Shores, Warwick Township, St. Clair Township, City of Sarnia and Lambton Public Health. Council approval is required to extend the existing agreement with the Ministry of Health and Long Term Care to September 30, 2018.

BACKGROUND

In 2015, the Municipality of Lambton Shores entered into an agreement with the Ministry of Health and Long Term Care for the Healthy Kids Community Challenge. The Ministry has provided funding of \$275,000 per year for the program, for a total funding commitment of \$825,000 between April 1, 2015 and March 31, 2018.

The Ministry has extended the Healthy Kids Community Challenge until September 30, 2018, with additional funding of \$137,500 between April 1, 2018 and September 30, 2018. The updated Transfer Payment Agreement is attached.

The Healthy Kids Community Challenge has been a unique opportunity. The Challenge has formalized a partnership between the Municipality of Lambton Shores, St. Clair Township, Warwick Township, the City of Sarnia and Lambton Public Health (the Lambton Partners).

Every nine months, the Ministry identifies a new theme on which efforts of the challenge are to be focused on. Past themes have included: Run. Jump. Play. Everyday.; Water Does Wonders; Choose to Boost Veggies and Fruit; and the current theme is Power Off

and Play. Each theme is designed to reduce and prevent childhood overweight and obesity.

The funding has provided for a full-time Healthy Kids Coordinator. The Coordinator is responsible for facilitating the Challenge in each of the four municipalities and acts as a liaison with community partners to implement the programs, and reports to the Ministry of Health and Long Term Care.

There have been numerous community partners involved in implementing the Healthy Kids Community Challenge throughout the four municipalities identified as the “Lambton Partners”. These include: the North Lambton Community Health Centre, Grand Bend Area Community Health Centre, Lambton County Libraries, Ausable Bayfield Conservation Authority, St. Clair Region Conservation Authority, Rapids Family Health Team, Kettle and Stony Point First Nation Health Services, One Tomato Project, the St. Clair Catholic School Board, Lambton Kent District School Board, Ontario Early Years Centre, Hillside School, YMCA Sarnia-Lambton, Watford Optimist Club, County of Lambton, Communities in Bloom, Forest BIA, Grand Bend Area Chamber of Commerce and Tourism, Kettle and Stony Point First Nation, Lambton Farm Safety Association, CH2MHill, Tourism Sarnia-Lambton, Lambton County Museums, Ontario Student Nutrition Program, private school boards, North Lambton Childcare Centre and the Inn of the Good Shepherd.

The Challenge partners have planned and implemented numerous activities throughout the four municipalities, including:

- Community Physical Activity Challenge vs. Healthy Kids Windsor-Essex
- Activity for Life Program in local schools, which included training and recess leadership programs
- Activity Passport, which highlighted municipal parks and facilities
- Healthy Communities Information Fair
- Equipment Lending Program, which supplemented the existing lending program at local libraries and implemented an equipment lending program at local parks and beaches (i.e. lifejacket lending at the Grand Bend Beach)
- Installed water filling stations at municipal parks and facilities (Grand Bend Beach, Shores Recreation Centre and Legacy Recreation Centre)
- Facilitated Conservation Education for schools, library programs and childcare
- Developed a community campaign to choose water first as the best beverage choice
- Developed a student nutrition campaign at local schools to promote consumption of water over sugar-sweetened beverages
- Swim, Skate, Drink program in St. Clair Township as part of an existing program
- Primary Care and Community Engagement events targeting physicians and community health staff to educate and create links to support healthy changes
- School competitions to encourage water consumption
- Partnership with the Inn of the Good Shepherd and the Mobile Market to pilot a healthy snack program

- Development of school, daycare and community gardens
- Youth Leadership Forum, which included student and teacher training with physical activity, healthy eating and leadership training components.
- Salad bar events at 10 schools (those that are currently accessing the Ontario Student Nutrition Program)
- Discussing and piloting healthy concession ideas
- Building off of the Ontario Student Nutrition program to provide fresh fruits and vegetables in their daily snack offerings
- Ongoing community outreach and promotions

The fourth and final theme of the Healthy Kids Community Challenge began in January, and will run until the completion of the program in September 2018. The programs planned as part of this theme include:

- High Five Training for local coaches, camp leaders and after school program leaders
- Installation of naturalized playground components in one park per municipality (Lambton Shores, Warwick, St. Clair and Sarnia)
- Installation of “Story Walks” in one park per municipality
- Community dinners in each of the municipalities
- Continuation of conservation education
- Development of library physical literacy kits, which will be available for public use
- Family meal clinics
- Continuation of youth community gardens

As noted previously, these programs will be facilitated by the Coordinator, and implemented by the community partners (with the exception of the naturalized playgrounds and High Five training, which are being coordinated through the respective municipality).

ALTERNATIVES TO CONSIDER

There are no alternatives presented at this time.

RECOMMENDED ACTIONS

THAT Report DCS 06-2018 regarding the “Healthy Kids Community Challenge Transfer Payment Agreement” be received; and

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

FINANCIAL IMPACT

From April 1, 2018 to September 30, 2018 the Ministry of Health and Long Term Care will provide funding in the amount of \$137,500 to support the Healthy Kids Community Challenge, Lambton Partners.

The funding is flowed through Lambton Shores, and there is no negative impact to the financial position of the municipality as a result of the program.

CONSULTATION

City of Sarnia staff
St. Clair Township staff
Warwick Township staff
Lambton Public Health staff
Community partners currently involved in the program

Attached:

1. Updated Transfer Payment Agreement, Ministry of Health and Long Term Care

This Amending Agreement No. 1, effective as of April 1, 2018

Between:

**Her Majesty the Queen
in right of Ontario
as represented by
the Minister of Health and Long-Term Care**

(the “**Ministry**”)

- and -

Municipality of Lambton Shores

(the “**Recipient**”)

WHEREAS the Ministry and the Recipient entered into an agreement effective as of the 1st day of April, 2015 (the “**Agreement**”); and

WHEREAS the Parties wish to amend the Agreement;

NOW THEREFORE IN CONSIDERATION of the mutual covenants and agreements contained in this Amending Agreement No.1, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. This amending agreement (“Amending Agreement No. 1”) shall be effective as of the first date written above.
2. Except for the amendments provided for in this Amending Agreement No. 1, all provisions in the Agreement shall remain in full force and effect.
3. Capitalized terms used but not defined in this Amending Agreement No. 1 have the meanings ascribed to them in the Agreement.
4. The Agreement is amended by deleting the definition of “Funding Year” under Article 1.2 Definitions and replacing it with the following:

“Funding Year” means:

- (a) in the case of the first Funding Year, the period commencing on the Effective Date and ending on the following March 31;
- (b) in the case of Funding Years 2 and 3, the period commencing on April 1 and ending on the following March 31; and
- (c) in the case of Funding Year 4, the period commencing on April 1 and ending on the following September 30.

5. The Agreement is amended by deleting the definition of “Maximum Funds” under Article 1.2 Definitions and replacing it with the following:

“Maximum Funds” means \$962,500.

6. The Agreement is amended by deleting Article 3.1 Term and replacing it with the following:

3.1 Term. The term of the Agreement shall commence on the Effective Date and shall expire on September 30, 2018 unless terminated earlier pursuant to Article 12, Article 13 or Article 14.

7. The Agreement is amended by deleting the address of the Province under Article 18.1 Notice in Writing and Addressed and replacing it with the following:

To the Province:

Ministry of Health and Long-Term Care
Population and Public Health Division
Healthy Living Policy and Programs
Branch
777 Bay Street, Suite 702, 7th Floor
Toronto, ON M7A 1S5

Attention: Dianne Alexander
Director
Fax: 416-314-5497
Email: Dianne.Alexander@ontario.ca

8. The Agreement is amended by deleting Schedule "A" (Project Description and Timelines) and substituting Schedule "A-1" (Project Description and Timelines), attached to this Amending Agreement No. 1 as Appendix "A".
9. The Agreement is amended by deleting Schedule "B" (Budget) and substituting Schedule "B-1" (Budget), attached to this Amending Agreement No. 1 as Appendix "B".
10. The Agreement is amended by deleting Schedule "C" (Payments) and substituting Schedule "C-1" (Payments), attached to this Amending Agreement No. 1 as Appendix "C".
11. The Agreement is amended by deleting Schedule "D" (Reports) and substituting Schedule "D-1" (Reports), attached to this Amending Agreement No. 1 as Appendix "D".

The Parties have executed the Amending Agreement No. 1 as of the date last written below.

**Her Majesty the Queen in right of Ontario as represented
by the Minister of Health and Long-Term Care**

Roselle Martino
Assistant Deputy Minister

Date

Municipality of Lambton Shores

Name:
Title:

Date

I have the authority to bind the **Municipality of Lambton Shores**

Appendix A

SCHEDULE “A-1” PROJECT DESCRIPTION AND TIMELINES

Background

Ontario's Healthy Kids Community Challenge (The Challenge) is a community-led program where partners from different sectors work together to implement activities to reduce and prevent childhood overweight and obesity. The Challenge is based on the EPODE (Ensemble Prévenons l'Obésité des Enfants – Together Let's Prevent Childhood Obesity) methodology, which is recognized by the World Health Organization as a best practice in childhood overweight and obesity prevention.

The Recipient, Municipality of Lambton Shores, will be asked to implement local activities based on one specific theme related to healthy eating or physical activity every 9 months. The selection of these themes will be based on the latest and best available evidence regarding the risk and protective factors that are known to lead to, or prevent, childhood overweight and obesity.

As a selected community to participate in and support The Challenge, also referred to as the Project, the Recipient will adhere to the following guiding principles:

- Focus on healthy kids, not just healthy weights. Strategies targeting protective factors for healthy weights – including improving nutrition and increasing physical activity – will benefit all children, regardless of weight status.
- Focus on positive health messages and not on programs or messages that could increase bias or stigma around weight.
- Recognize that healthy kids live in healthy families, schools and communities.
- Support health equity through interventions at the population-level and by targeting at-risk populations.

In addition to the Maximum Funds, the Province may also assist the Recipient through the provision of various supports for the Project. These supports include, but are not limited to, communication tools, training and assistance with evaluation. The purpose of these supports is to assist the Recipient and its local partners to plan and deliver community activities as part of The Challenge. The additional supports are within the discretion of the Province and separate from the Funds, which will remain unaffected if the Recipient receives additional supports from the Province related to The Challenge.

Project Goal and Objectives

The Recipient will develop and implement programs, policies and supports through community-led planning and action to contribute to the achievement of the following goal and objectives of The Challenge:

Goal:

- To reduce the prevalence of and prevent childhood overweight and obesity in The Challenge communities.

Objectives:

- To improve the conditions within communities participating in The Challenge by creating supportive environments to enable healthy behaviours in children, and related support behaviours in their parents.
- To contribute to the evidence on the effectiveness of centrally-coordinated, community-based interventions to improve healthy weights and weight related behaviours.
- To increase community capacity to plan, implement and evaluate sustainable health interventions at the community level.
- To improve community collaboration and coordination on promoting healthy childhood weights, through the development and mobilization of multi-sectoral community partnerships.
- To increase the proportion of children reporting recommended levels of specific health behaviours targeted by The Challenge.
- To increase the proportion of parents in The Challenge communities who engage in parental support behaviours and reduce the proportion who perceives barriers to supporting child health behaviours.
- To increase awareness of and participation in The Challenge.

Scope of Project

The Recipient and its local community partners will develop and leverage new and existing programs and policies that will encourage positive behavior change in the areas that are known to be key protective factors for childhood overweight and obesity (healthy eating, physical activity). These policies and programs will also work to remove the barriers to healthy behavior change and create healthy communities and environments (e.g., schools, workplaces, homes and other community settings).

All community-based programs, policies and supports planned and implemented by the Recipient and its local partners will support progress against the government's commitment to reduce rates of childhood obesity and overweight. The Recipient will participate in ongoing data collection for the purposes of Project evaluation and accountability reporting. Examples of potential performance indicators include:

- Health outcomes (clinical metrics such as Body Mass Index);
- Process indicators (reach, partnerships and awareness); and
- Behavioural indicators (physical activity levels and diet and nutrition).

In Funding Year 1 (2015/16), the Recipient and its local community partners will undertake the following activities:

- Recruit, train and hire a Local Project Manager to lead, coordinate and monitor the planning and implementation of all community activities (e.g., local programs and/or policies) that will support the themes of The Challenge.
- Engage, orient and support a local community leader (e.g., Mayor, Councillor) as the Community Champion who will promote local partnerships and raise public awareness of the community initiatives and activities associated with The Challenge.
- Conduct a comprehensive Community Needs Assessment to identify the unique needs, gaps, opportunities, resources and assets of a community, and to support the planning and delivery of The Challenge as related to the aforementioned outcomes.

- Develop the first Theme-Based Action Plan and Project Budget that outlines the programs, policies and supports the community will implement in support of the first theme.
- Implement the first Theme-Based Action Plan, in collaboration with community partners, through the delivery of community-based programs, policies and supports to support the first theme.
- Establish and maintain multi-sectoral partnerships and identify existing community resources to leverage that will support The Challenge and contribute to its successful delivery. Part of this process will involve the establishment of a Local Steering Committee to coordinate the planning, delegation and implementation of various activities by each local partner.
- Attend training sessions provided by the Province on various topics intended to educate and support the Recipient and its partners to deliver The Challenge. Sample topics may include best practices for community mobilization and networking, Project budgeting and reporting, marketing and communications, partnership development, evaluation, and other subjects designed to build the Recipient's capacity.
- Participate in a baseline data collection process to assist with the identification of health outcome, behavioural, and process indicators for healthy, active living as part of a larger evaluation of The Challenge.

In Funding Years 2-4 (April 1, 2016 – September 30, 2018), the Recipient and its community partners will develop subsequent Theme-Based Action Plans based on the new themes announced every 9 months by the Province. The Recipient and its community partners will implement these Action Plans to support the new themes and to address the gaps and/or opportunities identified through the Community Needs Assessment. In addition to the implementation of Action Plan activities, the Recipient will:

- Continue to lead, coordinate and monitor the planning and implementation of all community-based activities that support The Challenge, including the ongoing engagement of a community champion and a wide range of local partners operating in multiple sectors.
- Ensure the ongoing mobilization and engagement of key community partners, and the delegation of Project activities, through the Local Steering Committee.
- Track, monitor and update the gaps, opportunities, and assets previously identified through the Community Needs Assessment process to ensure they remain current and appropriate to support each new theme of The Challenge.
- Maintain active involvement and participation in training sessions delivered by the Province that are designed to build community capacity to support The Challenge.
- Participate in ongoing evaluation activities to assist the Province in collecting key outcome indicators that will measure the success and impact of The Challenge.

Timelines

The Recipient will undertake a Community Needs Assessment in Year 1 and prepare and implement Theme-Based Action Plans (including the cost of activities) every 9 months thereafter for each new theme.

The Province will select and announce the first theme in the Spring of 2015. Pending the Recipient's delivery of a Community Needs Assessment and Theme-Based Action Plan, Schedules will be revised and updated accordingly to reflect the specific programs, policies and supports that will be implemented in support of the first theme. Funding for the implementation of Theme-Based Action Plans is contingent on the successful execution of the previous Theme-Based Action Plans or other required Project activities.

Funding Year:	Timelines:	Activities:
Year 1 (2015-2016)	April 1, 2015 – March 31, 2016	<ul style="list-style-type: none"> • Hire/train Local Project Manager(s). • Establish and build multi-sectoral partnerships. • Undertake a Community Needs Assessment and collect baseline data. • Prepare for implementation by developing the first Theme-Based Action Plan. • Begin implementation of the first Theme-Based Action Plan. • Attend training sessions.
Year 2 (2016-2017)	April 1, 2016- March 31, 2017	<ul style="list-style-type: none"> • Revisit and update the original Community Needs Assessment to ensure the currency and relevancy of community gaps, opportunities, assets, etc. to support the ongoing implementation of The Challenge and its marketing themes. • Approximately every 9 months, the Recipient will submit and implement Theme-Based Action Plans and Budgets outlining specific, local activities (e.g., evidence-based programs, policies and supports) that will support The Challenge and one of its themes related to healthy eating and physical activity.
Year 3 (2017-2018)	April 1, 2017- March 31, 2018	<ul style="list-style-type: none"> • Ongoing collection of qualitative and quantitative data to inform Project evaluation through the tracking and measurement of health outcome, behavioural, and process indicators.
Year 4 (2018-2019)	April 1, 2018- September 30, 2018	<ul style="list-style-type: none"> • Continue to attend training sessions.

Communications and Marketing

1. The Recipient shall:
 - (a) act as media focus for the Project;
 - (b) respond to public inquiries, complaints and concerns with respect to the Project;

- (c) report any potential or foreseeable issues to the Province through the Healthy Living Policy and Programs Branch (“HLPPB”) and the Communications and Marketing Division (“CMD”) of the Ministry of Health and Long-Term Care;
 - (d) notify HLPPB and CMD 5 Business Days prior to issuing any news release and other planned communications relating to news releases and provide materials 5 Business Days prior to release;
 - (e) despite the time frames set out above for news releases and other planned communications relating to news releases, all public announcements and media communications related to urgent and/or emerging Project issues shall require the Recipient to provide HLPPB and CMD with notice of such announcement or communication as soon as possible prior to release;
 - (f) advise HLPPB and CMD prior to embarking on major provider outreach activities, public opinion research and the release of any publications related to the Project;
 - (g) develop advertising creative locally with artwork files (e.g., healthy kids assets, community word mark) and follow the Visual Identity Guidebook supplied by the Province:
 - (i) This advertising creative should not include the Ontario Logo or other Ontario identifier associated with the Visual Identity Directive, September 2006; and
 - (ii) The Province does not have to review and/or approve any advertising creative developed by the Recipient.
 - (h) Ensure that Marketing Communications (e.g., printed or printer-ready items provided by the Province such as posters, brochures, fact sheets) are not to be used in paid media. Paid media is:
 - (i) any item that the Recipient pays to have published in a newspaper or magazine, displayed on a billboard, or broadcast on radio or television;
 - (ii) any printed matter (e.g., householder) that the Recipient wants to pay to have distributed unaddressed to Ontario households by any method of bulk delivery; and
 - (iii) still considered to have a value and therefore considered “paid media” if the media is given, donated, and/or traded.
2. Despite the Notice provision in Article 18 of the Agreement, the Recipient shall provide any Notice required to be given under the Communications and Marketing part of this Schedule to the following:

- (a) **Ministry of Health and Long-Term Care**
Communications and Marketing Division
Strategic Planning and Integrated Marketing Branch
80 Grosvenor Street, 10th Floor, Hepburn Block, Toronto, ON M7A 1R3
Email: healthcommunications@ontario.ca

Ministry of Health and Long-Term Care

**Population and Public Health Division
Healthy Living Policy and Programs Branch
777 Bay Street, Suite 702, 7th Floor, Toronto, ON M7A 1S5
Email: healthykidscommunitychallenge@ontario.ca**

Appendix B

SCHEDULE "B-1" BUDGET

Healthy Kids Community Challenge – Municipality of Lambton Shores

FUNDING YEAR 1: APRIL 1, 2015 - MARCH 31, 2016	
	DIRECT SERVICES / PROJECT ADMIN. COSTS
Salaries and wages including benefits (Local Project Manager)	\$50,000 (based on 100% FTE)
Planning Services: <ul style="list-style-type: none"> • Community Needs Assessment • Theme-Based Action Plan and Budget • Baseline data collection • Other 	\$225,000
TOTAL *	Up to \$275,000

FUNDING YEARS 2-3 (APRIL 1, 2016 - MARCH 31, 2018)	
	DIRECT SERVICES / PROJECT ADMIN. COSTS
Salaries and wages	Up to \$275,000 for the 2016-17 funding year
Contract employees	
Employee benefits	Up to \$275,000 for the 2017-18 funding year
Fee for services	
Transportation & communication	
Services	
Supplies	
Project materials	
Acquisition	
Other	
TOTAL *	Up to \$550,000

FUNDING YEAR 4 (APRIL 1, 2018 - SEPTEMBER 30, 2018)	
	DIRECT SERVICES / PROJECT ADMIN. COSTS
Salaries and wages	Up to \$137,500 for the
Contract employees	

Employee benefits	2018-19 funding year
Fee for services	
Transportation & communication	
Services	
Supplies	
Project materials	
Acquisition	
Other	
TOTAL *	Up to \$137,500

* "Maximum Funds" means \$962,500 over the Term of the Agreement.

Appendix C

SCHEDULE "C-1" PAYMENT

Healthy Kids Community Challenge – Municipality of Lambton Shores

FUNDING YEAR 1: APRIL 1, 2015 – MARCH 31, 2016

PAYMENT DATE	TOTAL FUNDING
Pay up to \$11,458 semi-monthly on the 15th and 30th of each month, starting from April 15, 2015 to March 31, 2016.	\$275,000

FUNDING YEAR 2: APRIL 1, 2016 – MARCH 31, 2017

PAYMENT DATE	TOTAL FUNDING
Pay up to \$11,458 semi-monthly on the 15th and 30th of each month, starting from April 15, 2016 to March 31, 2017.	\$275,000

FUNDING YEAR 3: APRIL 1, 2017 – MARCH 31, 2018

PAYMENT DATE	TOTAL FUNDING
Pay up to \$11,458 semi-monthly on the 15th and 30th of each month, starting from April 15, 2017 to March 31, 2018.	\$275,000

FUNDING YEAR 4: APRIL 1, 2018 – SEPTEMBER 30, 2018

PAYMENT DATE	TOTAL FUNDING
Pay up to \$11,458 semi-monthly on the 15th and 30th of each month, starting from April 15, 2018 to September 30, 2018.	\$137,500

Note: Final payment amount for each Funding Year to be rounded up or down, as required, to the total approved funding amount per Funding Year.

The Province may make adjustments to these instalments for reasons including, but not limited to, prior year Budget settlement based on this Agreement.

Appendix D

SCHEDULE “D-1” REPORTS

Healthy Kids Community Challenge – Municipality of Lambton Shores

NAME OF REPORT		DUE DATE
Funding Year 1: April 1, 2015 to March 31, 2016		
1	Q1 Financial Report	July 31, 2015
2	1st Project Activity Report	October 31, 2015
3	Q2 Financial Report	October 31, 2015
4	Q3 Financial Report	January 31, 2016
5	2nd Project Activity Report	April 30, 2016
6	Q4 Financial Report	April 30, 2016
7	Funding Year/Annual Reconciliation Report	June 30, 2016
8	Recipient’s Audited Financial Report	June 30, 2016
9	Reports specified from time to time	On a date or dates specified by the Province
Funding Year 2: April 1, 2016 to March 31, 2017		
10	Q1 Financial Report	July 31, 2016
11	3rd Project Activity Report	October 31, 2016
12	Q2 Financial Report	October 31, 2016
13	Q3 Financial Report	January 31, 2017
14	4th Project Activity Report	April 30, 2017
15	Q4 Financial Report	April 30, 2017
16	Funding Year/Annual Reconciliation Report	June 30, 2017
17	Recipient’s Audited Financial Report	June 30, 2017
18	Reports specified from time to time	On a date or dates specified by the Province
Funding Year 3: April 1, 2017 to March 31, 2018		
19	Q1 Financial Report	July 31, 2017
20	Q2 Financial Report	October 31, 2017
21	Q3 Financial Report	January 31, 2018
22	5 th Project Activity Report (Theme 3)	February 28, 2018
23	Q4 Financial Report	April 30, 2018
24	Funding Year/Annual Reconciliation Report	June 30, 2018
25	Recipient’s Audited Financial Report	June 30, 2018
26	Reports specified from time to time	On a date or dates specified by the Province

Funding Year 4: April 1, 2018 to September 30, 2018		
27	Q1 Financial Report	July 31, 2018
28	6 th Project Activity Report (Theme 4)	October 31, 2018
29	Q2 Financial Report	October 31, 2018
30	Funding Year/Annual Reconciliation Report	June 30, 2019
31	Recipient's Audited Financial Report	June 30, 2019
32	Reports specified from time to time	On a date or dates specified by the Province

Certificate of Insurance: The Certificate of Insurance shall be provided to the Province at the same time the executed Agreement is provided to the Province by the Recipient.

Report Details

1. Q1 Financial Report

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of June 30, 2015. Reporting templates will be provided by the Province.

2. 1st Project Activity Report

This report contains Project activity progress at the end of September 30, 2015. For this report, document achievements in relation to the agreed objectives and/or major activities, including key Project and evaluation results (outputs and/or outcomes); resources produced (if any); variances in achievement of planned outputs/outcomes (e.g., delays in meeting planned activities) and barriers encountered; and, if appropriate, planned remedial actions to ensure activities are met.

3. Q2 Financial Report

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of September 30, 2015. Reporting templates will be provided by the Province.

4. Q3 Financial Report

This financial report contains actual expenditures at the end of December 31, 2015, and a forecast of Project expenditures for the period from January 1, 2016 to March 31, 2016. Reporting templates will be provided by the Province. The purpose of this report is to report progress, flag large expenditures that are planned for the period from January 1, 2016 to March 31, 2016, and identify any funds which will be un-spent by the end of the Funding Year.

5. 2nd Project Activity Report

This report contains Project activity progress at the end of March 31, 2016. For this report, document achievements in relation to the agreed objectives and/or major activities, including key Project and evaluation results (outputs and/or outcomes); resources produced (if any); variances in achievement of planned

outputs/outcomes (e.g., delays in meeting planned activities) and barriers encountered; and, if appropriate, planned remedial actions to ensure activities are met. This report should include progress against performance indicators as agreed to with the Province. The Province will provide a template for use in reporting on performance indicators.

6. Q4 Financial Report

The financial report will specify actual expenditures/revenues against the approved budget and any resulting variances for each cost category at the end of March 31, 2016. Reporting templates will be provided by the Province and the report will be signed by authorized signing officers of the organization (e.g., Chief Executive Officer/Medical Officer of Health and/or Chief Financial Officer/Finance Director).

7. Funding Year/Annual Reconciliation Report

The Funding Year/Annual Reconciliation report contains the approved budget and actual expenditures for the Funding Year from April 1, 2015 to March 31, 2016 after the organization's financial audit is completed. Reporting templates will be provided by the Province and the report will be signed by authorized signing officers of the organization (e.g., Chief Executive Officer/Medical Officer of Health and/or Chief Financial Officer/Finance Director).

8. Recipient's Audited Financial Report

This report is the annual audited organizational financial report, including financial statements prepared by external auditors. The Province does not require a separate schedule to be prepared for each Project funded as long as Province revenue and expenditures are identifiable within the report and the Funding Year/Annual Reconciliation reports (which are Project-specific) are duly signed by authorized signing officers.

9. Reports specified by from time to time

As specified by the Province.

10. Q1 Financial Report

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of June 30, 2016. Reporting templates will be provided by the Province.

11. 3rd Project Activity Report

This report contains Project activity progress at the end of September 30, 2016. For this report, document achievements in relation to the agreed objectives and/or major activities, including key Project and evaluation results (outputs and/or outcomes); resources produced (if any); variances in achievement of planned outputs/outcomes (e.g., delays in meeting planned activities) and barriers encountered; and, if appropriate, planned remedial actions to ensure activities are met.

12. Q2 Financial Report

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of September 30, 2016. Reporting templates will be provided by the Province.

13. Q3 Financial Report

This financial report contains actual expenditures at the end of December 31, 2016, and a forecast of Project expenditures for the period from January 1, 2017 to March 31, 2017. Reporting templates will be provided by the Province. The purpose of this report is to report progress, flag large expenditures that are planned for the period from January 1, 2017 to March 31, 2017, and identify any funds which will be un-spent by the end of the Funding Year.

14. 4th Project Activity Report

This report contains Project activity progress at the end of March 31, 2017. For this report, document achievements in relation to the agreed objectives and/or major activities, including key Project and evaluation results (outputs and/or outcomes); resources produced (if any); variances in achievement of planned outputs/outcomes (e.g., delays in meeting planned activities) and barriers encountered; and, if appropriate, planned remedial actions to ensure activities are met. This report should include progress against performance indicators as agreed to with the Province. The Province will provide a template for use in reporting on performance indicators.

15. Q4 Financial Report

The financial report will specify actual expenditures/revenues against the approved budget and any resulting variances for each cost category at the end of March 31, 2017. Reporting templates will be provided by the Province and the report will be signed by authorized signing officers of the organization (e.g., Chief Executive Officer/Medical Officer of Health and/or Chief Financial Officer/Finance Director).

16. Funding Year/Annual Reconciliation Report

The Funding Year/Annual Reconciliation report contains the approved budget and actual expenditures for the Funding Year from April 1, 2016 to March 31, 2017 after the organization's financial audit is completed. Reporting templates will be provided by the Province and the report will be signed by authorized signing officers of the organization (e.g., Chief Executive Officer/Medical Officer of Health and/or Chief Financial Officer/Finance Director).

17. Recipient's Audited Financial Report

This report is the annual audited organizational financial report, including financial statements prepared by external auditors. The Province does not require a separate schedule to be prepared for each Project funded as long as Province revenue and expenditures are identifiable within the report and the Funding Year/Annual Reconciliation reports (which are Project-specific) are duly signed by authorized signing officers.

18. Reports specified from time to time

As specified by the Province.

19. Q1 Financial Report

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of June 30, 2017. Reporting templates will be provided by the Province.

20. Q2 Financial Report

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of September 30, 2017. Reporting templates will be provided by the Province.

21. Q3 Financial Report

This financial report contains actual expenditures at the end of December 31, 2017, and a forecast of Project expenditures for the period from January 1, 2018 to March 31, 2018. Reporting templates will be provided by the Province. The purpose of this report is to report progress, flag large expenditures that are planned for the period from January 1, 2018 to March 31, 2018, and identify any funds which will be un-spent by the end of the Funding Year.

22. 5th Project Activity Report (Theme 3)

This report contains Project activity progress between April 1-December 31, 2017 (Theme 3). For this report, document achievements in relation to the agreed objectives and/or major activities, including key Project and evaluation results (outputs and/or outcomes); resources produced (if any); variances in achievement of planned outputs/outcomes (e.g., delays in meeting planned activities) and barriers encountered; and, if appropriate, planned remedial actions to ensure activities are met.

23. Q4 Financial Report

This report contains actual expenditures at the end of the Funding Year (March 31, 2018). The financial report will specify actual revenues and expenditures against the approved budget and any resulting variances for the funding period. Reporting templates will be provided by the Province and the report will be signed by authorized signing officers of the organization (e.g., Chief Executive Officer/Medical Officer of Health and/or Chief Financial Officer/Finance Director).

24. Funding Year/Annual Reconciliation Report

The Funding Year/Annual Reconciliation report contains the approved budget and actual expenditures for the Funding Year from April 1, 2017 to March 31, 2018 after the organization's financial audit is completed. Reporting templates will be provided by the Province and the report will be signed by authorized signing officers of the organization (e.g., Chief Executive Officer/Medical Officer of Health and/or Chief Financial Officer/Finance Director).

25. Recipient's Audited Financial Report

This report is the annual audited organizational financial report, including financial statements prepared by external auditors. The Province does not require a separate schedule to be prepared for each Project funded as long as Province revenue and expenditures are identifiable within the report and the Funding Year/Annual Reconciliation reports (which are Project-specific) are duly signed by authorized signing officers.

26. Reports specified from time to time

As specified by the Province.

27. Q1 Financial Report

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of June 30, 2018. Reporting templates will be provided by the Province.

28. 6th Project Activity Report (Theme 4)

This report contains Project activity progress between January 1- September 30, 2018 (Theme 4). For this report, document achievements in relation to the agreed objectives and/or major activities, including key Project and evaluation results (outputs and/or outcomes); resources produced (if any); variances in achievement of planned outputs/outcomes (e.g., delays in meeting planned activities) and barriers encountered; and, if appropriate, planned remedial actions to ensure activities are met.

29. Q2 Financial Report

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of September 30, 2018. Reporting templates will be provided by the Province.

30. Funding Year/Annual Reconciliation Report

The Funding Year/Annual Reconciliation report contains the approved budget and actual expenditures for the Funding Year from April 1, 2018 to September 30, 2018 after the organization's financial audit is completed. Reporting templates will be provided by the Province and the report will be signed by authorized signing officers of the organization (e.g., Chief Executive Officer/Medical Officer of Health and/or Chief Financial Officer/Finance Director).

31. Recipient's Audited Financial Report

This report is the annual audited organizational financial report, including financial statements prepared by external auditors. The Province does not require a separate schedule to be prepared for each Project funded as long as Province revenue and expenditures are identifiable within the report and the Funding Year/Annual Reconciliation reports (which are Project-specific) are duly signed by authorized signing officers.

32. Reports specified from time to time

As specified by the Province.

THE MUNICIPALITY OF LAMBTON SHORES

Report DCS 07-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council

FROM: Steve McAuley, Director of Community Services

RE: Purchase of 7849 Rawlings Road

RECOMMENDATION:

THAT Report DCS 07-2018 regarding the “Purchase of 7849 Rawlings Road” be received; and

THAT staff be directed to fund the total estimated cost of \$504,907 for the purchase of 7849 Rawlings road from the Acquisition of Capital assets – real property reserve fund; and

THAT the Mayor and Clerk be authorized to execute any documents associated with the purchase of 7849 Rawlings Road.

SUMMARY

This report is meant to summarize purchase and the closing costs associated with Council’s recent acquisition of the property located at 7849 Rawlings Road in Forest and recommend a funding source for the purchase.

BACKGROUND

At the January 23, 2018 regular Council meeting, the following resolution was made:

THAT Council approves the Agreement of Purchase and Sale for the property located at 7849 Rawlings Road in Forest for an agreed purchase price of \$440,000 for the purposes of establishing an operations depot; and

THAT the required \$50,000 deposit be funded from the Acquisition of Capital assets – real property reserve; and

THAT prior to the closing date of May 1, 2018, staff is directed to prepare a report outlining the final closing costs and present options for sources of funding.

By way of background, the Municipality identified sometime ago that the existing Forest Operations Depot located at 12 Ann St. was in need of replacement. The building is located in a residential area and is at a point of being unsuitable for its intended use based on its age and condition.

After a number of alternatives were considered by Council, an Agreement of Purchase and Sale was approved for the purchase of 7849 Rawlings Road in Forest. The agreed purchase price for the property was \$440,000 with a closing date of May 1, 2018.

7849 Rawlings Road is located directly adjacent to the former railroad right-of-way owned by Lambton Shores, a portion of which is currently used as a storage yard. The building is approximately 2600 sq ft. and was built in 2011 to serve as a base shop for a construction company. The owner has since focused his business efforts in other areas and as a result the building was no longer required. The property is zoned M1 Industrial and is suitable for the use of a Municipal Operations Depot.

The property size is a little over 9000m³ (2.2 acres) which includes approximately 5000m³ (1.2 acres) of vacant land that could be used for future industrial purposes. The attached photos show both an aerial view of the entire property along with photos of the building.

Based on the intended use of the building, staff has identified a number of improvements that are required to be made to the building and property. Those improvements are as follows:

- One new wider overhead door (existing is 12', need 14'-16')
- Addition of sink in lunch room
- Frame small office adjacent lunch room for Lead Hand
- Complete fencing modifications to close off and create an access from the current municipal yard

The estimate cost to complete these improvements is \$50,000.

ALTERNATIVES TO CONSIDER

The Agreement of Purchase and Sale has been executed and the required deposit has been paid in trust to the seller's solicitor. At this point Council has committed to purchase the property, however the source of funding is at Council's discretion. Staff is recommending that the outstanding balance of the property purchase, along with the monies required for the additional improvements be drawn from the Acquisition of Capital assets – real property reserve; however, this is contingent upon Council approving the allocation of the 2017 surplus as outlined in Report TR-9-2018. Other options for funding these items could include utilizing other reserves or reserve funds, or debenturing the expense over a period of time.

RECOMMENDED ACTIONS

Staff is recommending that Council close the property purchase on May 1st as agreed to in the Agreement of purchase and Sale, and that the funds required to complete the purchase and undertake the recommended improvements be taken from the Acquisition of Capital assets – real property reserve.

FINANCIAL IMPACT

The total estimated cost associated with the property purchase is as follows:

Property Purchase:	\$440,000
Land transfer tax	\$5,075
Net HST	\$7,832
<u>Legal Costs:</u>	<u>\$2,000</u>
Total property purchase	\$454,907
<u>Improvements Budget</u>	<u>\$50,000</u>
Total cost	\$504,907

CONSULTATION

CAO
Treasurer

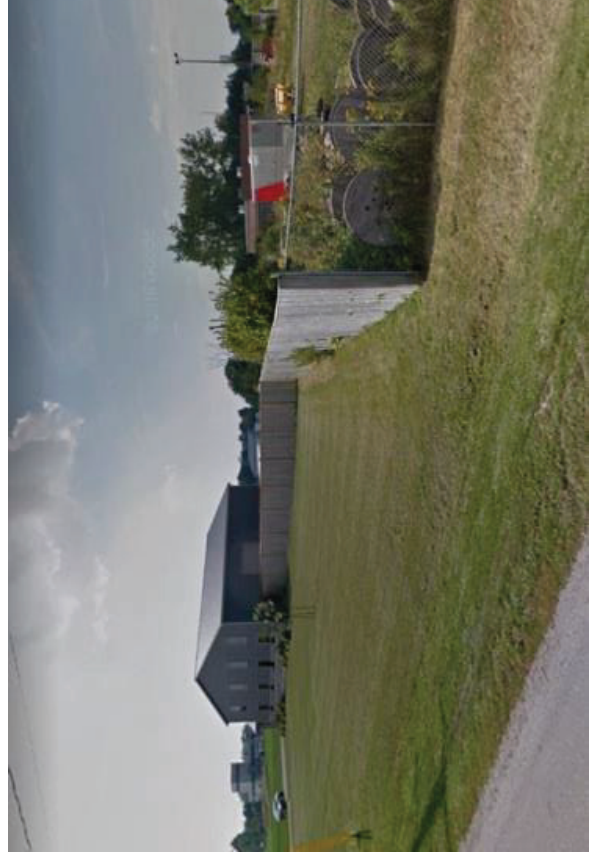
7849 Rawlings Road



Aerial View of Property



Looking North



Looking South

THE MUNICIPALITY OF LAMBTON SHORES

Report CL 01-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council

FROM: Stephanie Troyer-Boyd, Clerk

RE: Potential Council Restricted Acts (Lame Duck Period)

RECOMMENDATION:

THAT the Potential Council Restricted Acts Report CL01-2018 be received for information; and

THAT the necessary by-law be implemented to delegate authority from July 27, 2018 to December 1, 2018; and

THAT the by-law shall come into force only when determined by the Clerk with certainty that less than 75% percent of the current members of Council will be returning to sit on the new Council after Nomination Day of the 2018 Municipal Elections.

SUMMARY

The purpose of the report is to provide Council with information on the circumstances in which Council will be in a “lame duck” position and restricted acts after Nomination Day.

BACKGROUND

On April 4, 2016, the Ontario Minister of Municipal Affairs and Housing introduced Bill 181, the Municipal Elections Modernization Act, 2016 (MEMA). The MEMA received Royal Assent on June 9, 2016. Bill 181 and the changes that the MEMA contains, represent the most significant updates to the Municipal Election Act, 1996 and the conduct of Municipal Elections in Ontario within the last 20 years.

A specific change to the Municipal Elections Act through Bill 181 impacts the change in the Nomination Period; nomination period has been moved from January to May 1, 2018. Nomination Day (deadline to submit candidacy) is now July 27, 2018 rather than the former September deadline time period. This amendment means that Council could be in a ‘Lame Duck’ position longer than in the past.

Another amending piece of provincial legislation being Bill 68 Modernizing Ontario’s Municipal Legislation Act implements a change to the term of office of Council. This amendment provides a new start date for a new term of Council from December 1

following the regular election, to a new date of November 15. This amendment was implemented to shorten the potential 'Lame Duck' period between when the existing Council is still sitting and the new Council takes Office. However, for the 2018 Municipal Election, the amendment includes a transitional rule under Section 1.1 of the Act which keeps the start date for the 2018 Council term to begin on December 1, 2018.

In summary, for the 2018 Municipal Election there is the potential for a longer 'Lame Duck Period' than in the past. The importance of preparing a by-law delegating certain powers to staff pursuant to Section 275 of the Municipal Act, 2001 is increased.

The determination of whether a Municipal Council is in a restricted position occurs at two points in time. A lame duck Council occurs when the new Council will have less than 75% of the members of the outgoing Council as per Section 275(1) of *The Municipal Act, 2001*. For Lambton Shores, 75% is 7 of 9 members of Council.

- a) **Between July 27th, 2018 to October 22, 2018** - The determination shall be based on the candidates that have been certified by the Municipal Clerk. If fewer than 7 of the incumbent members choose to run for Council, the restrictions set out in the *Municipal Act, 2001*, will apply; and
- b) **Between October 22nd 2018 to November 30th, 2018-** The election results are declared by the Municipal Clerk shortly after the municipal election. If the election results in fewer than 7 of the incumbent Council Members returning to Council, the restrictions set out in the *Municipal Act, 2001*, will apply.

The following is a brief summary of the provisions as provided pursuant to Section 275 of the *Municipal Act, 2001*, Restricted Acts Provision:

Restrictions

If a Council is in a 'lame duck' position, the Council shall not take on the following actions:

- a) The appointment or removal from office of any officer of the municipality;
- b) The hiring or dismissal of any employee of the municipality;
- c) The disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and
- d) Making any expenditures or incurring any other liability which exceeds \$50,000.

There are, however, provisions in The Municipal Act, 2001 that could reduce the impact of a lame duck situation. Subsection 275(4) provides that restrictions in clauses (c) and (d) to not apply if the disposition or liability was approved by Council in the annual budget provided the budget is adopted before Nomination Day. In addition, Section 375(6) provides that nothing prevents a person or body from exercising authority delegated by Council. Delegation of powers must be done prior to the start of the lame duck period.

Land Matters: Pursuant to Section 275(3)(c) a municipality can close a real estate transaction during the 'Lame Duck' period only if the Council passed a by-law approving the execution of the agreement of purchase and sale in advance of the 'lame duck' period.

Expenditures: A contract could be awarded by a 'Lame Duck' Council in excess of \$50,000 so long as the amount was included in the approved 2018 annual budget. However the 'Lame Duck' Council would not be able to award a contract, if the amount of the tender or bid exceeds the amount included in the budget.

Emergencies: Pursuant to Section 275(4)(4.1) which states that nothing in this section 275 of a 'lame duck' Council under the restrictions, there is nothing that prevents a municipality from taking any action in the event of an emergency within the Municipality.

Delegation of Authority: Section 275(6) provides that the authority of a municipality can be delegated to a person or body prior to Nomination Day for the election of the new Council.

A By-law Delegating authority to staff pursuant to Section 275 of the *Municipal Act, 2001* in regards to Restricted Acts would expire when the new Council is sworn in.

Determination of Restricted Act of Council - Lame Duck Position:

- If 7 or more of the incumbent councillors were acclaimed, then there would NOT be a “lame duck” period at all.
- If 3 or more of council decide not to run again, then there WOULD be a “lame duck” period July 27 to Nov. 30.
- If at least 7 of councillors put their names forward as candidates, then there would NOT be a “lame duck” period from July 27 through to Oct. 22 (Election Day), because it would not be certain that 3/4 of council would NOT be returning. After Oct. 22, it would depend on the number of councillors re-elected to determine if the “lame duck” period would start Oct. 22 and run to the Nov. 30 swearing in.
- If 7 or more of the incumbents were re-elected, then the “lame duck” period would NOT commence on Oct. 22.
- If 3 or more of the incumbents were NOT re-elected, the “lame duck” period would commence Oct. 22.

ALTERNATIVES TO CONSIDER

Council could do nothing; not passing a delegating by-law would mean certain acts could be restricted for a large part of 2018.

RECOMMENDED ACTIONS

It is recommended that Council delegates authority to the CAO to take action, where necessary, on certain restrictions listed in Section 275 (3) of the Municipal Act, 2001 between Nomination Day and the commencement of the term of Council. Accordingly, a by-law has been prepared which delegates authority on those restrictions in Section 275(3).

FINANCIAL IMPACT

There are no Financial/Budget implications as a result of this report.

CONSULTATION

Kevin Williams, CAO

THE MUNICIPALITY OF LAMBTON SHORES

Report CL 03-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council

FROM: Stephanie Troyer-Boyd, Clerk

RE: Joint Compliance Audit Committee

RECOMMENDATION:

THAT Report CL 03-2018 - Joint Compliance Audit Committee be received; and

THAT the appropriate by-laws be approved.

SUMMARY

The purpose of this report is to provide Council with information regarding the requirement for a Compliance Audit Committee and to make a recommendation for appointments to the Committee.

BACKGROUND

Pursuant to section 88.37(1) of the Municipal Election Act, S.O. 1996, c. 32, as amended, all municipalities are required to appoint a Compliance Audit Committee. A qualified elector who believes that a candidate has contravened a provision of the Act relating to election campaign financing, may apply to the Compliance Audit Committee for a compliance audit of the candidate's finances.

In 2014, the lower tier municipalities in Lambton County collaborated to establish a Joint Compliance Audit Committee from December 1st 2014 to November 30th 2018. By-laws 87 of 2014 and 107 of 2014 were subsequently passed.

In accordance with the Terms of Reference of the Joint Compliance Audit Committee By-law 87 of 2014: "All existing members will be given an opportunity to be reappointed for the December 1, 2014 to November 30, 2018 period." The current members were consulted regarding continuing on the Committee and have reviewed the Terms of Reference. All Committee members and alternates have agreed to remain on the Committee for the 2018 – 2022 term of Council.

ALTERNATIVES TO CONSIDER

There are no alternatives proposed by staff for consideration.

RECOMMENDED ACTIONS

It is recommended that Council endorse the terms of reference for the Joint Compliance Audit Committee as included in Schedule A of Bylaw 18 of 2018 and Committee member appointments as provided for in Bylaw 19 of 2018.

FINANCIAL IMPACT

There is no financial impact to the appointment of a Joint Compliance Audit Committee.

CONSULTATION

Lambton County Clerks Group

THE MUNICIPALITY OF LAMBTON SHORES

Report CL 04-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council
FROM: Stephanie Troyer-Boyd, Clerk
RE: Appointments to Accessibility Committee
RECOMMENDATION:

THAT Report CL 04-2018 regarding Appointments to Accessibility Committee be received; and

THAT the By-Law 15 of 2018 being a by-law to amend By-Law 109 of 2017 be approved.

SUMMARY

To provide Council with recommendations for citizen appointments to the Lambton Shores Accessibility Committee.

BACKGROUND

As a result of an insufficient number of applications for the Accessibility Committee in late 2017, the call for applications was re-advertised in accordance with the Recruitment and Appointment to Committees and Boards Policy. There are currently two positions open on the committee and sufficient applications were received.

The 3 members of Committee Selection Panel have met and reviewed the public applications for the vacant committee seats. Applications were evaluated based on the information submitted including experience, policy guidelines and community representation as recommended in the terms of reference for the committees.

The Committee Selection Panel is now in a position to finalize appointments to the Accessibility Committee and recommends Steve Balcom and Cindy Maxfield be appointed by by-law.

ALTERNATIVES TO CONSIDER

There are no alternatives to consider.

RECOMMENDED ACTIONS

It is recommended that the appointment by-law be approved.

FINANCIAL IMPACT

There is no financial impact to these appointments.

CONSULTATION

Committee Selection Panel

THE MUNICIPALITY OF LAMBTON SHORES

Report CL 05-2018

Council Meeting Date: February 13, 2018

TO: Mayor Weber and Members of Council

FROM: Stephanie Troyer-Boyd, Clerk

RE: 2018 Municipal Election Update

RECOMMENDATION:

THAT the 2018 Municipal Election Update report be received for information.

SUMMARY

To provide Council with an update on 2018 municipal election matters.

BACKGROUND

As Council is aware, 2018 is a Municipal Election year. While “Election Day” is not until October 22, 2018, there is much preparation for the election taking place by administrative staff. Staff would like to make Council aware of some of the important dates and preparations that are taking place. The municipal website will be updated with election information in the near future.

April 11, 2018	Candidate Information Sessions
May 1, 2018	Nominations open
July 27, 2018	Nominations close at 2:00 p.m.
July 27, 2018	Deadline to withdraw a nomination at 2:00 p.m.
Voting Period	October 11, 2018 at 9:00 a.m. - October 22, 2018 at 8:00 p.m.
October 22, 2018	Election Day

Lambton County Clerks have joined together to have the Ministry of Municipal Affairs conduct two (2) Candidate Information Sessions on April 11, 2018 at the County of Lambton building in Wyoming. The two hour session will be held at 2:00 pm and repeated at 6:00 pm. The intent of the sessions is to provide individuals who have an interest in running for municipal Council with information on what they need to know before making a decision to run for Council. Those who plan on attending one of the sessions are asked to register with the Clerk of their municipality so we have an understanding of the number of attendees.

A significant change from previous municipal elections is the length of the nomination period. As Council is aware, nominations will open on May 1, 2018 and will end on July 27, 2018 at 2:00 p.m. In addition, there is also a new requirement of 25 supporting

signatures of eligible electors to accompany the nomination. The Province of Ontario will release the new nomination form in April 2018. Once the nomination form is available, it will be made available from the Municipal website and municipal offices.

With respect to the conduct of the election, voters in Lambton Shores will have the convenience of voting by internet or telephone. Eligible electors can vote anytime, anywhere, during the voting period using a telephone, computer, cell phone, tablet, or laptop. The voting period for the 2018 Municipal Election runs from October 11, 2018 at 9:00 am to 8:00 pm on October 22, 2018. The Voter Instruction Letter containing voting instructions and a private access PIN will be mailed to eligible voters in early October. The telephone/internet voting election policies and procedures have been prepared and have identified a Voter Help Centre at the Forest Office. Staff will be equipped with the knowledge and information to assist voters who require additional assistance.

ALTERNATIVES TO CONSIDER

This is an information report for Council. There are no alternatives for consideration.

RECOMMENDED ACTIONS

The report has been prepared for Council information.

FINANCIAL IMPACT

There is no financial impact to receiving this staff report.

CONSULTATION

Lambton County Clerks

CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

BY-LAW NUMBER 15 OF 2018

BEING A BY-LAW TO AMEND BY-LAW 109 OF 2017

WHEREAS Council enacted By-Law 109 of 2017 being a By-Law to Appoint Members of the Public to Committees of Council on December 12, 2017;

AND WHEREAS The Council of the Municipality of Lambton Shores deems it expedient to amend By-Law 109 of 2017;

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

1. THAT Section 2 of By-law 109 of 2017 be amended as follows:

Accessibility Advisory Committee

Noreen Croxford, Bill Bentley and Jordy Speake be appointed for the term ending December 31, 2018.

Tabetha Burley, Steve Balcom and Cindy Maxfield be appointed for the term ending December 31, 2020.

2. This By-law shall come into force and effect upon its final passage.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED this 13th day February of 2018.

Mayor

Clerk

CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

BY-LAW NUMBER 16 OF 2018

**BEING A BY-LAW TO DELEGATE CERTAIN ACTS DURING A
“LAME DUCK” PERIOD AFTER NOMINATION DAY
TO THE SWEARING IN OF COUNCIL**

WHEREAS Section 275 of the Municipal Act, 2001, c. 25 as amended, restricts the actions described in subsection (3) after the first day during the election period for a new council;

AND WHEREAS Section 275 (3) of the Municipal Act, 2001, c. 25 restricts Council from taking action on the following:

- a) The appointment or removal from office of any officer of the municipality;
- b) The hiring or dismissal of any employee of the municipality;
- c) The disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and
- d) Making any expenditure or incurring any other liability which exceeds \$50,000.

AND WHEREAS Section 275 (6) of the Municipal Act, 2001, c. 25 states that nothing in this section prevents any person or body exercising authority of a municipality that is delegated to the person or body prior to nomination day for the election of the new Council;

AND WHEREAS Council deems it expedient to delegate authority to the Chief Administrative Officer, where necessary, on certain acts during the "Lame Duck" period;

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

- 1. That Council delegates authority to the Chief Administrative Officer to take action, where necessary, on certain restrictions listed in Section 275 (3) of the Municipal Act, 2001 between Nomination Day and the commencement of the Council term.
- 2. That the Chief Administrative Officer will report to Council on any actions taken under the restrictions listed in Section 275 (3) of the Municipal Act, 2001 between Nomination Day and the commencement of the Council term.
- 3. This By-law is in effect for the 2018 Municipal Election and any subsequent elections conducted in the municipality.
- 4. This By-law shall come into force and effect upon its final passage.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED this 13th day of February, 2018.

Mayor

Clerk

CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

BY-LAW 17 of 2018

**BEING A BY-LAW TO AUTHORIZE AN AMENDMENT TO THE TRANSFER
PAYMENT AGREEMENT BETWEEN HER MAJESTY THE QUEEN IN RIGHT OF
ONTARIO AS REPRESENTED BY THE MINISTER OF INFRASTRUCTURE AND THE
CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

WHEREAS Council for the Municipality of Lambton Shores authorized an agreement June 27, 2017 with Her Majesty the Queen in Right of Ontario as represented by the Minister of Infrastructure for funding under the Clean Water and Wastewater Fund (CWWF);

AND WHEREAS it has become necessary to amend the agreement;

NOW THEREFORE the Municipal 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 Agreement with Her Majesty the Queen in the Right of Ontario as represented by the Minister of Infrastructure for the "Clean Water and Wastewater Fund", 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 comes into force and effect upon being finally passed.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED this 13th day of February, 2018.


Mayor

Clerk

**CLEAN WATER AND WASTEWATER FUND (ONTARIO)
TRANSFER PAYMENT AGREEMENT AMENDMENT No. 1**

BETWEEN :

Her Majesty the Queen in right of Ontario
as represented by the Minister of Infrastructure

 (the "Province")

- and -

the Recipient

BACKGROUND

The Government of Canada has agreed to extend the Project deadlines under the program to allow Projects to be completed before March 31, 2020. In order to implement this change the Province and Recipient have agreed to amend the Agreement.

CONSIDERATION

In consideration of the mutual covenants and agreements contained in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which is expressly acknowledged, the Parties agree as follows:

1. Capitalized terms used but not defined in this Amending Agreement No. 1 have the meanings ascribed to them in the Agreement.
2. Pursuant to section 3.0 of the Agreement, the Agreement is amended as follows:
 - (a) Section E.2.3 (iii) is amended by replacing "March 31, 2018" with "March 31, 2020";
 - (b) Section E.2.3(iv) is deleted;
 - (c) Section E.3.1 (i) is deleted and replaced with:
"Costs incurred prior to April 1, 2016 and costs incurred after March 31, 2020";
 - (d) Section J.5.1 is amended by replacing "March 31st, 2019" with "March 31st, 2020";
 - (e) Section J.5.2 is amended by replacing "September 31st, 2019" with "September 31st, 2020";
 - (f) Paragraph (h) of Sub-schedule "J.4" - Form of Certificate from Professional Engineer is deleted and replaced with: "if the Sub-project is a new or expansion project, can be completed by March 31, 2020".

3. All other terms, conditions and provisions shall remain as provided for in the Agreement.

The Parties have executed the Amending Agreement No. 1 on the dates set out below.

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO as represented by the Minister of Infrastructure

Jan 28/18

Date



Name:

Title:

ADAM REDISH
Assistant Deputy Minister
Infrastructure Policy Division
Ministry of Infrastructure



On behalf of **RECIPIENT**, the undersigned agrees to and accepts the within terms, conditions and provisions for the amendment of the Agreement.

Recipient Full Legal Name: _____
(Municipality/ LSB/ First Nation)

Signature: _____

Name: _____

Title: _____

I have authority to bind the Recipient.

Date:

CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

BY-LAW 18 OF 2018

BEING A BY-LAW TO ESTABLISH AND ADMINISTER A JOINT COMPLIANCE AUDIT COMMITTEE AND REPEAL BY-LAW 87 OF 2014

WHEREAS Section 88.37 of the Municipal Elections Act, 1996, as amended, requires that Councils appoint, before October 1 of an election year, a Compliance Audit Committee;

WHEREAS the Councils of the Townships of Brooke-Alvinston, Dawn-Euphemia, Enniskillen, St. Clair and Warwick, the City of Sarnia, the Municipality of Lambton Shores, the Towns of Petrolia and Plympton-Wyoming and the Villages of Oil Springs and Point Edward deem it advisable and expedient to establish a Joint Compliance Audit Committee;

WHEREAS Section 391(1) of the Municipal Act, 2001, as amended from time to time, authorizes the Council of a municipality to pass by-laws imposing fees or charges on persons for services or activities provided or done by or on behalf of it;

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

1. That a Joint Compliance Audit Committee, with full delegation of the permitted authority be established under the provisions of the Municipal Elections Act, 1996, as amended.
2. That the "Terms of Reference", attached as Schedule "A" and forming part of this By-Law, shall guide the structure and responsibilities of the Joint Compliance Audit Committee.
3. That the "Rules of Procedure", attached as Schedule "B" and forming part of this By-Law, shall guide the administration and meetings of the Joint Compliance Audit Committee.
4. That the "Application for a Compliance Audit", attached as Schedule "C" and forming part of this By-Law, shall guide applicants considering making an application for a compliance audit.
5. That the Joint Compliance Audit Committee authority shall extend only to applications made with respect to candidate's campaign finances related to the 2018 Municipal Elections.
6. A filing fee of \$300 is required for each application for a compliance audit, which fee may be refunded, on the recommendation of the Joint Compliance Audit Committee, and at the discretion of the host municipality, should the application be granted.

7. That By-Law 87 of 2014 and any other By-Laws or resolutions inconsistent with the provision of this By-Law, are hereby repealed.
8. This by-law shall come into force and take effect on the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED this 13th day of February, 2018.

Mayor

Clerk

SCHEDULE “A” To By-Law 18 of 2018

Joint Compliance Audit Committee Terms of Reference

MANDATE

The powers and functions of the Committee are set out in Section 88 of the *Municipal Elections Act, 1996*.

1. Within 30 days of receipt of an application requesting a compliance audit, the Committee shall consider the request and decide whether it should be granted or rejected;
2. If the application is granted, the Committee shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances;
3. The Committee will review the auditor's report within 30 days of receipt and decide whether legal proceedings should be commenced; and
4. If the auditor's report indicates that there were no apparent contraventions and if there appears there were no reasonable grounds for the application, the Committee shall advise Council of the host municipality accordingly.

Members of Council, staff or candidates running for office in the 2018 municipal election are not eligible to be appointed to the Committee. Should an appointed Member accept employment with any of the member municipalities or register as a candidate with any of the member municipalities, their appointment will be terminated.

All Committee Members must agree in writing that they will not work for or provide advice to any candidate running for municipal office within the member municipalities.

Preference will be given to applicants with experience as, but not limited to, accountants, lawyers and /or auditors. To avoid any potential conflict of interest, applicants with accounting or auditing backgrounds must agree in writing that they will not offer their services to any municipal election candidates.

Anyone who has participated as candidates in the member municipality elections, or who have conducted audits or provided financial advice in respect of such campaigns, would be disqualified from participation on the Committee.

COMPOSITION

The committee shall be composed of not fewer than three and not more than seven members.

When a municipality is in receipt of an application for a compliance audit, the Clerk of the host municipality shall contact the Committee members and arrange for the Members to hear the audit request.

TERM

The term of the Committee is from December 1, 2018 to November 14, 2022.

CHAIR

At the first meeting to hear a request for a compliance audit, the Committee shall select one of its Members to act as a Chair.

PROPOSED MEETING SCHEDULE

The Committee shall meet as needed with meetings to be scheduled by the Clerk of the host municipality, in consultation with the Chair, when a compliance audit application is received.

STAFFING AND FUNDING

Staff from the host member municipality shall provide administrative support to the Committee. The host member municipality requiring the services of the Committee shall be responsible for all associated expenses.

MEETINGS

Meetings of the Committee shall be conducted in accordance with the open meeting requirements of the provisions in the *Municipal Act, 2001*. Newspapers as well as the websites of the member municipalities, where available, will be utilized to communicate the meeting notices and agendas.

REMUNERATION

\$200 – Retainer fee (includes compensation for review of any background materials). The Committee members will be paid a per diem rate of \$250/per day/per member and the mileage rate as set for Lambton County.

MEMBERSHIP SELECTION

A Joint Compliance Audit Committee was first appointed for the December 1, 2010 to November 30, 2014 period. All existing members have accepted re-appointment for the December 1, 2018 to November 14, 2022 period. All existing committee members will be given an opportunity to be reappointed, for the next term. Advertising will take place to consider new members to fill any vacancies on the Committee. All new applicants will be required to submit an application/resume outlining their qualifications and experience. Should there be an insufficient number of applicants to fill all vacant positions, the Municipal Clerks will be asked to recommend qualified candidates to be appointed to the Committee.

A Selection Committee comprised of four municipal Clerks shall be established to review all applications and make recommendations to fill any vacancies. The Selection Committee may meet to review all applications based upon the approved selection criteria and conduct interviews, if necessary. Recommended applicants will be forwarded to each respective Council by the Selection Committee for appointment.

SELECTION CRITERIA

1. Demonstrated knowledge and understanding of municipal election campaign financing rules;
2. Proven analytical and decision – making skills;
3. Experience working on committees, task forces, or similar settings;
4. Demonstrated knowledge of quasi-judicial proceedings;
5. Availability and willingness to attend meetings; and
6. Excellent oral and written communication skills.

SCHEDULE “B” To By-Law 18 of 2018

Rules of Procedure for the Compliance Audit Committee and Clerk

1. Rules of Procedure

The rules outlined in Schedule “B” shall guide the host Clerks and the Committee Members in the administration and running of all meetings of the Committee.

2. Matters Not Dealt With in the Rules of Procedure

If these rules do not provide for a matter of procedure that arises during a meeting, the practice shall be determined by the Chair and the Chair may do whatever is necessary and permitted by law to enable the Committee to effectively and completely adjudicate on the matter before it.

3. Meetings

- i) The Committee shall meet at the request of the Clerk of the host municipality.
- ii) Meetings of the Committee shall be held at the municipal office of the host municipality or such other location, as the host Clerk deems appropriate.
- iii) Committee meetings shall commence at a time and date to be set by the Clerk of the host municipality and shall be adjourned on a vote of the Committee.
- iv) Three Committee Members are required at each meeting of the Committee.
- v) Meetings of the Committee shall, subject to the exceptions found in the Municipal Act, 2001, be open to the public. Deliberations of the Committee may take place in a meeting that is closed to the public.
- vi) The Applicant, the Candidate and, where applicable the auditor shall be given an opportunity to address the Committee.
- vii) Addresses to the Committee shall be no more than ten minutes in length.

4. Committee Chair

- i) At its first meeting the Committee shall elect one of its members as Chair for the term of the Councils that appointed the Members and until a successor is appointed. When the Chair of the Committee is absent through illness or otherwise, the Committee may appoint another member as Acting Chair. While presiding, the Acting Chair shall have all the powers of the Chair.

- ii) If the Chair of the Committee resigns as a member of the Committee or resigns as the Chair of the Committee, the Committee shall appoint another member as Chair for the balance of the term of the Councils and until a successor is appointed.
- iii) The Chair is the liaison between the Members and the Clerks of the respective host municipalities on matters of policy and process.
- iv) The Chair shall enforce the observance of order and decorum among the Committee Members and the public at all meetings.

5. Delegation by Clerk

The Clerk of the host municipality may delegate administrative responsibilities to a Deputy Clerk.

6. Agenda

- i) Before each meeting the Clerk of the host municipality shall provide an agenda to each Member of the Committee.
- ii) The agenda shall include a copy of any written submissions made by the applicant or the Candidate.
- iii) The first matter of business on each agenda shall be the declaration of any conflict of interest.
- iv) The order of business of a Committee meeting to consider an Application shall be as follows:
 1. Call to Order
 2. Disclosures of Conflict of Interest
 3. Chair to Read Opening Statement
 4. Statements from the Committee Members
 5. Preliminary Motions (optional)
 6. Chair to Identify Agenda Item under Consideration
 7. Chair to request Applicant and Candidate to Identify Themselves
 8. Presentation of Application by Applicant or Applicant's Agent
 9. Presentation by Candidate or the Candidate's Agent
 10. Committee Debate
 11. Closed Meeting (if required)
 12. Rise and Report
 13. Other Business
 14. Adjournment

7. Lack of a Full Committee

If a full Committee (three Members) is not present thirty minutes after the time fixed for a meeting of the Committee, or the resumption of a meeting after adjournment, or should a Member at a meeting be lost for a period of thirty consecutive minutes, the meeting may stand adjourned until the next meeting time scheduled by the Clerk.

8. Committee Procedures

A. Opening Statement

Where the agenda includes consideration of an Application for a Compliance Audit, the Chair will read an opening statement outlining the procedure and format of the Committee meeting.

B. Statements

If the agenda includes consideration of an Application for a Compliance Audit, after reading the opening statement the Chair will entertain any statements from Committee Members.

C. Motions

Following opening statements and before considering the substance of agenda items, the Committee Members may make preliminary motions with respect to any business properly before the Committee.

D. Committee Business

Prior to consideration of an item on the Committee agenda, the Chair will identify for those present the agenda item to be considered.

E. Introduction and Recording of Applicant and Candidate

Prior to consideration of an Application, the Chair shall request the applicant and Candidate to identify themselves, and to provide their name and mailing address to the Clerk during the meeting.

F. Presentation of Application

- (1) The Applicant or the Applicant's agent may address the Committee.
- (2) The Committee may, through the Committee Chair, ask questions of the applicant or his/her agent.
- (3) The Candidate will be permitted to view any documents submitted by the applicant.

G. Presentation by Candidate

- (1) The Candidate or the Candidate's agent may address the Committee. The Candidate may respond to the content of either the applicant's address or documents provided to the Committee.
- (2) The Committee may, through the Chair, ask questions of the Candidate.

H. Rules of Debate

- (1) When two or more Members wish to speak, the Chair shall designate who first requested to speak as the Member who speaks first.
- (2) A Member may ask a question only:
 - (a) of a Member who has already spoken on the matter under discussion;
 - (b) of the Chair;
 - (c) of an official of the host municipality; and
 - (d) of any other person addressing the Committee.
- (3) A Member may ask a question only for the purpose of obtaining information relating to the matter then under discussion.
- (4) Every Member present at a meeting of the Committee when a question is put shall vote on the question, unless prohibited by statute, in which case the fact of the prohibition shall be recorded in the minutes of the meeting.
- (5) The matter put to a vote shall be in the form of a motion addressing the matter then under consideration.
- (6) Any Member may propose a motion on the matter then under consideration which the Clerk shall record in writing.
- (7) If there is more than one motion, with respect to a matter, the Clerk shall record all motions in writing and read the various motions to the Committee Members prior to the vote being taken
- (8) The following are deemed to be procedural motions and shall be subject to consideration in the following order:
 - (a) To change the order of business (not debatable)
 - (b) To adjourn and amendments thereto (not debatable)
 - (c) That the vote be now taken (not debatable)
 - (d) To defer.

9. Notice

- (1) The Clerk shall give notice of a Committee meeting at least five working days before the Committee meeting. The notice may be either posted on the host municipality's web site or published in a local newspaper having general circulation in the host municipality. The notice shall contain the following information:
 - (a) A general description of the purpose of the meeting.
 - (b) Date, time and location of the meeting.
- (2) Where an Application will be considered at a Committee meeting, the Clerk shall give reasonable notice to the Applicant and the Candidate of the time, place and purpose of a meeting and of the fact that if either party fails to attend the meeting the Committee may proceed in the party's absence and the party will not be entitled to further notice in relation to the meeting. The notice shall include the content of the Application. The Candidate may respond to the Application in writing. A written response shall be submitted to the Clerk of the host municipality a minimum of two days prior to the Committee meeting at which the Application will be considered.
- (3) The Clerk will forward notice of the Committee's decision to the Applicant and the Candidate at the mailing address provided to the Clerk at the meeting.

10. Committee Decisions under the Municipal Elections Act, 1996

- (1) In accordance with S. 88.33(7) of the Municipal Elections Act, 1996, within 30 days of receipt of the Application, the Committee will decide whether to grant or reject the Application.
- (2) If the Committee decides to grant the Application it shall, by resolution, appoint an auditor licensed under the Public Accounting Act, 2004 or prescribed persons to conduct a compliance audit of the Candidate's election campaign finances.
- (3) In accordance with S. 88.33(17) of the Municipal Elections Act, 1996, within 30 days of receipt of an auditor's report, the Committee will consider the report and may commence a legal proceeding against the Candidate for any apparent contravention of a provision of the Municipal Elections Act, 1996 relating to election campaign finances.

11. Grant Exceptions from Procedures

The Committee may waive any rule of procedure in this Schedule, as it considers appropriate to ensure that the real questions in issue are determined in a just manner.

12. Voting

In the case of a tie vote, the motion or question shall be deemed to have been lost.

13. Minutes

- i) The Clerk of the host municipality shall prepare minutes of the meeting of the Committee and shall provide Members with a copy of the minutes, as soon as the minutes are available.
- ii) The Committee Members shall review and sign the minutes, to confirm that the minutes reflect the Committee's actions.

SCHEDULE “C” To By-Law 18 of 2018

Application for a COMPLIANCE AUDIT of Election Campaign Finances of a Candidate or Third Party Advertiser

What steps do I take if I have a concern about a candidate’s or registered third party’s election campaign finances?

1. Contact the municipal Clerk and see if they are able to provide further information that answers your questions or concern.
2. If you believe that a candidate’s or third party’s election campaign finances contravened the *Municipal Elections Act*, submit an application to the municipal Clerk for a compliance audit. See **How Do I Apply for a Compliance Audit?** below.

What is a compliance audit?

A compliance audit is an audit of a candidate’s or registered third party’s election campaign finances and their compliance with the provisions of the *Municipal Elections Act*, 1996 related to election campaign finances.

What is the Joint Compliance Audit Committee?

The *Municipal Elections Act*, 1996 as amended requires that every municipality form an Election Compliance Audit Committee on or before October 1 of an election year for the purposes of Section 88.33.

Lambton County municipalities have formed one Joint Compliance Audit Committee to address all compliance audit applications within the County of Lambton. Each municipal Clerk will be the contact for questions and applications within their municipality. When a municipality is in receipt of an application for a compliance audit, the Clerk of the host municipality shall contact the Committee Members and arrange for the Members to hear the audit request.

The Joint Compliance Audit Committee will have three members and does not include employees or officers of the municipality or local board, members of the council or local board, or any persons who are candidates in the election for which the committee is established. The Committee has the same term of office as the council (for the 2018 municipal election, the term of office is December 1, 2018 - November 15, 2022).

The powers and functions of the Committee are set out in the *Municipal Elections Act*, 1996. The Committee will:

- Consider compliance audit applications received and decide whether each application should be granted or rejected
Timeline: within 30 days after receiving the application (s. 88.33(7)).
- If the application is granted, appoint an Auditor to conduct a compliance audit of the candidate’s election campaign finances.

- Receive the auditor's report (s. 88.33(13)).
- Consider the auditor's report and decide whether legal proceedings should be commenced or make a finding whether there were reasonable grounds for the application. Timeline: within 30 days of receipt of the auditor's report (s. 88.33(17)).

How Do I Apply for a Compliance Audit?

1. Print an Application for a Compliance Audit form from the Municipality's website www.lambtonshores.ca or pick up an application from the Municipal Office, 7883 Amtelecom Parkway, Forest ON N0N 1J0. Submit a written application for a compliance audit and deliver your written information to the Clerk, within 90 days of the candidate's filing date.
2. Your application must include:
 - Notice that you are eligible to vote as an elector in the Municipality of Lambton Shores' municipal elections
 - Your name and contact information, including mailing address, telephone number and e-mail address (if applicable)
 - Name of the candidate whose election finances you are requesting a compliance audit for and the office they were running for in the election
 - The reasons that you believe indicate that the candidate has contravened the provisions of the *Municipal Elections Act, 1996* relating to municipal election campaign finances
 - Any other relevant information
 - The date you submit the application to the Clerk
 - Your signature.
3. Mail or deliver your request for a compliance audit in a sealed envelope marked **"PRIVATE AND CONFIDENTIAL"** to:

Clerk, Municipality of Lambton Shores, 7883 Amtelecom Parkway, Forest ON N0N 1J0

What happens next?

In accordance with section 88.33(3) of the *Municipal Elections Act, 1996*, all applications must be received by the Clerk within 90 days after the latest of:

- a) The filing date under section 88.30;
- b) The candidate's supplementary filing date, if any, under section 88.30;
- c) The filing date for the final financial statement under section 88.30; or
- d) The date on which the candidate's extension, if any, under section 88.23(6) expires.

The Clerk will forward applications that are complete to the Joint Compliance Audit Committee for consideration.

Within 10 days after receipt of the application	The Clerk will forward the application to the Joint Compliance Audit Committee and provide a copy to each member of council.
Within 30 days of receiving the application	The Joint Compliance Audit Committee will consider the application and decide whether it should be granted or rejected.
If the committee decides to grant the application	<ol style="list-style-type: none"> 1. The Committee will appoint an Auditor to conduct a compliance audit of the candidate's election campaign finances. 2. The Auditor will promptly conduct an audit of the candidate's election campaign finances to determine whether he or she has complied with the provisions of the <i>Municipal Elections Act</i> relating to election campaign finances and will prepare a report with the findings to be submitted to the candidate, council, the Clerk, and the applicant.
If the committee rejects the application	The Committee will direct the Clerk to send correspondence to the applicant conveying the Committee's decision. The Clerk will also advise each member of council about the Committee's decision by providing a copy of the correspondence sent to the applicant.
Within 10 days after receiving the auditor's report	The Clerk will forward the report to the Joint Compliance Audit Committee.
Within 30 days of the Joint Compliance Audit Committee receiving the auditor's report	<p>The Joint Compliance Audit Committee will review the report and may:</p> <ol style="list-style-type: none"> a. If the report concludes that the candidate appears to have contravened a provision of the Act relating to election campaign finances, commence a legal proceeding against the candidate for the apparent contravention, or b. If the report concludes that the candidate does not appear to have contravened a provision of the Act relating to election campaign finances, make a finding as to whether or not there were reasonable grounds for the application.

APPLICATION FOR A COMPLIANCE AUDIT

I am entitled under the *Municipal Elections Act, 1996*, as amended (MEA), to vote for members of Lambton Shores Council.

☐ Yes ☐ No

Name of Municipality:	Municipality of Lambton Shores
Your Name:	
Mailing Address:	
Postal Code:	
Telephone:	
E-mail Address (optional):	

I am applying for an election compliance audit of the election campaign finances of:

Candidate Name: _____

Office:

- ☐ Councillor or
☐ Deputy Mayor or
☐ Mayor

Please explain the reason that you believe that the candidate named above has contravened the *Municipal Elections Act, 1996* relating to municipal election campaign finances.

Section/Provision of <i>MEA</i>	Comments

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Total number of pages of the application: _____

If this application is forwarded to an auditor and the auditor's report indicates that there was no apparent contravention and the Joint Compliance Audit Committee finds there were no reasonable grounds for the application, the council or local board is entitled to recover the auditor's costs from you.

Date Application submitted Signature

Clerks Department use ONLY

Contact: Clerk, 519-786-2335

Date Application Received: _____ (staff initial) _____

Payment of \$300.00

made by: ☐ Cash ☐ Cheque ☐ DebitReceipt provided: ☐ In person ☐ By e-mail ☐ By mail Date: _____

Clerk received

completed application by

legislated deadline ☐ Yes ☐ No Date: _____ Initials: _____

Due Dates below:

10 days after receiving application, application forwarded to the Joint Compliance Audit Committee and council

(Date) delivered to Joint Compliance Audit Committee (staff initial) _____

(Date) delivered to council (if applicable) (staff initial) _____

Within 30 days of receiving the application, the Joint Compliance Audit Committee will decide whether application will be granted or rejected.

☐ Application Granted Date: _____☐ Application Rejected Date: _____ (staff initial) _____

If application is granted, Joint Compliance Audit Committee to appoint an auditor to conduct audit of candidate's election campaign finances.

Date auditor appointed: _____

Auditor: _____ (staff initial) _____

Candidate, Council or local board, the Clerk, and the applicant receive auditor's report.

Date: _____ (staff initial) _____

Within 10 days of receiving the auditor's report, the Clerk to forward report to the Joint Compliance Audit Committee.

Date delivered to Joint Compliance Audit Committee (staff initial) _____

The Joint Compliance Audit Committee will consider the auditor's report within 30 days of receiving it and may either:

- ☐ Commence legal proceedings against the candidate

_____ (staff initial) _____
Date legal proceedings commenced

- ☐ Make finding as to whether there was reasonable grounds for the application for a compliance audit

_____ (staff initial) _____
Date decision related to grounds for application made

If the report indicates that there was no apparent contravention and the committee finds there were no reasonable grounds for the application, the committee will make a recommendation to council related to cost recovery of the auditor's cost.

(staff initial) _____

CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

BY-LAW NUMBER 19 OF 2018

**BEING A BY-LAW TO APPOINT MEMBERS TO THE
JOINT COMPLIANCE AUDIT COMMITTEE**

WHEREAS Section 88.37 of the Municipal Elections Act, 1996, as amended, requires that Councils establish a Compliance Audit Committee before October 1 of an election year;

WHEREAS the Committee shall be composed of not fewer than three and not more than seven members;

WHEREAS the Councils of the City of Sarnia, the Townships of Brooke-Alvinston, Dawn-Euphemia, Enniskillen, St. Clair and Warwick, the Municipality of Lambton Shores, the Towns of Petrolia and Plympton-Wyoming and the Villages of Oil Springs and Point Edward deem it advisable and expedient to establish a Joint Compliance Audit Committee;

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

1. That D'Arcy Bell, Gerry Guthrie and Dick Chowen be re-appointed as full members of the Joint Compliance Audit Committee.
2. That Marshall Kern and Gerald Young be appointed as alternate members to the Joint Compliance Audit Committee.
3. That By-Law 107 of 2014 and any other By-Laws or resolutions inconsistent with the provision of this By-Law are hereby repealed.
4. This by-law shall come into force and take effect on the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED this 13th day of February, 2018.

Mayor

Clerk

CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

BY-LAW NUMBER 20 OF 2018

**BEING A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN THE
CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES AND HER
MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE
MINISTER OF HEALTH AND LONG-TERM CARE**

WHEREAS the Municipality of Lambton Shores has received an extended Transfer Payment Agreement from the Ministry of Health and Long-Term Care for the Healthy Kids Community Challenge;

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

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

1. That the Mayor and Clerk are authorized to execute and agreement on behalf of the Corporation between the Municipality of Lambton Shores and Her Majesty the Queen in Right of Ontario as represented by the Minister of Health and Long-Term Care, a copy of which is attached to the by-law as Schedule "A", and to affix to the contract the Corporate Seal of the Corporation of the Municipality of Lambton Shores;
2. That the said agreement becomes effective on the 13th day of February, 2018.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED this 13th day of February, 2018.

Mayor

Clerk

CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

BY-LAW NO. 21 OF 2018

BEING A BY-LAW TO ESTABLISH A FIRE DEPARTMENT

WHEREAS Section 2 of the *Fire Protection and Prevention Act* requires every municipality to establish a program which must include public education with respect to fire safety and certain components of fire prevention, and to provide such other fire protection services as it determines may be necessary in accordance with its needs and circumstances;

AND WHEREAS Section 5 of the *Fire Protection and Prevention Act* authorizes the Council of a municipality to establish, maintain and operate a fire department to provide fire suppression services and other fire protection services in the municipality;

AND WHEREAS Sections 8 and 11 of the *Municipal Act* authorizes a municipality to provide any service that the municipality considers necessary or desirable for the public, and to pass by-laws respecting, *inter alia*, health, safety and well- being of persons, protection of persons and property, and services that the municipality is authorized to provide;

AND WHEREAS Section 391 of the *Municipal Act* authorizes a municipality to impose fees or charges on persons for services or activities provided by the municipality, and for costs payable by the municipality for services or activities provided or done by or on behalf of any other municipality;

AND WHEREAS Section 425 of the *Municipal Act* provides that the Council of a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality is guilty of an offence;

AND WHEREAS Section 446 of the *Municipal Act* provides that if a municipality has the authority under that or any other act, or under a by-law under that or any other Act, to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and the municipality may recover the costs of doing a matter or thing from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

AND WHEREAS the Council of the Municipality of Lambton Shores deems it desirable, necessary and expedient to establish and regulate a fire department for the Municipality of Lambton Shores;

BE IT THEREFORE ENACTED by the Council of the Corporation of the Municipality of Lambton Shores, as follows:

Definitions

1. In this by-law, unless the context otherwise requires,
 - a) **“Approved”** means approved by the Council of the Municipality of Lambton Shores
 - b) **“Chief Administrative Officer”** means the person appointed by Council to act as the Chief Administrative Officer for the Corporation
 - c) **“Corporation”** means the Corporation of the Municipality of Lambton Shores
 - d) **“Council”** means the Council of the Municipality of Lambton Shores
 - e) **“Deputy Chief”** means the person appointed by Council to act on behalf of the Fire Chief of the Fire Department in the case of an absence or a vacancy in the office of Fire Chief
 - f) **“Fire Chief”** means the person appointed by Council to act as the Fire Chief for a Fire Department.
 - g) **“Fire Department”** means the Municipality of Lambton Shores Fire and Emergency Services
 - h) **“Fire Protection Services”** include fire suppression, fire prevention, fire safety education, communication, training of persons involved in the provision of Fire Protection Services, rescue and emergency services
 - i) **“Limited services”** means a variation of service significantly differing from the norm as a result of extenuating circumstances.
 - j) **“Member”** means any persons employed in, or appointed to, the Fire Department, and assigned to undertake fire protection services, and includes the fire chief, officers, full time and volunteer Firefighters
 - k) **“Volunteer Firefighter”** means a Firefighter who provides fire protection services either voluntarily or for a nominal consideration, honorarium, training or activity allowance.

Fire Department Establishment

2. A Fire Department for the Municipality of Lambton Shores to be known as the Lambton Shores Fire and Emergency Services is hereby established and the head of the fire department shall be known as the fire chief.

Structure

3. The fire department shall be structured in conformance with the approved Organizational Chart, **Appendix A**, forming part of this by law.
4. The Council shall appoint by by-law the Fire Chiefs and the Deputy Chiefs. The Chiefs shall recommend the appointment of any other Officers as may be deemed necessary.
5. The Fire Chief may recommend the appointment of any qualified person as a member of the Fire Department, subject to the approved hiring policies of the Municipality of Lambton Shores.
6. Persons appointed as members of the Fire Department to provide fire protection services shall be on probation for a period of 12 months, during which period they shall take such special training and examinations as may be required by the Fire Chief.
7. If a probationary member appointed to provide fire protection or other services fails any such examinations, the Fire Chief may recommend that he/she be dismissed.
8. The remuneration of the Volunteer Members shall be as determined by the Council.
9. Working conditions and remuneration for all full time Members shall be determined by Council in accordance with the provisions of Part IX of the Fire Protection and Prevention Act.
10. If a Medical Examiner finds a member is physically unfit to perform assigned duties and such condition is attributed to, and a result of employment in the Fire Department, the Fire Chief may assign the member to other employment in the Fire Department or may retire him/her.
11. Where the Fire Chief designates a member to act in the place of an Officer in the Fire Department, such member, when so acting, has all of the powers and shall perform all duties of the Officer replaced.
12. The Fire Chief may reprimand, suspend or recommend dismissal of any member for infraction of any provisions of this by-law, policies, general orders and departmental rules that, in the opinion of the Fire Chief, would be detrimental to discipline or the efficiency of the Fire Department.
13. Following the suspension of a member, the Fire Chief shall immediately report, in writing, the suspension and recommendation to the Chief Administrative Officer.

14. The procedures for termination of employment prescribed in Part IX of the Fire Protection and Prevention Act shall apply to all full-time Members of the Fire Department.
15. A Volunteer Firefighter shall not be dismissed without the opportunity for a review of termination, if he/she makes a written request for such a review within seven working days after receiving notification of the proposed dismissal. The Chief Administrative Officer shall conduct the review.

Duties and Responsibility

16. The Fire Chief is ultimately responsible to Council, through the Chief Administrative Officer, as set out in subsection 6(3) of the Fire Protection and Prevention Act for the proper administration and operation of the Fire Department including all Fire Department functions and programs.
17. The Fire Chief shall be deemed to be the Chief Fire Official of the municipality for the purposes of the Fire Protection and Prevention Act and regulations enacted thereunder, and shall have all statutory authority and shall carry out all prescribed duties and responsibilities in respect thereof.
18. The Fire Chief is responsible for complying with all Fire Marshal's directives as mandated by the Fire Protection and Prevention Act.
19. Each division of the Fire Department is the responsibility of the Fire Chief and is under the direction of the Fire Chief or a Member designated by the Fire Chief. Designated members shall report to the Fire Chief on divisions and activities under their supervision and shall carry out all orders of the Fire Chief.

Policy and Procedures

20. The Fire Chief shall collectively implement all approved policies and shall develop such operating guidelines, general orders and departmental rules as necessary to implement the approved policies and to ensure the appropriate care and protection of all Fire Department personnel and Fire Department equipment.
21. The Fire Chief shall review periodically all policies, orders, rules and operating procedures of the Fire Department and may establish an Advisory Committee consisting of such members of the Fire Department as the Fire Chief may determine from time to time to assist in these duties.

Budgets and Reports

22. The Fire Chief shall submit to the Chief Administrative Officer and Council for approval, the annual budget estimates for the Fire Department, an annual report and any other specific reports requested by the Chief Administrative Officer or Council.

Powers

23. The Fire Chief shall take all proper measures for the prevention, control and extinguishments of fires and the protection of life and property and shall exercise all powers mandated by the Fire Protection and Prevention Act, and the Fire Chief shall be empowered to authorize:
- a) Pulling down or demolishing any building or structure to prevent the spread of fire
 - b) Any necessary actions which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident, when unable to contact the property owner
 - c) Recovery of expenses incurred by such necessary actions for the Corporation in the manner provided through the Municipal Act and the Fire Protection and Prevention Act.
 - (d) Taking any and all steps as set out in Part V, VI and VII of the Fire Protection and Prevention Act.
 - (e) Enforcement of all municipal by-laws in respect of fire safety and fire prevention.

Recovery of Costs

24. If as the result of a Fire Department response to a fire, rescue, or other emergency, the Fire Chief, or his or her designate, or the highest ranking officer in charge determines that it is necessary to retain a private contractor, rent specialized equipment, or use consumable materials other than water in order to suppress or extinguish a fire, preserve property, prevent fire from spreading, remove hazardous materials, assist in or otherwise conduct an investigation to determine the cause of a fire, or otherwise control or eliminate an emergency situation, the Corporation may recover the costs incurred for taking such actions, from the owner of the property on which the fire or other emergency occurred.

Emergency Response Outside of Municipal Boundaries

25. The Fire Department shall not respond to a call with respect to a fire or emergency outside the limits of the Municipality except with respect to a fire or emergency:
- a) that, in the opinion of the Fire Chief or designate of the Fire Department, threatens property in the Municipality or property situated outside the Municipality that is owned or occupied by the Municipality

- b) in a Municipality with which an approved agreement has been entered into to provide Fire Protection Services which may include automatic aid
- c) on property with which an approved agreement has been entered into with any person or Corporation to provide Fire Protection Services
- d) at the discretion of the Fire Chief, to a Municipality authorized to participate in any County, District or Regional Mutual Aid Plan established by a Fire Coordinator appointed by the Fire Marshal or any other similar reciprocal plan or program
- e) on property beyond the Municipal boundary where the Fire Chief or designate determines immediate action is necessary to preserve life or property and the appropriate department is notified to respond and assume command or establish alternative measures, acceptable to the Fire Chief or designate.

Levels of Service

26.

- a) The Lambton Shores Fire and Emergency Services shall provide such approved services as specified and listed in **Appendix "B"**
- b) In consideration of the reliance by the Fire Department on the response of Volunteer Firefighters, whose deployment to emergencies in sufficient numbers cannot in all instances be guaranteed, adverse climate conditions, delays or unavailability of specialized equipment required by the Fire Department, or other extraordinary circumstances which may impede the delivery of Fire Protection Services, any Approved service set out in Schedule "B" may from time to time be provided as a Limited Service as defined in this by-law, as determined by the Fire Chief, his or her designate, or the highest ranking Officer in charge of a response.
- c) The Municipality of Lambton Shores accepts no liability for delay or inability to supply the services set out in Appendix "B" of this by law due to the provision of its approved services as limited services or due to the existence of unsafe conditions encountered reroute, impeding access to property, and/or environmental factors/constraints.

27. That By-law 47-2001 and any other By-laws or resolutions inconsistent with the provision of this By-law, are hereby repealed.

28. This By-law shall come into force and effect upon its final passage.

*AN APPROVED ORGANIZATIONAL CHART FORMS PART OF THIS BY LAW AS
Appendix "A"*

*AN APPROVED LIST OF SUPPLIED SERVICES FORMS PART OF THIS BY LAW AS
Appendix "B"*

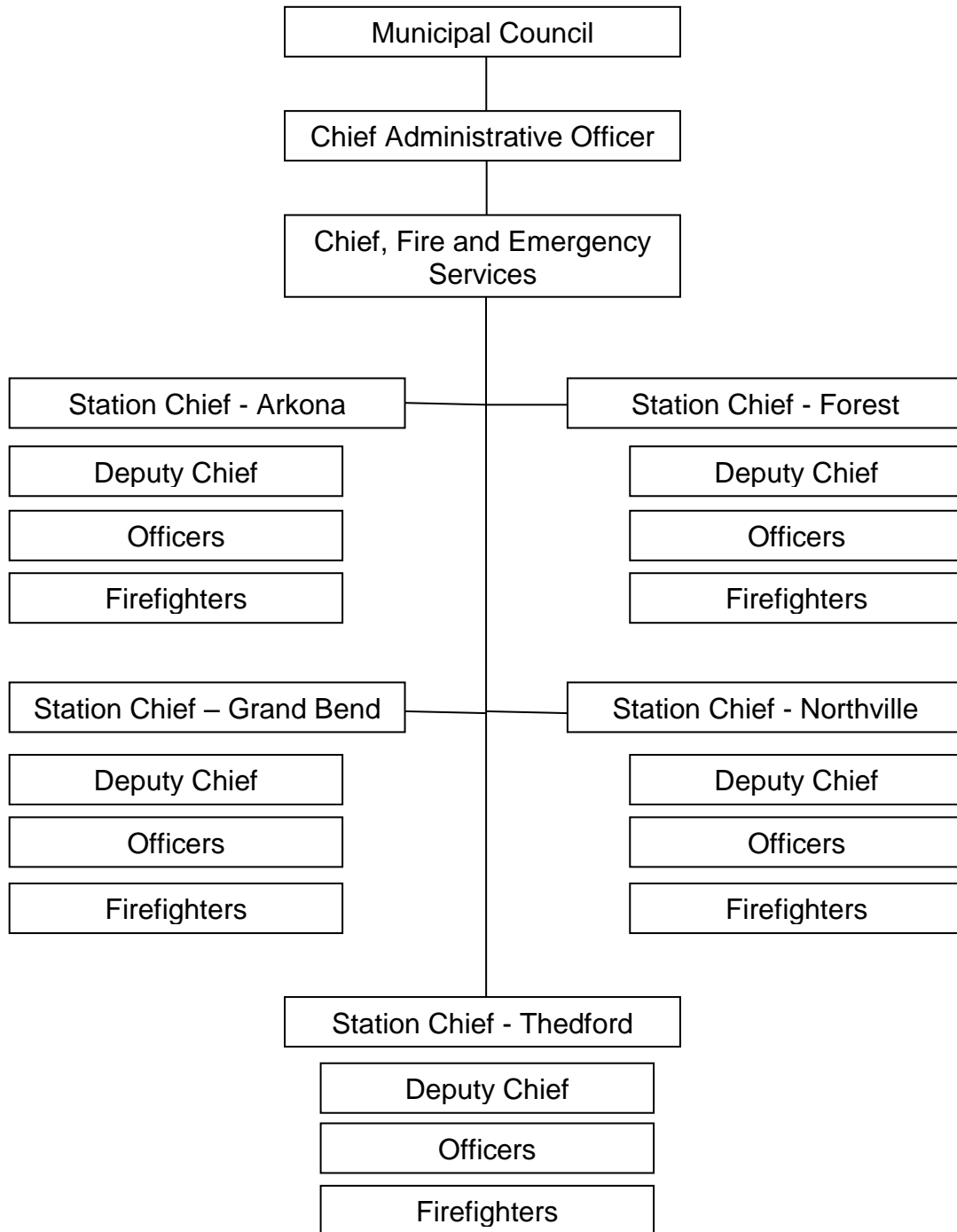
READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED this 13th day of
February, 2018.

Mayor

Clerk

Appendix "A"
Municipality of Lambton Shores
Lambton Shores Fire and Emergency Services

ORGANIZATION CHART



Note: Within the Officer and Firefighter categories some members or contractors may be specialized to deliver the following activities:

- Public Education
- Fire Prevention
- Training
- Driver/Engineer

Appendix "B"
Municipality of Lambton Shores
Lambton Shores Fire and Emergency Services

**CORE SERVICES PROVIDED
(Response and Support)**

A) Emergency Response

1. Basic firefighting services – responding to fires, alarms of fire, and pre-fire conditions to provide fire suppression services.
2. Structural firefighting - including interior rescue and fire attack, and sometimes limited rescue and fire attack in accordance with the fire services level of training, standard operating guidelines, Occupational Health and Safety Guidelines and the number and type of personnel and equipment available to the service and on each specific emergency response.
3. Emergency responses to water access properties, and those properties accessed via private roads, private lanes or private driveways, or fields are subject to the following limitations
 - a) Emergency response to water access properties will be limited to safe travel and environmental conditions. If in the opinion of the Fire Chief or his/her designated unsafe environmental conditions exist, no services shall be provided. Fire Department vehicles shall not enter any body of water, frozen or otherwise, at any time.
 - b) Emergency Response to properties accessed via private roads, private lanes, private driveways or fields may be limited by the condition of such road , land, or driveway including:
 - (i) The ability of such road, lane, driveway, or field to support and accommodate fire department equipment, vehicles and apparatus; and
 - (ii) The failure of the owner or user of the land upon which the road, lane, or driveway, is located to maintain in a condition that is passable by fire department vehicles and apparatus.
4. Vehicle firefighting
5. Grass, brush, and forestry firefighting
6. Marine firefighting – shore based and defensive only
7. Tiered Medical Assistance services (in accordance with Fire-EMS agreement)
8. Vehicle Accidents
9. Vehicle Extrication
10. Transportation incidents involving vehicles, trains, aircraft and watercraft
11. Public hazard assistance services – carbon monoxide incidents and electrical

- / natural gas emergencies
- 12. Public assistance – assist public where the Fire Department has the equipment and/or specialized skills to mitigate the incident
- 13. Other agency assistance (EMS, Police etc.)
- 14. Participation and support in the emergency plan and operations
- 15. Mutual Aid
- 16. Automatic Aid
- 17. Fire Protection agreements
- 18. Joint service agreements

B) Public Education and Fire Prevention

Public Education and Fire Prevention activities shall be provided in accordance with the approved fire department Public Education/Fire Prevention and Smoke Alarm policies.

Activities include:

- Fire inspection services
- Public education services
- Fire investigation services
- Plans examination services
- Risk assessment services
- Consultation services
- Assistant to the Fire Marshall duties

C) Emergency Planning

- Pre-incident planning services
- Community Emergency Management planning services

D) Fire Department Administration

- Planning and developmental services
- Financial services
- Records management services
- Department Human resources services
- Customer relation services
- Health and Safety services
- Legal services
- Technology services
- Training and education services
- Fleet, equipment and facility maintenance services

E) Training and Education

- Training Program Standards – National Fire Protection Association (NFPA) is the primary training standard. Other standards may be used in the absence of an NFPA standard.
- Providing Station Training - Regular practice drills
- Program Development Services

F) Maintenance

- Fleet and Equipment Services
- Facility Maintenance Services

CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

BY-LAW NUMBER 22 OF 2018

BEING A BY-LAW TO APPOINT A FIRE CHIEF

WHEREAS the Council of the Municipality of Lambton Shores has enacted a by-law to establish a fire department known as the Lambton Shores Fire and Emergency Services;

AND WHEREAS the *Fire Protection and Prevention Act, 1997*, Part II paragraph 6(1) requires that the Council of a municipality that has established a fire department for the whole or part of a municipality or for more than one municipality shall appoint a fire chief for the fire department.

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

1. That Lawrence Swift be and is hereby appointed as Fire Chief for the Municipality of Lambton Shores.
2. That By-Laws 54-2001, 06-2002, 17-2006, 22-2006, 88-2006, 63-2007, 85-2009, 07-2010, 03-2012, 03-2014, 66-2014, 66-2015 and all other by-laws and resolutions that are inconsistent with the provisions of this by-law are hereby repealed.
3. This By-law shall come into force and effect upon its final passage.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED this 13th day of February, 2018.

Mayor

Clerk

THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

BY-LAW 23 OF 2018

A BY-LAW TO CONFIRM THE PROCEEDINGS OF FEBRUARY 13, 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;

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 **February 13, 2018** be hereby confirmed; and

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.

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 13th day of February, 2018.

Mayor

Clerk