



# THE CORPORATION OF THE TOWN OF LASALLE

## REGULAR MEETING OF COUNCIL

### AGENDA

Tuesday, December 8, 2020, 6:00 p.m.

Council Chambers, LaSalle Civic Centre, 5950 Malden Road

**Clerk's Note:** Members of Council will be participating electronically and will be counted towards quorum. The Minutes will reflect this accordingly. The Electronic Meeting can be viewed at the following link: <https://www.youtube.com/channel/UC6x5UyIhV1zSHkDTV6TCI5g/videos>

Accessible formats or communication supports are available upon request. Contact the Clerk's Office, [nsharp@lasalle.ca](mailto:nsharp@lasalle.ca), 519-969-7770 extension 1234.

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#### Pages

#### A. OPENING BUSINESS

1. Call to Order and Moment of Silent Reflection
2. Disclosures of Pecuniary Interest and the General Nature Thereof
3. Adoption of Minutes

7

#### RECOMMENDATION

That the minutes of the Closed and Regular Meeting of Council held November 24, 2020 BE ADOPTED as presented.

4. Mayors Comments

#### B. PRESENTATIONS

#### C. PUBLIC MEETINGS AND/OR HEARINGS

#### D. DELEGATIONS

1. Alley Q7 referral - M. Taylor / J. Timmins

15

#### Delegations:

1. Maureen & Allan Taylor
2. Mary & Robert Semande
3. Joe (James) Peters & Michelle Pouget-Peters

#### RECOMMENDATION

That the report of the Deputy Clerk and Legal Counsel dated November 30, 2020 (AD-10-2020) regarding the alley referral request by M. Taylor & J. Timmins BE RECEIVED and that Council CONFIRM the decision of Administration and direct that the distribution of the remaining portion of the alley proceed in accordance with Figure 3 to Report AD-10-2020.

#### 2. Alley I2 Referral – J. Greer and W. Magyar

55

##### Delegations:

1. Kevin Wardell
2. William Magyar
3. Scott D'Amore, D'Amore Construction Ltd.

#### RECOMMENDATION

That the report of the Deputy Clerk and Legal Counsel dated November 30, 2020 (AD-11-2020) regarding the alley referral request by J. Greer and W. Magyar BE RECEIVED and that Council CONFIRM the amended decision of Administration and direct that the distribution of the remaining portion of the alley proceed in accordance with Figure 5 to Report AD-11-2020.

### E. REPORTS / CORRESPONDENCE FOR COUNCIL ACTION

#### 1. Approval of Development Charges (2021-2025)

69

##### RECOMMENDATION

That the report of the Director of Finance dated November 23, 2020 (FIN-28-2020) regarding approval of development charges (2021-2025) BE RECEIVED;

And that Council APPROVE and ADOPT the Development Charges Background report dated October 7, 2020 and addendum dated November 18, 2020;

And that Council APPROVE and ADOPT the Development Charge Bylaw with an effective date of January 1, 2021 expiring on December 31, 2025.

#### 2. Appointment of External Auditors

102

##### RECOMMENDATION

That the report of the Director of Finance dated November 30, 2020 (FIN-29-2020) regarding the Appointment of External Auditors BE RECEIVED and Council resolve that KPMG BE APPOINTED as municipal auditors for the current year ended December 31, 2020 and the years ending December 31, 2021, December 31, 2022, and December 31, 2023.

3. Insurance Renewal 107
- RECOMMENDATION
- That the report of the Director of Finance dated December 2, 2020 (FIN-30-2020) regarding Insurance Renewal BE RECEIVED; and that Council AUTHORIZE the renewal of the annual insurance program with Frank Cowan Company.
4. Active Transportation Policy Statement Plan of Action for Town Constructed Facilities - 2020 122
- RECOMMENDATION
- That the report of the Manager of Engineering for the Town of LaSalle dated November 27, 2020 (PW-32-20) regarding the updated Active Transportation Facility Policy Statement and Plan of Action for Town Constructed Facilities BE RECEIVED;
- And that the Active Transportation Facility Policy Statement and Plan of Action for Town Constructed Facilities policy BE APPROVED;
- And that Council AUTHORIZE administration to begin engineering and planning for projects outlined in the policy beginning in 2021, pending 2021 budget approval;
- And that Council AUTHROIZE administration to continue to use this policy within new developments.
5. Turkey Creek Watershed – Various Master Drainage Study Updates 152
- RECOMMENDATION
- That the report of the Director of Public Works dated November 30, 2020 (PW-34-20) regarding the Turkey Creek watershed and the various master drainage studies BE RECEIVED;
- And that Council CONCUR that administration continue to work through the EA process with our neighbouring municipalities which may include the issuance of a formal objection to the MECP if so required;
- And that Council DIRECT administration to forward report PW-34-20 to the ERCA Board and request that further information be provided to the ERCA Board and Town of LaSalle Council.

**F. COMMITTEE MATTERS FOR COUNCIL ACTION**

1. Parks, Recreation and Events Committee Meeting Minutes November 19, 2020 160

**RECOMMENDATION**

That the Minutes of the Parks, Recreation and Events Committee Meeting dated November 19, 2020 BE RECEIVED; and that all Committee Matters BE APPROVED.

**G. INFORMATION ITEMS TO BE RECEIVED**

1. Accessible Document Creation Software 168

**RECOMMENDATION**

That the report of the Deputy Clerk dated November 30, 2010 (CL-25-20) advising of software allowing for the integration of document accessibility for the creation of compliant and accessible PDF's at a one-time setup and training cost of \$6,000 and annual user license costs of \$3,060 for six licenses BE RECEIVED.

2. Summary of Reports to Council 172

**RECOMMENDATION**

That the Report of the Chief Administrative Officer dated December 8, 2020 being a Summary of Reports to Council BE RECEIVED.



**RECOMMENDATION**

That the following By-laws BE GIVEN first reading:

8496 A By-law to repeal By-law 8423 being a By-law to execute a Developer's Severance Agreement, adopted on April 14, 2020

8497 A By-law to deem a portion of Registered Plan 635 not to be lands on a registered plan of subdivision for the purposes of Section 50(3) of the Planning Act

8498 A By-law to stop up, close and sell an alley system running east-west lying to the north of Lots 336 to 363, both inclusive, Registered Plan 777, LaSalle.

8499 A By-law to confirm the purchase of Lots 232 to 235, inclusive, Registered Plan 650, from Anthony Mariotti

8500 A By-law to confirm the donation of Lots 60 and 61, Registered Plan 849, from Antonio DiPaolo and Bartolomeo DiPaolo

8501 A By-law to Impose Development Charges on certain Residential and Non-Residential Development within the Town of LaSalle

8502 - A By-law to appoint Hearing Officers pursuant to the Administrative Monetary Penalties System

**RECOMMENDATION**

That By-law numbers 8496 to 8502 BE GIVEN second reading.

**RECOMMENDATION**

That By-law numbers 8496 to 8502 BE GIVEN third reading and finally passed.

**I. COUNCIL QUESTIONS**

**J. STATEMENTS BY COUNCIL MEMBERS**

**K. REPORTS FROM COMMITTEES**

**L. NOTICES OF MOTION**

**M. MOTION TO MOVE INTO CLOSED SESSION**

**N. CONFIRMATORY BY-LAW**

**O. SCHEDULE OF MEETINGS**

Committee of Adjustment December 9, 2020 at 5:00 p.m.

Police Services Board Public Meeting December 14, 2020 at 6:00 p.m.

By-law Committee Meeting December 15, 2020 at 4:30 p.m.

Planning Advisory Committee Meeting December 15, 2020 at 5:30 p.m.  
(Cancelled)

Budget Deliberation & 2021 Business Plan Presentation December 16, 2020 at  
9:30 a.m.

Budget Deliberation & 2021 Business Plan Presentation December 17, 2020  
(scheduled if additional time is required)

Parks, Recreation & Events Committee Meeting December 17, 2020 at 9:00  
a.m. (Cancelled)

Regular Council Meeting December 22, 2020 at 6:00 p.m. (Cancelled)

Regular Council Meeting January 8, 2021 at 6:00 p.m.

**P. ADJOURNMENT**



## Minutes of the Closed Meeting of The Town of LaSalle Council

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**November 24 2020  
5:00 p.m.**

**Members in attendance:**

Mayor Marc Bondy  
Deputy Mayor Crystal Meloche  
Councillor Michael Akpata  
Councillor Mark Carrick  
Councillor Sue Desjarlais  
Councillor Jeff Renaud  
Councillor Anita Riccio-Spagnuolo

**Also in attendance:**

Joe Milicia, Chief Administrative Officer  
Rick Hyra, Acting Clerk & Human Resources Manager – Item #1  
Linda Jean, Deputy Clerk  
Kevin Miller, Deputy Clerk – Item #2  
Dave Sutton, Fire Chief – Item #2  
Ed Thiessen, Deputy Fire Chief – Item #2  
Peter Marra, Director of Public Works – Item #2  
Patti Funaro, Manager of Recreation & Culture – Item #1 – Attended for Report  
#CR-2020-25 & #CR-2020-26

**Clerk's Note:** Mayor Bondy, Members of Council, and Administration participated in the Meeting electronically via video conference technology.

Mayor Bondy calls the meeting to order at 5:00 p.m.

**Disclosures of Pecuniary Interest and the General Nature Thereof**

None disclosed.

Motion 328/20

Moved by: Councillor Renaud

Seconded by: Councillor Akpata

That Council move into closed session at 5:01 p.m. to discuss the following items:

1. Personal Matters about Identifiable Individuals & Labour Relations -  
Personnel Committee Meeting Minutes dated November 12, 2020  
s.239(2)(b), s.239(2)(d)
2. Property Matter - Fire Master Plan Implementation (Confidential Report  
FIRE-20-09) s.239(2)(c)

**Carried.**

P. Funaro, Manager of Recreation & Culture leaves the meeting at 5:09 p.m.

R. Hyra, Acting Clerk & Human Resources Manager leaves the meeting at 5:25 p.m.

K. Miller, Deputy Clerk, D. Sutton, Fire Chief, E. Thiessen, Deputy Fire Chief, and P. Marra, Director of Public Works enter the meeting at 5:28 p.m.

K. Miller, Deputy Clerk, D. Sutton, Fire Chief, E. Thiessen, Deputy Fire Chief, and P. Marra, Director of Public Works leave the meeting at 5:55 p.m.

Motion 329/20

Moved by: Councillor Riccio-Spagnuolo

Seconded by: Deputy Mayor Meloche

That Council move back into public session at 5:56 p.m.

**Carried.**

1. Personal Matters about Identifiable Individuals & Labour Relations - Personnel Committee Meeting Minutes dated November 12, 2020 s.239(2)(b), s.239(2)(d)

Motion 330/20

Moved by: Councillor Carrick

Seconded by: Councillor Desjarlais

That the recommendations contained in the confidential Personnel Committee Meeting Minutes dated November 12, 2020 BE APPROVED as presented.

**Carried.**

2. Property Matter - Fire Master Plan Implementation (Confidential Report FIRE-20-09) s.239(2)(c)

Motion 331/20

Moved by: Councillor Renaud

Seconded by: Deputy Mayor Meloche

That the confidential Report of the Fire Chief, dated November 13, 2020 (FIRE-20-09), regarding Fire Master Plan Implementation BE RECEIVED; and that Administration BE AUTHORIZED to proceed in accordance with the verbal instructions of Council.

**Carried.**

There being no further business, the meeting is adjourned at 5:57 p.m.

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Mayor – Marc Bondy

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Deputy Clerk – Linda Jean



## THE CORPORATION OF THE TOWN OF LASALLE

### Minutes of the Regular Meeting of the Town of LaSalle Council held on

November 24, 2020

6:00 p.m.

Council Chambers, LaSalle Civic Centre, 5950 Malden Road

Members of Council Present: Mayor Marc Bondy, Deputy Mayor Crystal Meloche, Councillor Michael Akpata, Councillor Mark Carrick, Councillor Sue Desjarlais, Councillor Jeff Renaud, Councillor Anita Riccio-Spagnuolo

Administration Present: J. Milicia, Chief Administrative Officer, D. Langlois, Director of Finance and Treasurer, L. Silani, Director of Development & Strategic Initiatives, P. Marra, Director of Public Works, D. Dadalt, Legal Counsel, D. Hadre, Corporate Communications & Promotions Officer, D. Sutton, Fire Chief, L. Jean, Deputy Clerk, R. Hyra, Human Resource Manager, E. Thiessen, Deputy Fire Chief, P. Funaro, Manager of Recreation & Culture, N. Sharp, Executive Assistant to the Clerk, N. DiGesù, Manager of IT

**Clerk's Note:** Mayor Bondy, Members of Council, and Administration participated in the Meeting electronically via video conference technology.

The Chief Administrative Officer, Deputy Clerk, and IT personnel were present in Council Chambers to participate electronically.

#### A. OPENING BUSINESS

1. Call to Order and Moment of Silent Reflection

Mayor Bondy calls the meeting to order at 6:00 p.m.

2. Disclosures of Pecuniary Interest and the General Nature Thereof

None disclosed.

3. Adoption of Minutes

332/20

Moved by: Deputy Mayor Meloche

Seconded by: Councillor Renaud

That the minutes of the Closed Meeting of Council, Special Meeting of Council and Regular Meeting of Council held November 10, 2020 BE ADOPTED as presented.

**Carried.**

4. Mayors Comments

None.

#### B. PRESENTATIONS

#### C. PUBLIC MEETINGS AND/OR HEARINGS

## **D. DELEGATIONS**

### **1. 1381 Reaume Road – Catchbasin Concern**

Resident Carl Swatman, 1381 Reaume Road, appears before Council in opposition to Report PW-28-20 regarding 1381 Reaume Road – Catchbasin Concern and claims an uneven surface is causing standing water on his property.

333/20

Moved by: Deputy Mayor Meloche

Seconded by: Councillor Renaud

That the report of the Director of Public Works dated November 12, 2020 (PW-28-20) regarding 1381 Reaume Road – Catchbasin Concern be RECEIVED.

**Carried.**

### **2. Richmond Court Subdivision Sidewalk**

Elena Piccolo, 2360 Normandy, appears before Council in opposition to Report PW-27-20 regarding the Richmond Court Subdivision Sidewalk. Ms. Piccolo states that the proposed sidewalk is not part of the original severance agreement, citing the location of the sidewalk and potential safety risks.

David and Maria Rauti, 2320 Normandy, also speaking on behalf of Dr. Bacheyie, 2330 Normandy, appear before Council in opposition to Report PW-27-20 regarding the Richmond Court Subdivision Sidewalk, citing a grading issue for Dr. Bacheyie and that the proposed side walk was not part of the original agreement as well as potential safety risks.

Craig Stevenson and Diane Wilson, 2308 Normandy, appear before Council in opposition to Report PW-27-20 regarding the Richmond Court Subdivision Sidewalk citing the proposed side walk was not part of the original agreement, notice of amendment was not given, and potential public safety concerns.

Joe Lepera, 2340 Normandy, appears before Council in opposition to Report PW-27-20 regarding the Richmond Court Subdivision Sidewalk, citing the safety concerns and proposes a crosswalk at Normandy Street and Richmond Court instead of the proposed sidewalk across 5 properties.

Moved by: Councillor Carrick

Seconded by: Councillor Renaud

That the report of the Director of Public Works dated November 12, 2020 (PW-27-20) regarding the Richmond Court Subdivision Sidewalk be RECEIVED and that Council CONCUR that Town Administration work with the developer in completing the sidewalk as per the Richmond Court Subdivision agreement.

Aye Votes: Councillor Carrick and Councillor Renaud

Nay: Deputy Mayor Meloche, Councillor Riccio-Spagnuolo, Councillor Desjarlais and Councillor Akpata

**Motion is Put and is Lost**

**E. REPORTS / CORRESPONDENCE FOR COUNCIL ACTION**

1. Replacement Zamboni Ice Resurfacer

334/20

Moved by: Councillor Desjarlais

Seconded by: Councillor Riccio-Spagnuolo

That the report of the Manager of Facilities of LaSalle dated November 6, 2020 (PW-30-20) regarding the purchase of a replacement Zamboni Ice Resurfacer from Zamboni Company Ltd. for a cost of \$104,171.15 (plus taxes) for the Vollmer Centre BE APPROVED.

**Carried.**

2. By-law Amendment – Fire Service Establishing and Regulating By-law #6073 as amended

335/20

Moved by: Councillor Renaud

Seconded by: Councillor Desjarlais

That the report of Fire Chief dated November 13, 2020 (FIRE 20-10) regarding a proposed By-law amendment to the LaSalle Fire Service Establishing and Regulating By-Law #6073 as amended, be RECEIVED, and that the recommended wording changes in Appendix B *Non-Core Services*, to reflect current service level capabilities, be APPROVED. It is further recommended that the amended By-law be supported at the appropriate point in the Council Agenda

**Carried.**

**F. COMMITTEE MATTERS FOR COUNCIL ACTION**

**G. INFORMATION ITEMS TO BE RECEIVED**

1. October 2020 Financial Statement and Financial Reports

336/20

Moved by: Deputy Mayor Meloche

Seconded by: Councillor Renaud

That the report of the Supervisor of Accounting dated November 11, 2020 (FIN-27-2020) regarding the October 2020 Financial Statement and Financial Reports BE RECEIVED.

**Carried.**

2. Summary of Reports to Council

337/20

Moved by: Councillor Renaud

Seconded by: Deputy Mayor Meloche

That the Report of the Chief Administrative Officer dated November 24, 2020 being a Summary of Reports to Council BE RECEIVED.

**Carried.**

## H. BY-LAWS

338/20

Moved by: Councillor Riccio-Spagnuolo

Seconded by: Deputy Mayor Meloche

That the following By-laws BE GIVEN first reading:

8491 A By-law to assume certain lands on Registered Plan 1363 as Part of Villa Maria Boulevard

8492 A By-law to authorize the execution of an Encroachment Agreement with Andreas Papas and The Corporation of the Town of LaSalle

8493 A By-law to amend By-law 6073 being a By-law to create a new Establishing and Regulating By-law for the LaSalle Fire Service

8494 - A By-law to authorize the execution of a Site Plan Control Agreement with Wyoming Developments Corp. and to repeal By-law 8486

**Carried.**

339/20

Moved by: Councillor Riccio-Spagnuolo

Seconded by: Deputy Mayor Meloche

That By-law numbers 8491 to 8494 BE GIVEN second reading.

**Carried.**

340/20

Moved by: Councillor Riccio-Spagnuolo

Seconded by: Deputy Mayor Meloche

That By-law numbers 8491 to 8494 BE GIVEN third reading and finally passed.

**Carried.**

## I. COUNCIL QUESTIONS

J. Milicia, Chief Administrative Officer, explains that Administration will require direction from Council for Report PW-27-20 Richmond Court Subdivision Sidewalk, regarding the requirement of the Developer to construct a sidewalk as part of the Development Agreement.

Mayor Bondy requests an Administrative Report be prepared regarding a sidewalk review from the East to the West side of Normandy Street beginning on Huron Church Road and ending on North Woodmont.

**Clerks Note:** A discussion ensues regarding Item D2, Report PW-27-20 Richmond Court Subdivision Sidewalk, on today's agenda, and a motion is put on the table for reconsideration.

342/20

Moved by: Councillor Akpata

Seconded by: Councillor Riccio-Spagnuolo

That the following resolution put and lost earlier this evening BE RECONSIDERED:

"That the report of the Director of Public Works dated November 12, 2020 (PW-27-20) regarding the Richmond Court Subdivision Sidewalk be RECEIVED and that Council CONCUR that Town Administration work with the developer in completing the sidewalk as per the Richmond Court Subdivision agreement."

**Carried.**



**J. STATEMENTS BY COUNCIL MEMBERS**

Councillor Akpata commends Town Staff at the Vollmer Recreation Complex for their efforts and professionalism during this pandemic.

Councillor Desjarlais states the importance of safety for everyone in the community and praises Town Staff for their efforts.

**K. REPORTS FROM COMMITTEES**

**L. NOTICES OF MOTION**

**M. MOTION TO MOVE INTO CLOSED SESSION**

**N. CONFIRMATORY BY-LAW**

342/20

Moved by: Councillor Renaud

Seconded by: Deputy Mayor Meloche

That Confirmatory By-law 8495 BE GIVEN first reading.

**Carried.**

343/20

Moved by: Councillor Riccio-Spagnuolo

Seconded by: Councillor Akpata

That Confirmatory By-law 8495 BE GIVEN second reading

**Carried.**

344/20

Moved by: Councillor Carrick

Seconded by: Councillor Desjarlais

That Confirmatory By-law 8495 BE GIVEN third reading and finally passed.

**Carried.**

**O. SCHEDULE OF MEETINGS**

LaSalle Accessibility Advisory Committee Meeting December 1, 2020 (Cancelled)

Regular Council Meeting December 8, 2020 at 6:00 p.m.

Committee of Adjustment December 9, 2020 at 5:00 p.m.

Police Services Board Public Meeting December 14, 2020 at 6:00 p.m.

By-law Committee Meeting December 15, 2020 at 4:30 p.m.

Planning Advisory Committee Meeting December 15, 2020 at 5:30 p.m.

Budget Deliberation & 2021 Business Plan Presentation December 16, 2020 at 9:30 a.m.

Budget Deliberation & 2021 Business Plan Presentation December 17, 2020 (scheduled if additional time is required)

Parks, Recreation & Events Committee Meeting December 17, 2020 at 9:00 a.m. (Cancelled)

Regular Council Meeting December 22, 2020 at 6:00 p.m. (Cancelled)

**P. ADJOURNMENT**

Meeting adjourned at the call of the Chair 8:03 p.m.

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Mayor: Marc Bondy

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Deputy Clerk: Linda Jean



## **The Corporation of the Town of LaSalle**

**To:** Mayor and Members of Council

**Prepared by:** K. Miller, Deputy Clerk / D. Dadalt, Legal Counsel

**Department:** Administration

**Date of Report:** November 30, 2020

**Report Number:** AD-10-2020

**Subject:** Alley Q7 referral - M. Taylor / J. Timmins

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### **Recommendation**

That the report of the Deputy Clerk and Legal Counsel dated November 30, 2020 (AD-10-2020) regarding the alley referral request by M. Taylor & J. Timmins BE RECEIVED and that Council CONFIRM the decision of Administration and direct that the distribution of the remaining portion of the alley proceed in accordance with Figure 3 to Report AD-10-2020.

### **Report**

Applications were received by the Town to close and convey portions of the alley located west of McNabb Av between Stuart Blvd and Minto Av (refer to Figure 1). In accordance with municipal practice, Administration ordered a survey to identify all existing structures/encumbrances in the alley. As shown on Figure 2 attached, the survey identified a number of fences/gates/sheds/utility poles and utility infrastructure.

On review of the policy, the location of all the structures/encumbrances and considering past practices, portions of the alley were offered to the abutting owners as shown on the alley distribution plan (refer to Figure 3). Following notification to the owners of the intended distribution, M. Taylor (1685 Minto) and J. Timmins (1695 Minto) requested the matter be referred to Council for further review. The purpose of the referral is to obtain the north half of the alley located to the rear of 1445 Stuart Blvd. Attached to this report is a copy of the submissions that were received from M. Taylor and J. Timmins.

On review of the submissions, Administration would note the following comments.

The owners on Minto have noted that they were informed in the past that the alley was not available, so they constructed their fence on the property line. They have also indicated that other owners have constructed fences in the alley without permission and are then rewarded for that action. That issue was discussed by Council at length when the policy was being considered. The two basic choices were:

1. Recognize existing structures and/or encumbrances in the alley and distribute portions of the alley based on where they are located, or
2. Have owners (or the Town if owners refuse) remove all structures and then the Town could offer half of the alley to each owner.

After considering the matter, Council opted to adopt number 1 above – which is to recognize the existing structures. While this may appear to reward individuals for occupying the alley without permission, experience has demonstrated that often times the current owner did not place the structures in the alley. They purchased the property thinking they owned it, while it was a previous owner – perhaps 2 or 3 times removed that placed the structure(s) in the Town alley. Depending on the situation, a property owner may find either of the above options unfair. Certainly given the number of alleys and hundreds of properties, Administration does not have the resources to inspect every alley in detail. Administration relies on the survey, air photography, the policy and past practice. Certainly, in the event a referral is received, consideration is given to the submissions of the property owner(s) and the particular circumstances to determine if a change to the distribution is warranted.

Another issue raised by the owner on Minto is that the initial letter offered them half of the alley, then after the survey was completed, that decision was reversed. In all cases, the initial letter that is sent to the property owners makes no offer. Below is an excerpt from the Q7 alley letters in this regard:

*“Pursuant to municipal policy, each owner would generally be able to acquire one-half of the alley that abuts their property. However, the exact amount of alley that may be available could vary (from all, a portion, or none) depending on the location of current encumbrances i.e. fences, sheds, pools, utilities etc. and whether any portion of the alley has been previously closed. Further, in the event that the owner located opposite your land does not want their share, you may be able to acquire that portion. When the surveyor has completed the draft Survey Plan the Town will contact you to confirm the exact amount of alley, if any that would be available for transfer to you.”*

The owner on Minto also noted that there was an error on the survey. They expressed concern that the removable gate in the alley was incorrectly labelled as a fence. Since it is a gate, which is not covered by the policy and is removable, it should not be a consideration in how the alley is distributed. On review of this submission, Administration

would note the following. The survey denotes board fences with a double backslash (“//”) and chain-link structures such as fences and gates with an x (“x”). The structure in question is noted on the survey with a “x” (refer to Figure 4), suggesting an encumbrance constructed of chain-link material. Based on an inspection of the alley and pictures submitted by the owner, there is no question that the structure is a gate that can swing open. The section of the policy that is applicable to these types of encumbrances is outlined below:

4. *“Under normal circumstance where an alley is completely unencumbered, each abutting property owner would be entitled to half of the alley. However, in many instances, alleys are encumbered by structures such as sheds, fences, pools, above and below ground utilities etc. Under such circumstances, administration will review the survey plan and make a determination as to the manner in which the alley will be conveyed to property owners.”*

The policy describes a number of examples of structures such as sheds, fences, pools, above and below ground utilities etc. This list is meant to provide examples of the types of encumbrances that can be found in alleys, but certainly not meant to be an all-inclusive list. To this end, it is the opinion of Administration that the gate, regardless of the fact that it can swing open, does form a physical barrier and has delineated the boundary of the properties for several years. The gate has acted in the same fashion as a fence and has enclosed the subject portion of the alley with 1445 Stuart Blvd. The owner of 1445 Stuart Blvd. has also actively maintained the alley for a number of years.

Based on a review of the submissions and considering the policy and past practice on distributing portions of the alley, it is recommended that the referrals be denied and that Council confirm the distribution of the alley as put forth by Administration.

In the event that Council deems it appropriate to distribute the alley as requested by the owners on Minto, it is recommended that the distribution plan be amended to take into account the location of the hydro poles/transformer located in the alley (refer to Figure 5). The poles are situated approximately mid alley at the western end of the alley and approximately 5.5 feet at the eastern end. To allow for a more evenly distributed apportionment of the alley it is suggested that the alley be divided in accordance with Figure 6 attached.

As with previous alley referral requests, Council will hear from and consider the submissions of the owners who have requested the referral. In the event that Council deems it appropriate to amend the recommendation of Administration, it would be appropriate to hear submissions from any other property owner that would be affected by that decision (affected parties listed in Notifications section of the report).

## **Consultations**

N/A

## **Financial Implications**

N/A

## **Prepared By:**

A handwritten signature in black ink, appearing to read "Kevin Miller".

Kevin Miller, Deputy Clerk

A handwritten signature in black ink, appearing to read "D. Dadalt".

Domenic Dadalt, Legal Counsel

## Link to Strategic Goals

	Enhancing organizational excellence
	Sustain strong public services and infrastructure
	Strengthen the community's engagement with the Town
	Grow and diversify the local economy
	Build on our high-quality of life

## Communications

yes	Not applicable
	Website
	Social Media
	News Release
	Local Newspaper
	Bids & Tenders
	Notification pursuant to the Planning Act

## Notifications

Name	Address	Email
	1685 Minto Ave	
	1695 Minto Ave	
	1675 Minto Ave	
	1445 Stuart Blvd	
	1443 Stuart Blvd	

### Report Approval Details

Document Title:	AD-10-2020 - Alley Q7 Referral - M. Taylor and J. Timmins.docx
Attachments:	<ul style="list-style-type: none"><li>- attachments Q7 report.pdf</li><li>- M. Taylor_Submission Redacted.pdf</li><li>- Jeff Timmins_Submission Redacted.pdf</li></ul>
Final Approval Date:	Nov 30, 2020

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



Chief Administrative Officer

Joe Milicia





## Corporation of the Town of LaSalle

5950 Malden Road, LaSalle, Ontario N9H 1S4  
Phone: 519-969-7770 Fax: 519-969-4029 [www.lasalle.ca](http://www.lasalle.ca)

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TAYLOR, ALLAN & MAUREEN  
1685 MINTO AVE  
LASALLE, ON N9J3H2

September 27, 2019

**Reference: Alley Q7**

Dear Resident:

Please be advised that the Town of LaSalle will be taking steps to close the alley to the rear and/or side of your property. As a result, you may be able to acquire a portion of the alley. The Town has retained an Ontario Land Surveyor to commence work to prepare the necessary Reference Plan/Survey Plan. It is anticipated that this work will start on or about the week of **October 7, 2019**.

Pursuant to municipal policy, each owner would generally be able to acquire one-half of the alley that abuts their property. However, the exact amount of alley that may be available could vary (from all, a portion, or none) depending on the location of current encumbrances i.e. fences, sheds, pools, utilities etc. and whether any portion of the alley has been previously closed. Further, in the event that the owner located opposite your land does not want their share, you may be able to acquire that portion. When the surveyor has completed the draft Survey Plan the Town will contact you to confirm the exact amount of alley, if any, that would be available for transfer to you.

The total cost to acquire any portion of the alley is \$200 per transfer. The Town will undertake to complete all necessary legal work in order transfer title. This cost is only available now as part of the alley closing program. In the event a portion is not conveyed, the cost to transfer the alley in the future would include all costs including surveying, legal and land. If you do not accept the conveyance of a portion of the alley, it may be offered to the abutting owner. In the event the portion of alley remains in the Town's name, you will not be permitted to occupy/use the land for personal purposes. The Town may also take steps to remove any structure(s) or other items that remain in the alley at the owner's expense.

Should you have any other questions regarding the process to close an alley please go to <http://www.lasalle.ca/alleyprogram> to review the full policy.



In the event you still have questions please do not hesitate to contact our office. When contacting the Town, please refer to the alley reference noted above. In the event you own vacant land, please reference to the roll number.

Yours truly,



Kevin Miller  
Deputy Clerk

cc: D. Dadalt, Legal Counsel  
A. Burgess, Supervisor of Planning & Development

K. Miller, Deputy Clerk  
519-969-7770 ext 1225  
kmiller@lasalle.ca

D. Dadalt, Legal Counsel  
519-969-7770 ext 1110  
ddadalt@lasalle.ca





The Corporation of the Town of LaSalle  
Policy Manual

**Closing and Sale of Alleys**

**Policy Manual Section:** Municipal Services - DSI

**Policy Number:** M-DSI-003

**Authority:** 148/19

**Date Approved:** May 14, 2019

**Department Responsible:** DSI, Legal Services

**Revision Date:** n/a

**Review Date:** May, 2021

**Status:** Active

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**Purpose:**

To mitigate liability and provide a method to transfer portions of Town owned alleys to appropriate residents in a manner that is cost-friendly to residents.

**Policy Statement:**

The Town will allocate funds for the "alley closing program" (the Program) as part of the annual municipal budget to close and convey all open/closed alleys.

**Scope:**

Alleys will be closed under the Program on a first come basis, up to the budgeted amount. The Program will give priority to alleys that are adjacent to existing residential dwellings. The Town may close alleys adjacent to vacant lands on a priority basis that are adjacent to existing residential dwellings and/or considered infilling in nature. Alleys that have vacant lands on either side will be considered Priority 2 areas, and not included as part of the Program until all other alleys in the Priority 1 area have been closed.

**Policy:**

1. When an application is received and deemed to comply with the policy, the Town will take steps to close the entirety of the alley within the block.





2. Council has delegated the determination of whether an alley is surplus to municipal needs to administration. In the event a land owner does not agree with decision that is made by administration, that land owner shall have the right to refer that decision to Council by filing a letter of referral with the Clerk within twenty (20) days of the date of the land distribution decision letter.
3. In the event a referral request is received by the Clerk's office, the matter will be scheduled for an open public Council meeting. All affected owners will be notified and be given the opportunity to submit their comments to Council at the public meeting. Any decision made by Council as to the conveyance of the alley will be considered final. As the decision is considered final, the reconsideration provisions of the procedural by-law will not apply to the alley closing program.
4. Under normal circumstance where an alley is completely unencumbered, each abutting property owner would be entitled to half of the alley. However, in many instances, alleys are encumbered by structures such as sheds, fences, pools, above and below ground utilities etc. Under such circumstances, administration will review the survey plan and make a determination as to the manner in which the alley will be conveyed to property owners.
5. Owners may be permitted to proceed to close an alley outside the Program provided the owner undertakes to cover all costs associated with the preparation of the necessary reference plan/survey, legal fees and land costs associated with closing and registering the required deed. Land costs will be calculated based on fair market value. Where parts of an alley are closed outside the Program and meet the intent of the Town's policy, that alley will become a priority in the next budget year. In the event funds remain in the current year, the Town will initiate the closing of the balance of the alley under the Program.
6. In the event no applications are received by the Town to close an alley and funding remains in the current year, the Town will take steps to close alleys in the locations as determined by the Town.
7. In the event a property owner elects to not participate in the Program, that portion of the alley may be offered to the abutting property owner. Land owners who do not participate in the Program do not have permission to use or continue to use any part of the Town's alley adjacent to their property, and will be required to stop their use of the Town's property without written permission and proper insurance.
8. The Town will not convey alleys that are in or adjacent to lands that have been identified as being environmentally significant.
9. The Program does not apply to any alley(s) that are proposed to be closed as part of any new development as outlined in a developers/severance/servicing agreement.



10. The Program does not apply to any alleys located within areas designated as Mixed Use Corridor; LaSalle Town Centre District; Waterfront District; Business Park District and Parkway Commercial District in the Town's Official Plan. Existing residential dwellings may be included as part of the Program at the discretion of the Town.

11. The Town retains the right to refuse, in its sole discretion, any application to close any Town-owned alley regardless of whether or not the applicant has complied with all of the policies of the Town.

#### **Responsibilities:**

##### **Role of the Development and Strategic Initiatives Department (Planning)**

The Development and Strategic Initiatives Department (Planning) will accept applications to close an alley.

Planning will review the application to determine:

- is the alley surplus to municipal needs?
- does the alley qualify for the program?
- what is the approximate timing to process application? (current or future year)
- are there easements required for municipal purposes?(Planning and Public Works)
- contact all other applicable agencies to determine if easements are required

Planning will also contact all owners abutting an alley to be closed to advise that the Town will be taking steps to close the alley abutting their property, and that a surveyor will be commencing work to complete a reference/survey plan. The Town will also request that landowners indicate if they wish to participate in the program and if more of the alley becomes available if they would be interested in that additional part. After the draft reference/survey plan is prepared, Planning will determine the manner in which the alley will be conveyed to each landowner. The landowners will be contacted a second time to confirm what portion of the alley (if any) will be available to them and specify the period in which owners must respond (if not previously done) to receive the alley. In the event an owner does not respond to either letter sent by the Town of their intent to accept a portion of the alley, the Town will offer that part to the abutting owner.

##### **Role of the Clerk:**

- A referral request received by the Clerk from a landowner within the twenty (20) days of the date of the specific land distribution decision will be scheduled for a Regular Council meeting.
- All effective landowners will be notified of the meeting and will have the opportunity to speak as a delegate and submit their concerns in writing.



**Role of Legal Counsel:**

Once the alley closing By-law has been passed and registered on title, Legal Counsel will prepare the necessary documentation and contact the owners to arrange a meeting to collect the fee associated with the closure and transfer of the alley, and to sign the transfer documents.

**Policy Review:**

This policy will be periodically reviewed and updated as required. This policy must be reviewed by the stated review date and approved by the responsible department.

**References and Related Documents:**

By-law #8312

**Attachments:**

None.



## Kevin Miller

---

**From:** Maureen Taylor [REDACTED]  
**Sent:** February 20, 2020 10:15 PM  
**To:** Kevin Miller  
**Subject:** Alley closure

Mr Miller.

As by now you are in receipt of letters regarding alley closure of the 1600 block of Minto, adjacent to 1400 block of Stuart.

Those letters are from the residents from the Town of LaSalle, as well as mine now. The properties in question including 1445 Stuart are all in agreement that this should be forwarded to town council.

After further investigation and us actually speaking to the property owner at 1445 Stuart as he too also agrees with us that this should be settled in town council. As well as fairly split.

Years ago, we were told that the alley couldn't be closed. I approached town back in Aug. 2019 to see about alley closure and now I'm told that my portion of the alley is assigned to 1445 stuart. All because a survey says there is a "fence ". The survey is inaccurate, there is a portable farm style gate that is easily removable... we did this as past owners explained in their email to you.

This gate... not fense, in accordance with the already existing bylaw can be removed, and the sale of the alley can proceed as fairly as possible.

I've asked for you to come visit the actual alley, and I've asked that the survey be re visited as it is inaccurate. Have these been done? Have you come out to look? Have you spoke to all neighbours who are ALL IN AGREEMENT that the alley be equally split.

Please advise us all as to when this will be on town council agenda. As to my knowledge you have to this date, only contacted the residents at 1445 stuart to inform him of the above.

Thank you  
Maureen Taylor  
1685 Minto  
[REDACTED]

## Kevin Miller

---

**From:** Maureen Taylor [REDACTED]  
**Sent:** March 16, 2020 7:53 PM  
**To:** Kevin Miller  
**Subject:** Alley Closure  
**Attachments:** 20200307\_112220.jpg; Resized\_20200314\_093322\_3458.jpeg; Resized\_20200308\_112504\_5061.jpg; 20200307\_112223.jpg

This is to further our conversations regarding alley closure, and the unfair split that we have been told about. In the attached photos, the orange pylons are the exact "1/2 of the alley. "

We are asking to bring this to council as per your suggestion, Mr Miller. I have been a LaSalle Resident in the same house for 24 years and every time we have approached town to have this alley closed, we have been told no, because of the overhead lines.

This past July, I again asked for the alley closure to be revisited, sent in photos etc. To which a letter came to us in Sept. stating that town was closing the alley and we would be offered our half. Once the survey was done, a second letter came to us stating that we were no longer to have our half of the alley because of structural obstructions that are in the alley.

As you can see in attached photos, there are NO Structural obstructions in the alley. The grey farm style "gate" was installed by previous owners as their child 2 at the time almost got his by a car by wandering past through the alley.

More importantly..... is council aware that 1695 and 1685 Minto are the ONLY 2 properties that are reflected in the unfair split of the alley. All other homes were offered their fair share, even though trees and other "obstructions" are in the alley.

I feel that this decision has been unfairly made, and would like to have the opportunity to express my concerns in front of council.

Please acknowledge that you have received this email.

Thank you  
Maureen Taylor  
1685 Minto St  
[REDACTED]

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## Kevin Miller

---

**From:** Maureen Taylor [REDACTED]  
**Sent:** February 21, 2020 1:07 PM  
**To:** Kevin Miller  
**Subject:** Fwd: Alley closure Q7

----- Forwarded message -----

**From:** Jeff Timmins [REDACTED]  
**Date:** Thu., Feb. 20, 2020, 12:05 a.m.  
**Subject:** Fwd: Alley closure Q7  
**To:** Maureen Taylor [REDACTED]

----- Forwarded message -----

**From:** Jeff Timmins [REDACTED]  
**Date:** Thu, Feb 20, 2020, 12:05 AM  
**Subject:** Alley closure Q7  
**To:** <Kmilller@lasalle.ca>  
**Cc:** <evallee@lasalle.ca>

February 20, 2020

To whom it may concern:

This letter is in reference to the proposed alley closure Q7.

I, Jeff Timmins, am the original home owner at 1695 Minto Ave., LaSalle. I built my home in 1993. Prior to erecting my fence, over 20 years ago, myself and several of my neighbours residing on Minto Ave. went to town council and asked for the alley be closed. At that time we were denied closure due to the town needing access to the overhead services in the alleyway. We followed the town bylaws and erected our fences on our property lines. Other residents in the neighborhood encroached on the alley, and put their fences up in the middle of alley not following the bylaws. Now more than 20 years later, those residents who, with integrity, followed town bylaws, are now being denied the opportunity to purchase the footage behind our homes having access to the alley. Had myself and my neighbours NOT followed the bylaws, would purchasing a portion of the alley behind our homes indeed be denied? If homeowners have placed their fences on the alley property line, how does the alley property get split?

Mr. Miller, you posed a question about the gate blocking the alley. This two-piece gate was put up as a temporary blockade by former owners residing at 1445 Stuart. This gate was to ensure the safety of their young children while they played in their back yard. These gates are a farm style, consisting of a single post, offset, with removable gates. One is a ten foot gate on the Minto side of the alley, and the other a fourteen foot gate on the Stuart side, both facing McNabb Ave. There is also a single gate at the west end of the alley, at the back of 1675 Minto. These gates can easily be removed by lifting them off the post and removing a single aluminum post. This gate is about 35 feet from the property line from McNabb Ave.

If I am allowed to purchase half of the alley, which should be seven feet, a ten foot gate could be replaced with a three foot passage gate ,or a three foot fence. If a decision can not be made in regard to this matter I would like this issue to be put on the next town council meeting to be discussed.

Thank you for your attention to this matter.

Jeff Timmins

1695 Minto Ave.  
[REDACTED]

## Kevin Miller

---

**From:** Erin Vallee  
**Sent:** March 30, 2020 8:36 AM  
**To:** Kevin Miller; Domenic Dadalt  
**Subject:** FW: alley closure Q7

**From:** Jeff Timmins [REDACTED]  
**Sent:** Sunday, March 29, 2020 4:04 PM  
**To:** Erin Vallee <evallee@lasalle.ca>  
**Subject:** alley closure Q7

I am asking town council to review administration's decision in not allowing home owners to purchase their portion of alley Q7. Administration's current decision appears to be based on policy and the alley survey presently on file.

I am the current and original home owner of 1695 Minto Ave. Prior to erecting my fence, approx. 20 years ago, I approached Joe & Betty Holman who lived at 1445 Stuart about closing the alley. Joe & Betty who were long time residents of LaSalle, Joe had maintained the alley and rear lots year before my home was built. Joe & Betty were in agreement that if the alley were to be closed the alley would be equally split. the issue was brought before council. The closure was denied stating the town needed access to overhead services.

Years later when Jim & Heather Richeleau moved into 1445 Stuart, Jim approached me about putting up a temporary gate across the alley. This was to ensure the safety of his children and to keep them in their back yard away from traffic. I was in agreement. A two-piece gate was erected with a center mounting post, consisting of a 14' gate and a 10' gate. (see picture) In the picture, the pylons are placed at 7' to the rear of our fence in the center of alley.

If allowed to purchase one half of the alley, the 10' gate could be replaced with a 3' gate or fence.

I am asking council to reverse administration's decision by allowing me to purchase one half of the alley.

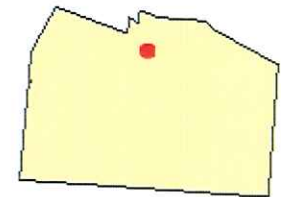
I will answer any questions from administration or council at their convenience.

Thank you.  
Jeff Timmins  
[REDACTED]

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# Alley Q7 Referral - Figure 1



## Legend

- Essex Terminal Railway
- Water Features
- Addresses
- Parcels

Scale: 1:1,474



## Notes

0 25

49 Meters

Printed: 11/18/2020

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



# FIGURE 2

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT. DATE _____ ROY A. SIMONE ONTARIO LAND SURVEYOR	<b>PLAN 12R--</b> RECEIVED AND DEPOSITED DATE _____ REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF ESSEX (13)
--	---

**PLAN OF SURVEY**  
 OF  
**PART OF ALLEY**  
**REGISTERED PLAN 1017**  
 IN THE  
**TOWN OF LASALE**  
**COUNTY OF ESSEX, ONTARIO**  
 VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZARE INC.  
 SCALE = 1:250

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

**LEGEND AND NOTES**  
 SEARCHES ARE RUN GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY  
 REAL TIME NETWORK OBSERVATIONS.  
 DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING  
 BY THE COMBINED SCALE FACTOR OF 0.999993464.  
 ALL MONUMENTS SHOWN THUSLY □ ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.  
 (1) DENOTES 25mm x 25mm x 1.22m STANDARD IRON BAR  
 (2) DENOTES 25mm x 25mm x 0.61m SHORT STANDARD IRON BAR  
 (3) DENOTES 19mm x 19mm x 0.61m IRON BAR  
 (4) DENOTES 19mm x 19mm x 0.61m ROUND IRON BAR  
 (5) DENOTES 19mm x 19mm x 0.61m IRON PIPE  
 (6) DENOTES 25mm x 25mm STEEL PIN  
 (7) DENOTES SURVEY MONUMENT SET AND MARKED 1744  
 (8) DENOTES WITNESS (W) DENOTES PERMANENT  
 (9) DENOTES 30 DENOTES MEASURED  
 (10) DENOTES OBSERVED REFERENCE POINT  
 (11) DENOTES SET PROPORTIONALLY  
 (12) DENOTES REGISTERED PLAN 1017  
 (13) DENOTES PLAN 12R-11867  
 (14) DENOTES PLAN 12R-15305  
 (15) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZARE INC., O.L.S.

**INTEGRATION DATA**

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET  
 NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (BY WEST LONGITUDE)  
 NAD83 (CGRS) (2011E).  
 COORDINATE VALUES ARE TO AN UNIFORM ACCURACY IN ACCORDANCE WITH  
 SECTION 14(2) OF THE REGISTRY ACT.

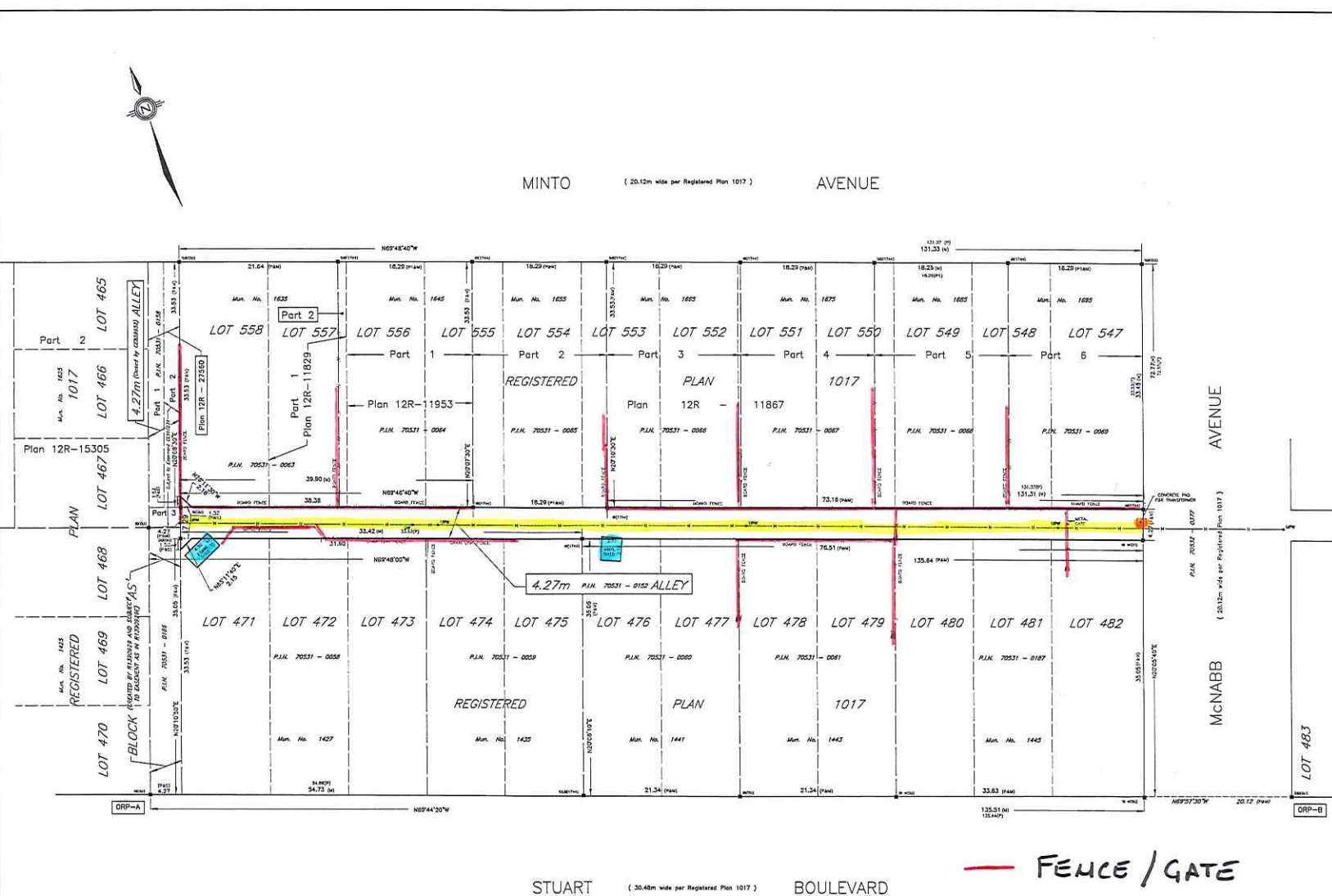
POINT ID	NORTHING	EASTING
GRP-A	N4478402.227	E3294535.662
GRP-B	N4478402.509	E3294517.727

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

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT,  
 THE SURVEYORS ACT, AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THIS SURVEY WAS COMPLETED ON THE 3rd DAY OF DECEMBER, 2019.  
 DATE: DECEMBER 17, 2019  
 ROY A. SIMONE  
 ONTARIO LAND SURVEYOR

**VERHAEGEN**  
 SURVEYING  
 & MAPPING  
 A DIVISION OF J.D. BARNES LTD.  
 4410 DUNDAS STREET, WINDSOR, ON, N9L 3L1  
 T: (519) 255-1772 F: (519) 255-1771 www.jdbarnes.com

DRAWN BY: N.A.C.	CHECKED BY: R.A.S.	REFERENCE NO.: 10-47-402-00
FILE: 19-47-402-00	DATE: December 17, 2019 3:20 PM	END FILE: 19-47-402-00.dwg

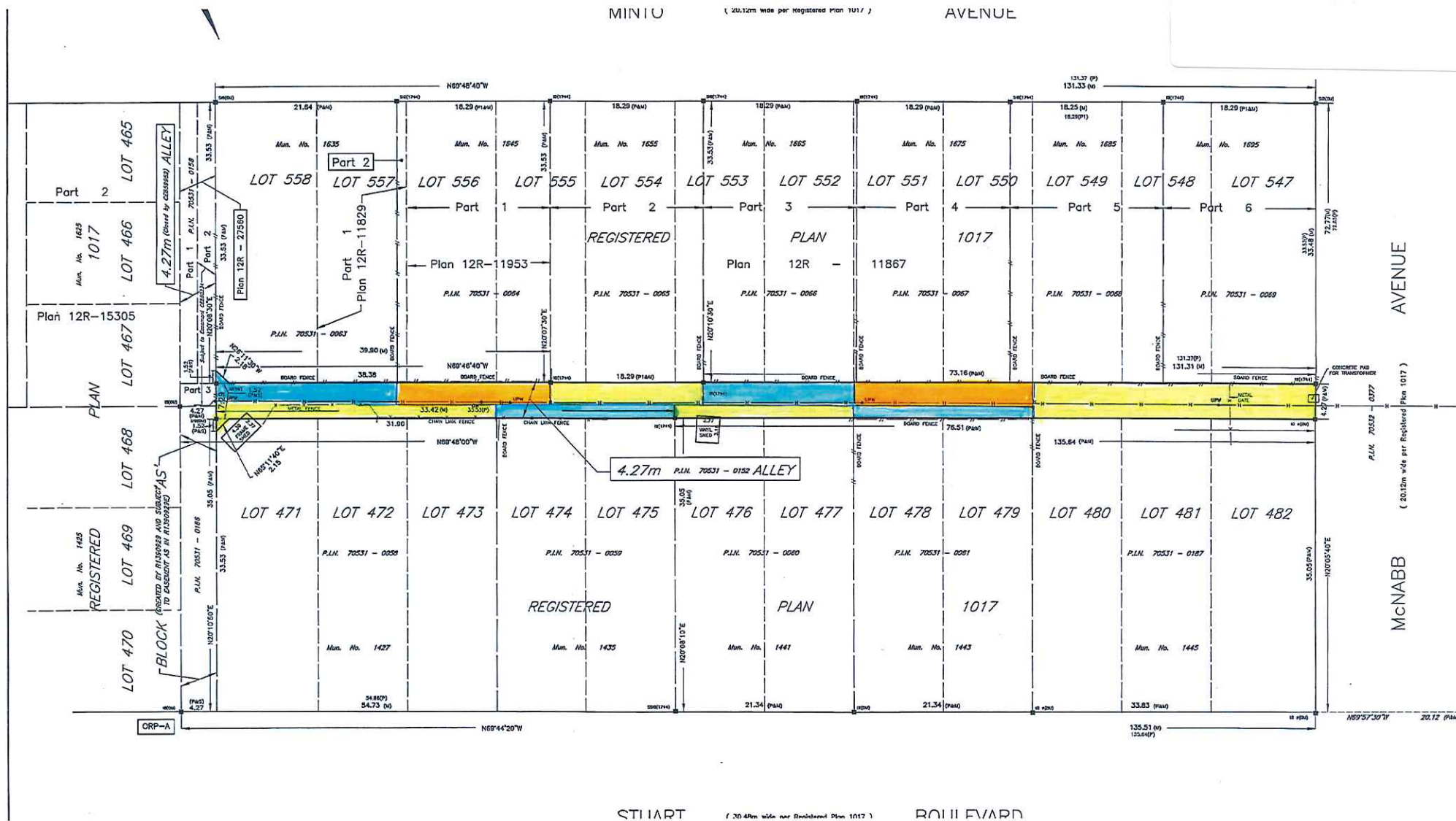


"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN  
 ARE IN METRES AND CAN BE CONVERTED TO FEET BY  
 DIVIDING BY 0.3048

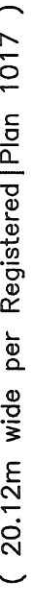
- FENCE / GATE
- HYDRO
- STRUCTURE (SHED)
- TRANSFORMER ON CONC. PAD

FIGURE 3

# DISTRIBUTION PLAN - ORIGINAL



AVENUE





## HYDRO POLE SET BACK



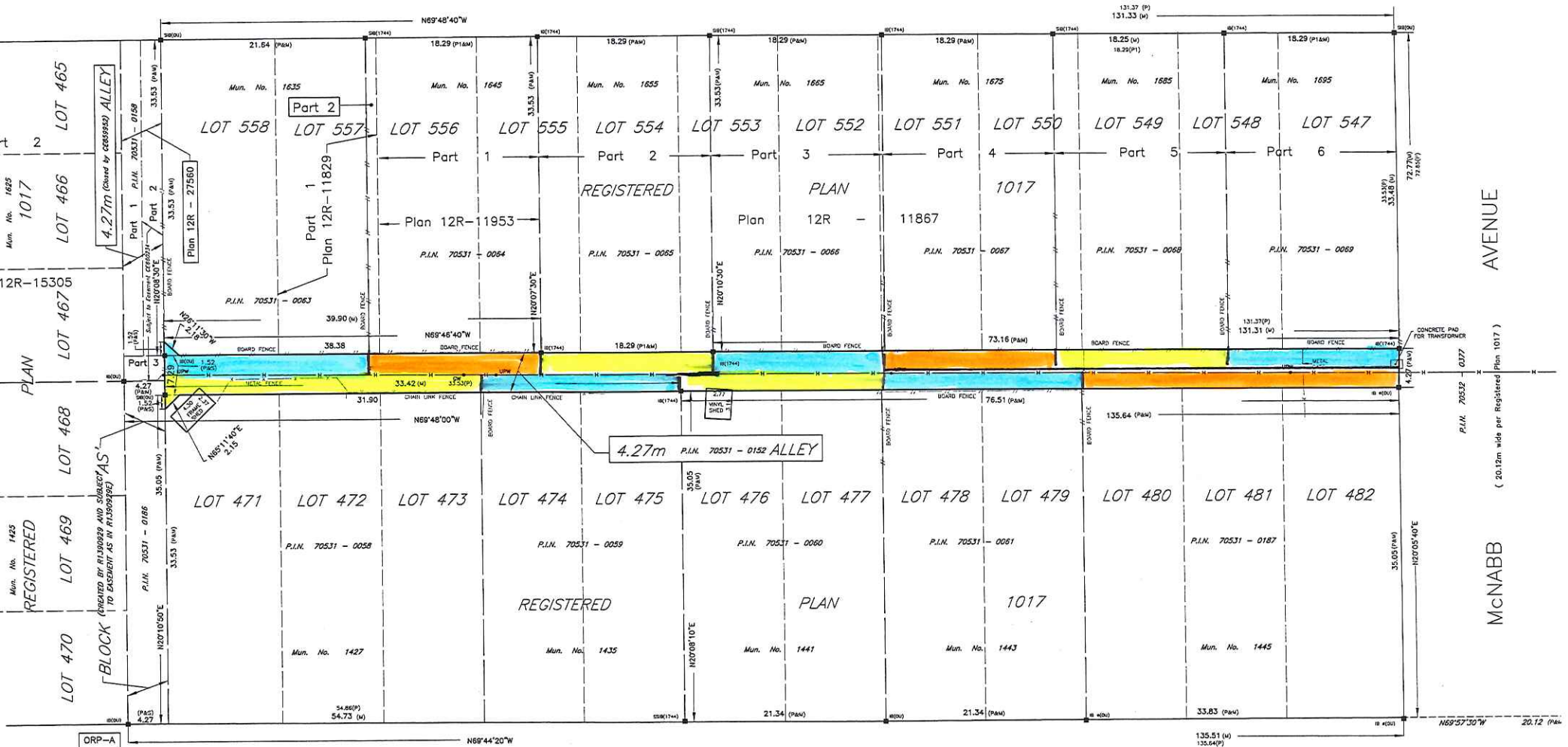
FIGURE 6

# DISTRIBUTION PLAN - OPTION

MINTO

( 20.12m wide per Registered Plan 1017 )

AVENUE



**Clerk's Note:** Jeff Timmins is unable to join the Virtual Council Meeting and has provided a written submission for Council's consideration in regards to Report AD-10-2020 Alley Q7 Referral. The attached correspondence contains the following:

1. Delegation Form with the following supporting documentation
  - Email dated November 26, 2020
  - Photos of property



**From:** Jeff Timmins [REDACTED]  
**Sent:** Thursday, November 26, 2020 6:44 AM  
**To:** Natalie Sharp <nsharp@lasalle.ca>  
**Subject:** re: alley closure Q7

Nov. 25, 2020

Mayor Bondy and members of council

I am unable to attend council meeting on Dec 8<sup>th</sup> regarding alley closure Q7. I am the current and original owner of 1695 Minto Ave. I understand that administration's decision to disallow the purchase of the alley behind the above property is based on survey and policy. The structure in question is a 2 piece farm style gate with a permanent center mounted post. As seen in the picture with the pylons, the pylons are placed 7 feet to the rear of my fence which would be the center of the alley. There are no permanent structures in this area.

In the second picture, the only permanent structure is the center post supporting both gates. This post is 10 feet to the rear of my fence, and therefore is not positioned in the section of alley that I would like to purchase.

I am asking council to reverse administration's decision and allow me to purchase my half of the alley based on the fact that there are not any permanent structures in this area.

I can be reached at [REDACTED] to answer any questions.

Jeff Timmins





**CAUTION:** This email originated from outside of the organization. Please verify that the sender's name matches the e-mail address in the From: field. Do not click links or open attachments unless you recognize the sender and know the content is safe.



**Clerk's Note:** Participation will be held electronically due to COVID-19 pandemic. Delegations have been notified of the virtual Council Meeting process and a maximum of 5 minutes shall be allotted for each delegation to present his/her position of support or opposition to the relevant item on the Agenda.

The attached correspondence has been submitted by Maureen & Allan Taylor for Council's consideration in regards to Report AD-10-2020 Alley Q7 Referral, containing the following:

1. Delegation Form with the following supporting documentation
  - Email dated February 20, 2020 at 10:15 p.m.
  - Survey Plan
  - Picture of property
  - Town of LaSalle Policy
  - Email dated February 20, 2020 at 12:05 a.m.
  - Email dated February 18, 2020



## Corporation of the Town of LaSalle

5950 Malden Road, LaSalle, Ontario, N9H 1S4  
Phone: 519-969-7770 Fax: 519-969-4029 www.lasalle.ca

### Delegation Request Form

Please complete this form to speak at a meeting of Town Council or Committee. If filling out by hand, please print clearly.

Please email to [ljean@lasalle.ca](mailto:ljean@lasalle.ca), fax to (519) 969-4469, mail or drop off at the Clerk's Department, Town of LaSalle Municipal Office, 5950 Malden Road, LaSalle, Ontario N9H 1S4.

Name: Maurice / Allan Taylor

Organization/Group/Business represented: na self

Address: 1685 Minto Ave.

Postal Code: N9S-3M2

Daytime Phone Number [REDACTED] Home Phone Number: same.

Email Address: [REDACTED]

Date of Meeting: Dec. 8 / 2020.

Is this an item on the Agenda? Yes ☒ No ☐

Agenda item Number or Topic (if applicable): Alley Q7

I wish to address Council/Committee: Yes ☒ No ☐

Describe in detail the reason for the delegation and what action you will be asking Council/Committee to take (attach separate sheet if necessary):

all documents have been emailed to Kevin Miller, however, I've attached them as well.

Please note that your name may become part of a public record in an electronic and paper format i.e. council agenda, to enable Council to make its decision on the matter.

☒ I Agree ☐ I Disagree

RECEIVED  
NOV 23 2020  
COUNCIL SERVICES  
TOWN OF LASALLE



## Alley closure

1 message

**Maureen Taylor** [REDACTED]

Thu., Feb. 20, 2020 at 10:15 p.m.

To: kmiller@lasalle.ca

Bcc: Jeff Timmins [REDACTED]

Mr Miller.

As by now you are in receipt of letters regarding alley closure of the 1600 block of Minto, adjacent to 1400 block of Stuart.

Those letters are from the residents from the Town of LaSalle, as well as mine now.

The properties in question including 1445 Stuart are all in agreement that this should be forwarded to town council.

After further investigation and us actually speaking to the property owner at 1445 Stuart as he too also agrees with us that this should be settled in town council. As well as fairly split.

Years ago, we were told that the alley couldn't be closed. I approached town back in Aug. 2019 to see about alley closure and now I'm told that my portion of the alley is assigned to 1445 stuart. All because a survey says there is a "fence". The survey is inaccurate, there is a portable farm style gate that is easily removable... we did this as past owners explained in their email to you.

This gate... not fence, in accordance with the already existing bylaw can be removed, and the sale of the alley can proceed as fairly as possible.

I've asked for you to come visit the actual alley, and I've asked that the survey be re visited as it is inaccurate. Have these been done? Have you come out to look? Have you spoke to all neighbours who are ALL IN AGREEMENT that the alley be equally split.

Please advise us all as to when this will be on town council agenda. As to my knowledge you have to this date, only contacted the residents at 1445 stuart to inform him of the above.








clearly  
not a  
thing is  
obstructing  
alley  
for equal  
division.

movable  
gate





#### POLICY:

1. When an application is received and deemed to comply with the policy, the Town will take steps to close the entirety of the alley within the block.
2. Council has delegated the determination of whether an alley is surplus to municipal needs to administration. In the event a land owner does not agree with decision that is made by administration, that land owner shall have the right to refer that decision to Council by filing a letter of referral with the Clerk within twenty (20) days of the date of the land distribution decision letter.
3. In the event a referral request is received by the Clerk's office, the matter will be scheduled for an open public Council meeting. All affected owners will be notified and be given the opportunity to submit their comments to Council at the public meeting. Any decision made by Council as to the conveyance of the alley will be considered final. As the decision is considered final, the reconsideration provisions of the procedural by-law will not apply to the alley closing program.
-  4. Under normal circumstance where an alley is completely unencumbered, each abutting property owner would be entitled to half of the alley. However, in many instances, alleys are encumbered by structures such as sheds, fences, pools, above and below ground utilities etc. Under such circumstances, administration will review the survey plan and make a determination as to the manner in which the alley will be conveyed to property owners.
5. Owners may be permitted to proceed to close an alley outside the Program provided the owner undertakes to cover all costs associated with the preparation of the necessary reference plan/survey, legal fees and land costs associated with closing and registering the required deed. Land costs will be calculated based on fair market value. Where parts of an alley are closed outside the Program and meet the intent of the Town's policy, that alley will become a priority in the next budget year. In the event funds remain in the current year, the Town will initiate the closing of the balance of the alley under the Program.
6. In the event no applications are received by the Town to close an alley and funding remains in the current year, the Town will take steps to close alleys in the locations as determined by the Town.
7. In the event a property owner elects to not participate in the Program, that portion of the alley may be offered to the abutting property owner. Land owners who do not participate in the Program do not have permission to use or continue to use any part of the Town's alley adjacent to their property, and will be required to stop their use of the Town's property without written permission and proper insurance.

there →  
is a  
temporary  
gate.  
see  
letters  
attached.





## Fwd: Alley closure Q7

1 message

Jeff Timmins [REDACTED]  
To: Maureen Taylor [REDACTED]

Thu., Feb. 20, 2020 at 12:05 a.m.

----- Forwarded message -----

From: Jeff Timmins [REDACTED]  
Date: Thu, Feb 20, 2020, 12:05 AM  
Subject: Alley closure Q7  
To: <KMiller@lasalle.ca>  
Cc: <evallee@lasalle.ca>

February 20, 2020

To whom it may concern:

This letter is in reference to the proposed alley closure Q7.

I, Jeff Timmins, am the original home owner at 1695 Minto Ave., LaSalle. I built my home in 1993. Prior to erecting my fence, over 20 years ago, myself and several of my neighbours residing on Minto Ave. went to town council and asked for the alley be closed. At that time we were denied closure due to the town needing access to the overhead services in the alleyway. We followed the town bylaws and erected our fences on our property lines. Other residents in the neighborhood encroached on the alley, and put their fences up in the middle of alley not following the bylaws. Now more than 20 years later, those residents who, with integrity, followed town bylaws, are now being denied the opportunity to purchase the footage behind our homes having access to the alley. Had myself and my neighbours NOT followed the bylaws, would purchasing a portion of the alley behind our homes indeed be denied? If homeowners have placed their fences on the alley property line, how does the alley property get split?

Mr. Miller, you posed a question about the gate blocking the alley. This two-piece gate was put up as a temporary blockade by former owners residing at 1445 Stuart. This gate was to ensure the safety of their young children while they played in their back yard. These gates are a farm style, consisting of a

single post, offset , with removable gates. One is a ten foot gate on the Minto side of the alley, and the other a fourteen foot gate on the Stuart side, both facing McNabb Ave. There is also a single gate at the west end of the alley, at the back of 1675 Minto. These gates can easily be removed by lifting them off the post and removing a single aluminum post . This gate is about 35 feet from the property line from McNabb Ave.

If I am allowed to purchase half of the alley, which should be seven feet, a ten foot gate could be replaced with a three foot passage gate ,or a three foot fence. If a decision can not be made in regard to this matter I would like this issue to be put on the next town council meeting to be discussed.

Thank you for your attention to this matter.

Jeff Timmins

1695 Minto Ave.  
[REDACTED]



(no subject)

1 message

Thu., Feb. 20, 2020 at 9:59 p.m.

To: [REDACTED]

February 18, 2020

To: Kevin Miller  
Town of Lasalle

My husband and I were the previous owners of 1445 Stuart Blvd in Lasalle. The property is a corner lot of two busy streets in Lasalle (Stuart Blvd & McNabb Ave). The back yard has an access way that ran the entire length of the yard. When we lived there our two-year-old son darted towards the street and was nearly hit by a car. We decided that we had to fence the yard but to save costs we purchased two farm gates from TSC in Essex. We placed the temporary gates across the access way that would still allow access to the alleyway and as a cheaper alternative to fencing the entire area. Both the neighbors behind us knew that the gates were a temporary fix and that the gates were not locked and easily moved.

We regrettably had to move from the area for work. We sold the property and left the gates up.

These gates were never intended for permanency and were only a temporary fix to protect the safety of our kids.





## **The Corporation of the Town of LaSalle**

**To:** Mayor and Members of Council

**Prepared by:** K. Miller, Deputy Clerk / D. Dadalt, Legal Counsel

**Department:** Administration

**Date of Report:** November 30, 2020

**Report Number:** AD-11-2020

**Subject:** Alley I2 Referral – J. Greer and W. Magyar

---

### **Recommendation**

That the report of the Deputy Clerk and Legal Counsel dated November 30, 2020 (AD-11-2020) regarding the alley referral request by J. Greer and W. Magyar BE RECEIVED and that Council CONFIRM the amended decision of Administration and direct that the distribution of the remaining portion of the alley proceed in accordance with Figure 5 to Report AD-11-2020.

### **Report**

Applications were received by the Town to close and convey portions of the closed alley located east of Front Road between Ulster Ave. and Elsworth Ave. (refer to Figure 1). In accordance with municipal practice, Administration ordered a survey to identify all existing structures/encumbrances in the alley. As shown on Figure 2 attached, the survey identified a number of fences/gates/sheds/utility poles and utility infrastructure.

On review of the policy, the location of all the structures/encumbrances and considering past practices, portions of the alley were offered to the abutting owners as shown on the alley distribution plan (refer to Figure 3). Following notification to the owners of the intended distribution, Administration was contacted by K. Wardell of 125 Ulster Ave expressing concern that he was not being conveyed half of the alley. Mr. Wardell was advised that due to the installation of a storm sewer, that the entire alley was being conveyed to the lots fronting Elsworth. Mr. Wardell noted that when the Ulster St subdivision was constructed, that the storm sewer was not installed at the rear of his property. Administration was able to examine the as-built drawings for the development and was able to confirm that the rear yard storm sewer stopped at the lot east of Mr. Wardell. With this new information confirmed, a revised letter was sent to the adjacent

owners amending the original distribution to provide half of the alley to Mr. Wardell (refer to Figure 4).

A referral was also received from J. Greer of 120 Elsworth. The nature of the referral was to obtain half of the north/south alley adjacent to his property. It was explained that past practice of the municipality has been to convey the entirety of alleys to the commercial properties on Front Road. Given the limited depth of the lots, the entire alley is deemed necessary to allow for the maximum potential of development or redevelopment of the commercial properties. Mr. Greer also expressed concern regarding a portion of the alley original proposed to be conveyed to him revised and offered to 125 Ulster (K. Wardell).

The last referral was received from W. Magyar, owner of the commercial-zoned property at 621 Front Road. The purpose of the referral was to obtain ownership to half of the alley adjacent to the property. Mr. Magyar recently took title to the property from his grandmother and indicated that they have maintained that part of the alley for numerous years. The original intent was to convey the alley to the lots on Elsworth recognizing the shallow depth as compared to the lots on Ulster Ave. However, given the location of the existing fence for 120 Elsworth and recognizing that the commercial-zoned property at 621 Front Road has been actively maintaining the alley for several years, it is recommended that that referral be given consideration and the distribution plan be further amended to convey the remaining portion of the east/west alley in accordance with Figure 5 attached. The final distribution would convey the north/south alley highlighted in yellow to 611 Front Road; the portion of the east/west alley highlighted in orange to 621 Front Road; and, the portion of the east/west alley highlighted in blue to 125 Ulster Ave.

As with previous alley referral requests, Council will hear from and consider the submissions of the owners who have requested the referral. In the event that Council deems it appropriate to amend the recommendation of Administration, it would be appropriate to hear submissions from any other property owner that would be affected by that decision.

## **Consultations**

N/A

## **Financial Implications**

N/A

## **Prepared By:**

A handwritten signature in black ink, appearing to read 'Kevin Miller'.

Kevin Miller, Deputy Clerk

A handwritten signature in black ink, appearing to read 'D. Dadalt'.

Legal Counsel

Domenic Dadalt, Legal Counsel



## Link to Strategic Goals

	Enhancing organizational excellence
	Sustain strong public services and infrastructure
	Strengthen the community's engagement with the Town
	Grow and diversify the local economy
	Build on our high-quality of life

## Communications

yes	Not applicable
	Website
	Social Media
	News Release
	Local Newspaper
	Bids & Tenders
	Notification pursuant to the Planning Act

## Notifications

Name	Address	Email
	120 Elsworth Ave	
	125 Ulster St.	
	621 Front Rd.	
	611 Front Rd.	

**Report Approval Details**

Document Title:	AD-11-2020 - Alley I2 Referral - J. Greer and W. Magyar.docx
Attachments:	<ul style="list-style-type: none"><li>- attachments I2 report.pdf</li><li>- K Wardell_Delegation Form_Redacted.pdf</li><li>- W Magyar_Delegation From_Redacted.pdf</li></ul>
Final Approval Date:	Nov 30, 2020

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



Chief Administrative Officer

Joe Milicia

# Alley I2 - Figure 1



## Legend

- Essex Terminal Railway
- Water Features
- Addresses
- Parcels

Scale: 1:1,508



## Notes

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

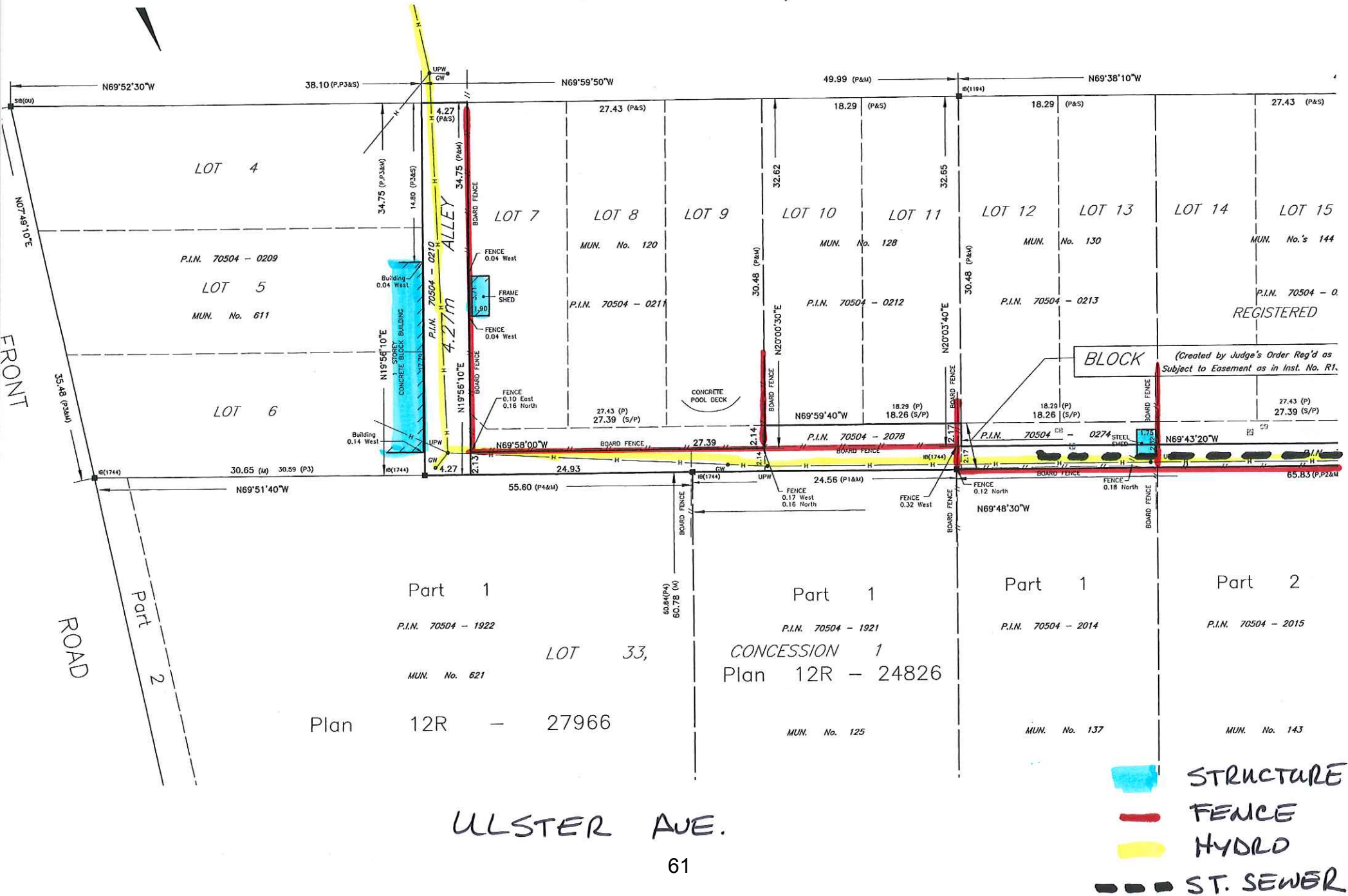
0 25 50 Meters

Printed: 11/19/2020



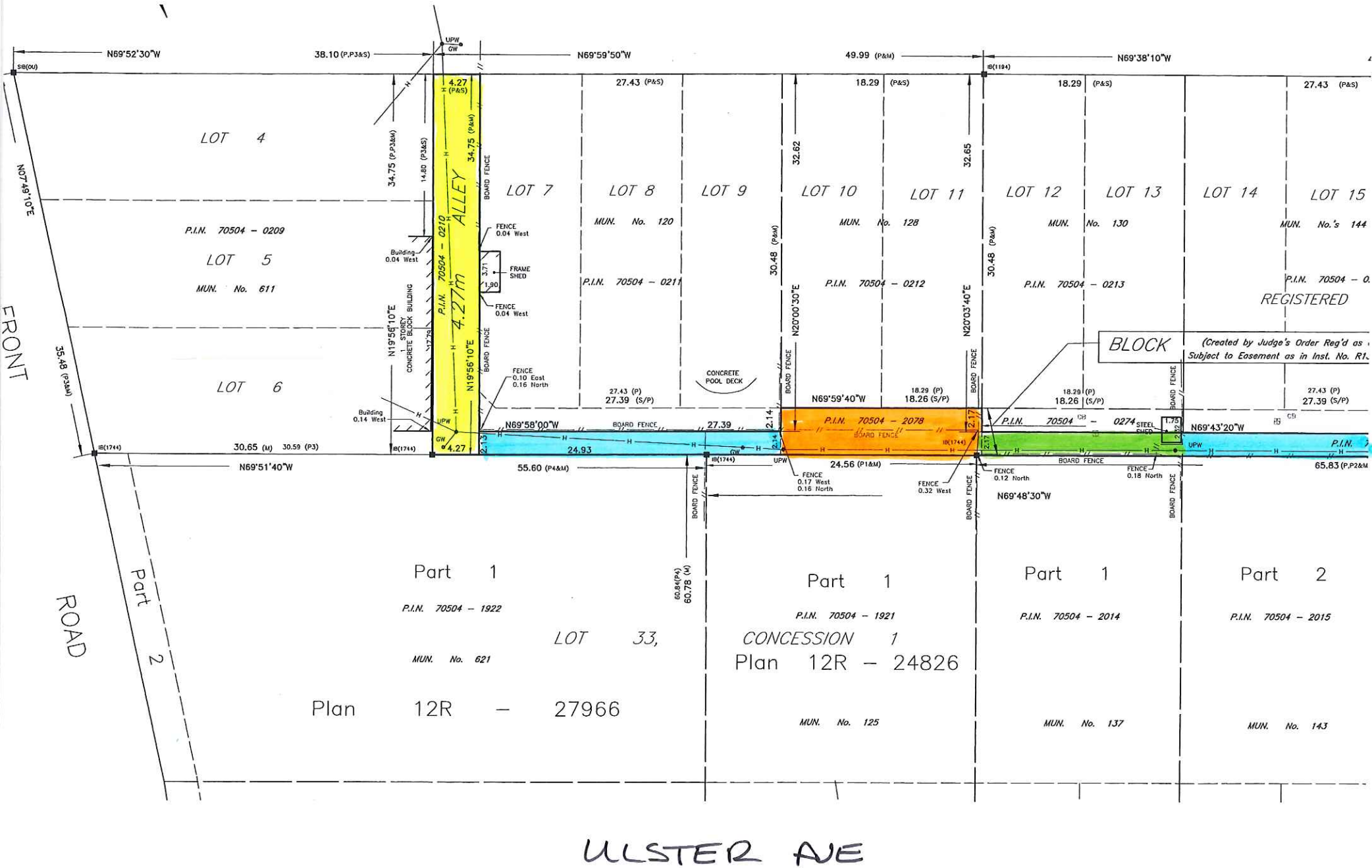
ELSWORTH AVE.

FIGURE 2



# ELSWORTH AVE

FIGURE 3



# ULSTER AVE

ELSWORTH AVE





FIGURE 5



**Clerk's Note:** Participation will be held electronically due to COVID-19 pandemic. Delegations have been notified of the virtual Council Meeting process and a maximum of 5 minutes shall be allotted for each delegation to present his/her position of support or opposition to the relevant item on the Agenda.

The attached correspondence has been submitted by Kevin Wardell for Council's consideration in regards to Report AD-11-2020 Alley I2 Referral, containing the following:

1. Delegation Form





**Clerk's Note:** Participation will be held electronically due to COVID-19 pandemic. Delegations have been notified of the virtual Council Meeting process and a maximum of 5 minutes shall be allotted for each delegation to present his/her position of support or opposition to the relevant item on the Agenda.

The attached correspondence has been submitted by William Magyar for Council's consideration in regards to Report AD-11-2020 Alley I2 Referral, containing the following:

1. Delegation Form



## Corporation of the Town of LaSalle

5950 Malden Road, LaSalle, Ontario, N9H 1S4  
Phone: 519-969-7770 Fax: 519-969-4029 www.lasalle.ca

RECEIVED

NOV 24 2020

### Delegation Request Form

COUNCIL SERVICES  
TOWN OF LASALLE

Please complete this form to speak at a meeting of Town Council or Committee. If filling out by hand, please print clearly.

Please email to ljean@lasalle.ca, fax to (519) 969-4469, mail or drop off at the Clerk's Department, Town of LaSalle Municipal Office, 5950 Malden Road, LaSalle, Ontario N9H 1S4.

Name: William Magyar

Organization/Group/Business represented: \_\_\_\_\_

Address: 621 front rd

Postal Code: N9J2A2

Daytime Phone Number: \_\_\_\_\_ Home Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Date of Meeting: Dec 8th 2020

Is this an item on the Agenda? Yes ☒ No ☐

Agenda item Number or Topic (if applicable): Alley 12

I wish to address Council/Committee: Yes ☒ No ☐

Describe in detail the reason for the delegation and what action you will be asking Council/Committee to take (attach separate sheet if necessary):

I would like the opportunity to buy part of the alley. All my neighbours were sent letters to buy portions of the alley except for me. my grandmother Anna Magyar owned the property before me for 20 years and we have always maintained our part of the alley.

Please note that your name may become part of a public record in an electronic and paper format i.e. council agenda, to enable Council to make its decision on the matter.

☒ I Agree ☐ I Disagree



## **The Corporation of the Town of LaSalle**

**To:** Mayor and Members of Council  
**Prepared by:** Dale Langlois, Director of Finance / Treasurer  
**Department:** Finance  
**Date of Report:** November 23, 2020  
**Report Number:** FIN-28-2020  
**Subject:** Approval of Development Charges (2021-2025)

---

### **Recommendation**

That the report of the Director of Finance dated November 23, 2020 (FIN-28-2020) regarding approval of development charges (2021-2025) BE RECEIVED; and that

Council APPROVE and ADOPT the Development Charges Background report dated October 7, 2020 and addendum dated November 18, 2020; and that

Council APPROVE and ADOPT the Development Charge Bylaw with an effective date of January 1, 2021 expiring on December 31, 2025.

### **Report**

#### Background

As Council may be aware, the 2015 Bylaw regarding the Development Charges (DC) for the Town of LaSalle is set to expire in December 2020. As was planned and identified as part of the 2020 Business Plan, the background report was to be completed in the Fall 2020 time period with the objective of holding the required public meetings and the ultimate adoption of the new bylaw at a Council meeting in December.

#### Purpose of Development Charges

The purpose of Development Charges (DC) is to assess growth related infrastructure projects & expenditures to new development. This ensures that “Growth pays for Growth” and that existing residential and non-residential properties and ratepayers are not encumbered with the costs associated with infrastructure development and expansion. This is a founding financial fiscal policy of the municipality and has provided the financial success that the Town of LaSalle is known for.

The DC Background Report, is required by the *Development Charges Act* and provides the details on the projected residential (population & dwelling units) and non-residential (area & square footage) growth over the study period, infrastructure required to service this growth, any associated benefits to existing development, any statutory deductions and any post study period benefits. These factors are all utilized in the determination and calculation of the Development Charge.

#### Calculation of Development Charges

As Council may be aware, Development Charges are determined by calculating the cost related to growth related capital projects and assessing these costs to growth in the population over a specific period of time. For some service areas, generally 'soft services' the time period is 10 years (parks and recreation, transit services, library services, and growth studies). While for other assets with 20-year capital costs, the period is over 20 years (public works - fleet and facilities, fire protection services, and police services). For 'hard services' or traditional engineered infrastructure, the time period is over the build-out period at which point the Town population reaches approximately 60,000 residents (roads, water services, and wastewater services).

The legislation also provides for limitations in the amount to be charged to new development through various methods including limiting the future cost per capita to the historic costs per capita levels. In addition, for each project an assessment is required to determine how much, if any, of the project benefits existing residents. These costs cannot be included in the Development Charge calculation and become the responsibility of the existing tax base.

**As a result of these limitations and bearing in mind the intent and requirements of the legislation, in considering the level of development charges, any changes or reductions in development charges will transfer the responsibility of the associated costs to existing development which is tax rate supported.**

This is in contrary to the existing accepted fiscal policy adopted as part of the annual Town budget, which states:

***New Development:*** *'Growth should pay for Growth' - Existing residents and ratepayers should not be burdened with the costs associated with growth, except to the extent that a higher level of service is attained or a new service is provided. Growth related infrastructure is funded mainly through development charges collected in accordance with the Development Charges Act.*



### Area Specific Development Charge

As part of the 2020 development charge background study, a wastewater area-specific development charge has been calculated for the Reaume Sanitary Service Area, which is located South of Normandy Street, West of Disputed Road, North of Bouffard Road, and East of Malden Road. This area-specific DC is required to construct a trunk wastewater main and sanitary pumping station to service development within this area which is estimated to cost approximately \$3.5 million. These works are required specifically to allow development of this growth area of 222 acres of net developable area.

It is important to note that there may be additional future area specific development charges for other parts of the Town's greenfield area which could trigger an amendment to this DC bylaw in the future when this area of Town is ready to be developed. The vacant future development area located between Disputed Road and Malden Road is one such area that will require a new area specific development charge to pay for new storm drainage infrastructure that is needed for this area to develop for a variety of urban land uses. Work is currently underway as part of a Master Drainage Study for this area to identify a preferred infrastructure solution. Once that work is complete, additional information will be provided to affected landowners and developers with respect to how an area specific development charge will be used in that area to finance the necessary growth-related storm drainage improvements.

### Proposed Development Charges Recommended in the Background Report

The following table is a summary of the recommended Development Charges as proposed in the Background Report. Detailed information on the calculation of the development charge can be found in the Development Charge Background Report.

Service	Residential					Non Residential
	Single & Semi Detached	Other Multiples	Apartments – 2 Bedrooms+	Apartments – 1 Bedroom	Special Care	Per sq. ft.
Services Related to a Highway	6,239	3,882	3,384	2,615	2,186	3.71
Public Works (Facilities and Fleet)	443	276	240	186	155	0.27
Fire Protection Services	859	535	466	360	301	0.51
Policing Services	100	62	54	42	35	0.06
Parks and Recreation Services	7,339	4,567	3,980	3,076	2,571	1.07
Transit Services	104	65	56	44	36	0.05

Library Services	-	-	-	-	-	-
Growth Studies	182	113	99	76	64	0.10
Water Services	2,158	1,343	1,170	904	756	1.28
<b>Subtotal Town-wide Services</b>	<b>17,424</b>	<b>10,843</b>	<b>9,449</b>	<b>7,303</b>	<b>6,104</b>	<b>7.06</b>
<b>Urban Area Services</b> Wastewater Services	2,132	1,327	1,156	894	747	1.18
<b>Sub-total Urban Area Services</b>	<b>2,132</b>	<b>1,327</b>	<b>1,156</b>	<b>894</b>	<b>747</b>	<b>1.18</b>
<b>Area-Specific Services</b> Wastewater – Reaume Sanitary Service Area	2,252	1,396	1,216	946	768	-
<b>Sub-total Area Specific Services</b>	<b>2,252</b>	<b>1,396</b>	<b>1,216</b>	<b>946</b>	<b>768</b>	<b>-</b>
<b>Grand Total – Town-wide</b>	<b>17,424</b>	<b>10,843</b>	<b>9,449</b>	<b>7,303</b>	<b>6,104</b>	<b>7.06</b>
<b>Grand Total – Urban Area</b>	<b>19,556</b>	<b>12,170</b>	<b>10,605</b>	<b>8,197</b>	<b>6,851</b>	<b>8.24</b>
<b>Grand Total – Reaume Sanitary Service Area</b>	<b>21,808</b>	<b>13,566</b>	<b>11,821</b>	<b>9,143</b>	<b>7,639</b>	<b>8.24</b>

### Addendum to the October 7, 2020 Development Charges Background Study

On November 18<sup>th</sup> an addendum to the October 7<sup>th</sup> Development Charges Background study was released (see attached). It is important to note that the refinements pertain to the local service policy and do not impact the calculated development charges.

The refinements to the local services policy have been made to acknowledge the potential for future cost sharing arrangements between landowners. This may include providing for area-specific by-laws in order to recover the potential added costs to one landowner from others for upsizing of facilities, added land costs or other incremental costs to provide servicing of other areas.

### Results of Public Meeting:

On October 29<sup>th</sup>, a public meeting was held to solicit input from the development community and Council regarding the proposed background report and proposed development charge. The meeting was advertised in accordance with the regulation and did receive some media attention, however no concerns were received prior to or subsequent to the meeting.

### Significant Changes in the Proposed Bylaw (from the Current Bylaw)

The following are the significant changes from the current bylaw to the proposed bylaw (other than the proposed rate increase):

- The term of the bylaw is from January 1, 2021 to December 31, 2025. The current bylaw and rates will be in place until December 31, 2020.

- The Council approved non-residential and apartment exemptions will continue to be in place until June 30, 2022.
- Non-residential development charge calculation will be based on all service classes. The current non-residential development charge calculation is based on water and wastewater service classes.
- There is a new area specific development charge related to wastewater trunk infrastructure for the Reaume Sanitary Service Area.

#### Timelines as identified in the Development Charges Background Report

<b>Key Milestone</b>	<b>Date</b>
Data collection, staff review, engineering work, D.C. calculations and work policy	March 2020 to September 2020
Background study and proposed by-law available to public	October 7, 2020
Public meeting advertisement placed in newspaper(s)	Windsor Star (October 6, 2020)
Public meeting of Council	October 29, 2020
Addendum to October 7 <sup>th</sup> report released	November 18, 2020
Council considers adoption of background study and passage of by-law	December 8, 2020
Newspaper notice given of bylaw passage	By 20 days after passage
Last day for by-law appeal	40 days after passage
Town makes pamphlet available (where by-law not appealed)	By 60 days after in force date

## **Consultations**

Watson & Associates Economists Ltd. prepared the development charges background study. They have ensured that all legislative requirements, which have been identified in the report, are met.

## **Financial Implications**

Refer to body of report.

**Prepared By:**

  
Director of Finance/Treasurer  
Director, Development and  
Strategic Initiatives  
Director, Public Works

Dale Langlois, CPA, CA

Larry Silani, MCIP, RRP

Peter Marra, P. Eng.

**Link to Strategic Goals**

	Enhancing organizational excellence
Yes	Sustain strong public services and infrastructure
	Strengthen the community's engagement with the Town
	Grow and diversify the local economy
Yes	Build on our high-quality of life

**Communications**

	Not applicable
Yes	Website
Yes	Social Media
	News Release
Yes	Local Newspaper
	Bids & Tenders
Yes	Notification pursuant to the Planning Act

**Notifications**

Name	Address	Email



### Report Approval Details

Document Title:	FIN-28-2020 Approval of Development Charges (2021-2025).docx
Attachments:	- 2020 DC Addendum Report.pdf - Draft By-law.docx
Final Approval Date:	Nov 30, 2020

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



Chief Administrative Officer

Joe Milicia



# **Addendum #1 to the October 7, 2020 Development Charges Background Study**

Town of LaSalle

November 18, 2020

Watson & Associates Economists Ltd.  
905-272-3600  
[info@watsonecon.ca](mailto:info@watsonecon.ca)



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2. Discussion .....	1
2.1 Local Service Policy .....	1
3. Process for the Adoption of the Development Charges By-law.....	2



## List of Acronyms and Abbreviations

Acronym	Full Description of Acronym
D.C.	Development Charges
D.C.A.	Development Charges Act





# Addendum Report to the October 7, 2020 Development Charges Background Study



# 1. Background

Commensurate with the provisions of the Development Charges Act, 1997, as amended (D.C.A.), the Town has undertaken a Development Charges (D.C.) Background Study and released the study in accordance with the D.C.A. The following provides a summary of the key dates in the development charge by-law process:

October 7, 2020 – Release of the D.C. Background Study and draft by-law

October 29, 2020 – Public Meeting

November 18, 2020 – Addendum to October 7<sup>th</sup> report released

December 8, 2020 – Council Considers adoption of Background Study and Passage of Development Charges By-law

The purpose of this addendum report is to correct headings and refine wording in the Local Service Policy.

## 2. Discussion

This section of the addendum report provides an explanation for the above-noted refinements. It is noted that the refinements have not impacted the calculated development charges.

### 2.1 Local Service Policy

---

As part of the public process, Town staff have received communication that the Local Service Policy should acknowledge the potential for cost sharing arrangements between landowners. This may include providing for area-specific by-laws in order to recover the potential added costs to one landowner from others for upsizing of facilities, added land costs or other incremental costs to provide servicing of other areas. As such, refinements have been made to the Stormwater and Sanitary Sewer sections of the Local Service Policy to clearly reflect this potential approach to costs sharing.

With respect to the refinements to the Local Service Policy, wording has been revised as follows:

- Under section 11, Storm Water Management, Item 11.2 on page E-5 initially read; “Oversizing of stormwater management works for development external to



developments will be subject to best efforts clauses or front-end financing.” This is to be amended by adding the words “and the costs associated with the oversizing may be recovered by an area specific by-law.”

- Under section 13, Sanitary Sewer. New Item 13.4 on page E-5 ; “Additional costs to oversize sewer mains and/or to provide the service at a greater depth to benefit other lands may be recovered by an area specific by-law.”

### 3. Process for the Adoption of the Development Charges By-law

Sections 1 & 2 provide for a summary of the revisions to the Town’s D.C. Background Study. If Council is satisfied with the above changes to the Background Study, this Addendum Report #1 will be considered for approval by Council.



# Amended Pages





## **11. Storm Water Management**

- 11.1. Quality and Quantity Works, direct developer responsibility through local service provisions (s. 59 of D.C.A.).
- 11.2. Oversizing of stormwater management works for development external to developments will be subject to best efforts clauses or front-end financing and the costs with associated with the oversizing may be recovered by an area-specific by-law.
- 11.3. Marginal costs of storm sewers within the subdivision included in DC 1200 mm and larger nominal diameter

## **12. Water**

- 12.1. Water storage, pumping stations and associated works to be included. - within the Town-wide D.C., area municipal and County
- 12.2. Watermains external to subdivisions 250 mm and larger included in the D.C.
- 12.3. Marginal costs of waterworks within the subdivision included in DC 250 mm and larger nominal diameter
- 12.4. Connections to trunk mains and pumping stations to service specific areas, to be direct developer responsibility.

## **13. Sanitary Sewer**

- 13.1. Capacity costs for treatment, pumping stations and associated costs shall be included in the Town-wide D.C.
- 13.2. Sanitary trunk sewers included in the Reaume/Sandwich West Parkway area specific D.C. and recovered via front end financing agreements.
- 13.3. Connections to trunk mains and pumping stations to service specific areas, to be direct developer responsibility.
- 13.4. Additional costs to oversize sewer mains and/or to provide the service at a greater depth to benefit other lands may be recovered by an area specific by-law.

THE CORPORATION OF THE TOWN OF LASALLE

BY-LAW NO. \_\_\_\_

A By-Law to Impose Development Charges on certain Residential and Non-Residential Development within the Town of LaSalle.

WHEREAS the Development Charges Act, 1997, S.O. 1997, c.27 authorizes an area municipality to pass by-laws to establish and impose development charges against land to pay for increased capital costs required due to development within the municipality;

AND WHEREAS the Corporation has completed a background study to review development levels and service levels, both historic and projected, within the Town of LaSalle, which Development Charge Background Study has been reviewed, considered and approved by the Council of the Corporation;

AND WHEREAS the Council of the Corporation held an open house and public meeting on October 29, 2020, to review the provisions of the Development Charge Background Study and a proposed development charges by-law, notice of which meeting was given in accordance with the provisions of the Development Charges Act, 1997;

AND WHEREAS the Council of the Corporation heard representations from any and all persons who attended the said public meeting and who requested the opportunity to be heard, and also reviewed and considered any and all written submissions received by the Corporation prior to the public meeting, no matter whether in objection to or in support of the said Study or proposed by-law;

AND WHEREAS the Council of the Corporation has determined it is not necessary to hold any further public meetings to continue to review the said Study or proposed by-law;

AND WHEREAS the development charges contained in this by-law have been determined in accordance with the provisions of the Development Charge Background Study;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF LASALLE HEREBY ENACTS AS FOLLOWS:

## DEFINITIONS

### 1. In this by-law:

- (1) "apartment dwelling unit" means a residential unit within a building containing four or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the outside and through a corridor or hallway from the inside, but shall not include a semi-detached dwelling, a townhouse dwelling or "linked homes" as defined in paragraph (22) provided herein;
- (2) "Bill 197" means the COVID-19 Economic Recovery Act, 2020, which received Royal Assent on July 21, 2020;
- (3) "class" means a grouping of services combined to create a single service for the purposes of this by-law and as provided in section 7 of the Development Charges Act;
- (4) "commercial use" means use of any lands, buildings or structures for the purpose of buying and selling commodities and supplying services, as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar industrial uses;
- (5) "Corporation" means the body corporate referred to as The Corporation of the Town of LaSalle;
- (6) "Council" means the Council of The Corporation of the Town of LaSalle;
- (7) "development" includes redevelopment;
- (8) "development charge" means a charge imposed pursuant to this by-law, as adjusted in accordance with the provisions of this by-law;
  - a) "Town-wide development charge" means a charge, which is calculated on a per capita basis and is payable by all development within the Town of LaSalle.

- b) "Urban Area development charge" means a charge, which is calculated on an urban area basis and is payable by a development within the urban areas of the Town of LaSalle.
  - 1. "Area-specific development charge" means a charge, which is calculated on an area-specific basis and is payable by a development within the defined area in the Town of LaSalle.
- (9) "Development Charge Background Study" means the Development Charge Background Study, dated October 7, 2020, as amended;
- (10) "dwelling unit" means one or more habitable rooms occupied or designed to be occupied by one or more persons as an independent and separate housekeeping unit in which separate kitchen and sanitary facilities are provided for the use of such person or persons, with a private entrance from outside the building or from a common hallway or stairway inside the building;
- (11) "gross floor area" means the sum total of the gross horizontal areas of all floors, above or below grade, of the building or buildings on the land concerned, measured from the exterior faces of the exterior walls, or from the centreline of the common wall separating two buildings to the exterior walls thereof, and the "gross floor area" of a building shall include a basement floor area where the basement ceiling height is 1.8 metres or more, but the "gross floor area" of a building shall not include:
  - a) elevator shafts and stairwells at each floor;
  - b) floor area used exclusively for the accommodation of heating, cooling, ventilating, electrical, telecommunications or mechanical equipment that service the building;
  - c) interior balconies and mezzanines and enclosed porches; and
  - d) loading facilities, above or below grade; or
  - e) any part of the building or structure that is used for the parking of motor vehicles, for storage units or any other accessory use.



- (12) "industrial use" means the use of any land, building or structure for the purpose of manufacturing, processing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing or adopting for sale any goods, substance, article or thing, or any part thereof, and the storage of building and construction equipment and materials, as distinguished from the buying and selling of commodities and the supplying of personal services. A transportation terminal would also be considered an "industrial use";
- (13) "institutional use" means development of a building or structure intended for use,
- a) as a long-term care home within the meaning of subsection 2 (1) of the Long-Term Care Homes Act, 2007;
  - b) as a retirement home within the meaning of subsection 2 (1) of the Retirement Homes Act, 2010;
  - c) by any of the following post-secondary institutions for the objects of the institution:
    - 1. a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario,
    - 2. a college or university federated or affiliated with a university described in subclause (1), or
    - 3. an Indigenous Institute prescribed for the purposes of section 6 of the Indigenous Institutes Act, 2017;
  - d) as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
  - e) as a hospice to provide end of life care.
- (14) "multiple dwellings" means all dwellings other than single detached dwellings, semi-detached dwellings, apartment house dwellings and special care/special need dwellings;
- (15) "non-profit housing use" development of a building or structure intended for use as residential premises by,

- a) A corporation without share capital to which the Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing;
  - b) A corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing; or
  - c) A non-profit housing co-operative that is in good standing under the Co-operative Corporations Act.
- (16) "non-residential use" means lands, buildings or structures or portions thereof used or designed or intended to be used for uses other than a residential use, and includes all commercial, industrial and institutional uses;
- (17) "owner" means the owner of land or the person who has made application for approval for the development of land upon which a development charge is imposed;
- (18) "rental housing" means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;
- (19) "residential use" means lands, buildings or structures used or designed or intended for use as a residence for one or more individuals, and shall include but is not limited to single detached dwellings, semi-detached dwellings, townhouse dwellings and apartment dwellings;
- (20) "semi-detached dwelling" means one of a pair of two attached single dwelling units with a common wall having a fire resistance rating of at least one hour, dividing the pair of single dwellings vertically, each of which has an independent entrance either directly from the outside or through a common vestibule;
- (21) "services" means services described in the Development Charge Background Study and as designated in section 6 of this by-law;

- (22) "single detached dwelling" means a single dwelling which is freestanding, separate and detached from other main buildings or main structures, and includes dwellings that are free standing, separate and attached to one or more other main buildings below grade level only ("linked homes"), and also includes a mobile home that is permitted by the Corporation to attach to municipal water or sanitary sewer/wastewater services;
- (23) "special care/special need dwelling" means a building or a complex of buildings containing two or more dwelling units, which units have a common entrance from the street level, where occupants have the right to use, in common with other occupants, hallways, stairs, yards, common rooms and accessory buildings, which may or not may not have exclusive sanitary and/or kitchen facilities that are designed to accommodate persons with specific needs or persons who require special care, including independent permanent living arrangements, where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services are provided at various levels, and without limiting the generality of the foregoing includes retirement homes and lodges, nursing homes, charitable homes, group homes (including correctional group homes), hospices and student residences;
- (24) "Town of LaSalle" means the geographic area known as the Town of LaSalle;
- (25) "townhouse dwelling" means a building divided vertically into three or more attached dwelling units by common walls extending from the base of the foundation to the roofline, each dwelling unit having a separate entrance at grade, and so located on a lot that individual units may not have legal frontage on a public street.

## **APPLICATION**

### **2. Lands Applicable**

- (1) This by-law applies to all land within the Town of LaSalle.
- (2) Notwithstanding the provisions of subsection 2(1), this by-law shall not apply to lands that are owned by and used for the purposes of:

- a) The Corporation; or
- b) A School Board as defined in section 1(1) of the Education Act; or
- c) The Corporation of the County of Essex.

### 3. Timing of Payment

- (1) Subject to the provisions of this by-law, development charges shall be payable by the owner of any land within the Town of LaSalle where such land is the subject of a development that requires any of the approvals set out in section 4 of this by-law.
- (2) Town-wide and Urban area development charges are payable by the owner of land at the time of the issuance of the first building permit.
- (3) Area-specific development charges for the Reaume Sanitary Service Area are payable by the owner of the land at the time of the execution of the development agreement.
- (4) The Corporation may, by an agreement in writing, give an owner of land a credit towards all or part of a development charge in exchange for that owner performing works that relate to a designated municipal service for which a development charge or a part thereof is imposed under this by-law.
- (5) Notwithstanding 3(1) to 3(4), Development Charges for rental housing and institutional developments are due and payable in 6 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest (as provided in the Town's Development Charge Interest Rate Policy, as amended), payable on the anniversary date each year thereafter.
- (6) Notwithstanding 3(1) to 3(4), Development Charges for non-profit housing developments are due and payable in 21 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest (as provided in the Town's Development Charge Interest Rate Policy, as amended), payable on the anniversary date each year thereafter.



- (7) Where the development of land results from the approval of a Site Plan or Zoning Bylaw Amendment received on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the Development Charges under Subsections 3(1) to 3(4) shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply, Development Charges under Subsections 3(1) to 3(4) shall be calculated on the rates, including interest (as provided in the Town's Development Charge Interest Rate Policy, as amended), set out in Schedules "B" on the date of the later planning application, including interest.
4. Development charges are hereby imposed on all lands within the Town of LaSalle that are developed or proposed to be developed for residential uses or non-residential uses if the development or proposed development requires:
  - (1) the passing of a zoning by-law or an amendment to a zoning by-law under section 34 of the Planning Act;
  - (2) the approval of a minor variance under section 45 of the Planning Act;
  - (3) a conveyance of land to which a by-law passed under section 50(7) of the Planning Act applies;
  - (4) the approval of a plan of subdivision under section 51 of the Planning Act;
  - (5) a consent under section 53 of the Planning Act;
  - (6) the approval of a description under section 50 of the Condominium Act; or
  - (7) the issuing of a permit under the Building Code Act, 2006, in relation to a building or structure.
5. Notwithstanding the provisions of section 4 herein, if two or more of the actions described in section 4 occur at different times, additional development charges may be imposed by the Corporation if the subsequent action has the effect of increasing the need for services.

## **SERVICES AND CLASSES**

6. The development charges imposed under this by-law have been calculated for the categories of services and classes and the components thereof as set out in Schedule "A" to this by-law and are as follows:

- (1) Services Related to a Highway;
- (2) Public Works;
- (3) Fire Protection Services;
- (4) Policing Services;
- (5) Parks and Recreation Services;
- (6) Transit Services;
- (7) Library Services;
- (8) Growth Studies;
- (9) Water Services;
- (10) Wastewater Services; and
- (11) Wastewater – Reaume Sanitary Service Area.

### **DEVELOPMENT CHARGES**

7. Determination of the Charges

- (1) The Town-wide development charges as set out in Schedule "A" to this by-law shall apply to and be imposed on all land within the Town of LaSalle being developed for residential uses according to the type of residential unit to be developed thereon, which development charge shall be payable on a per dwelling unit basis.
- (2) The Town-wide development charges as set out in Schedule "A" to this by-law shall apply to and be imposed on all land within the Town of LaSalle being developed for non-residential uses according to the provisions of this by-law, which development charges shall be payable for each square foot of the gross floor area of the building or buildings to be constructed thereon.
- (3) The Urban area development charges as set out in Schedule "A" to this by-law shall apply to and be imposed on the municipal urban area as defined by Schedule "C" to this by-law for residential uses on a per dwelling unit basis and for non-residential uses on a per square foot of gross floor area basis.

- (4) The Wastewater - Reaume Sanitary Service Area area-specific development charges as set out in Schedule "A" to this by-law shall apply to and be imposed on the Reaume Sanitary Service Area as defined by Schedule "D" to this by-law for residential uses on a per dwelling unit basis.

## **EXEMPTIONS**

8. Notwithstanding the provisions of this by-law, no development charge shall be payable where the development:
  - (1) is limited to the enlargement of an existing dwelling unit;
  - (2) is limited to the creation of up to two additional dwelling units as prescribed, in prescribed classes of existing residential buildings as set out in the Regulations to the Development Charges Act, 1997;
  - (3) is limited to the creation of an additional dwelling unit as prescribed, in prescribed classes of new residential buildings as set out in the Regulations to the Development Charges Act, 1997;
  - (4) is limited to the creation of an additional dwelling unit ancillary to a new dwelling unit for prescribed classes of new residential buildings as set out in the Regulations to the Development Charges Act, 1997;
  - (5) is the enlargement of the gross floor area of an existing industrial building in accordance with the following provisions;
    - a) Notwithstanding any other provision of this by-law, there shall be an exemption from the payment of development charges for one or more enlargements of an existing industrial building on its site, whether attached or separate from the existing industrial building, up to a maximum of fifty per cent of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to the Development Charges Act or this section. Development charges shall be imposed in accordance with this by-law with respect to the amount of the floor area of an enlargement that results in the gross floor area of the industrial building being increased by

greater than fifty per cent of the gross floor area of the existing industrial building.

- b) If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
  - 1. determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
  - 2. divide the amount determined under subsection 1. by the amount of the enlargement
- c) For the purpose of section 3.8 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.

- (6) is a non-residential use. This exemption is limited to development applications executed prior to June 30, 2022. Subsequently, no exemption for this development type will be provided; and
- (7) is an apartment development. This exemption is limited to development applications executed prior to June 30, 2022. Subsequently, no exemption for this development type will be provided.

## **REMOVAL OF BUILDINGS**

### **9. Redevelopment**

- (1) Despite any other provisions of this By-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 10 years prior to the date of payment of development charges in regard to such redevelopment was, or is to be removed, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:



- a) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under Section 7 by the number, according to type, of dwelling units that have been or will be removed or converted to another principal use; and
  - b) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charges under Section 7, by the gross floor area that has been or will be removed or converted to another principal use;
- (2) For the purposes of subsection 9(1) herein, "removed" shall include the physical moving of a building or structure, or the destruction of a building or structure as a result of any man-made or natural disaster.

### **DEMOLITION CREDIT**

#### 10. Demolition Credit

- (1) Where a building or structure has been demolished or is to be demolished, in whole or in part, a demolition credit shall be given as provided herein for such demolished building or structure or part thereof against development charges otherwise payable with respect to development on the same land.
- (2) A demolition credit shall be given only where the date of demolition is three years or less prior to the date of the filing of the application for a building permit for the development of the same land. For the purposes of this section, the date of demolition shall be deemed to be the date of issuance of a demolition permit by the Corporation.
- (3) The demolition credit shall be calculated according to the following formula:  

$$A - (B \times C) = D$$
 where:

- A= development charges otherwise paid or payable
- B = the number of residential dwelling units (or sq.ft. of non-residential gross floor area) demolished no earlier than three years prior to the date of the filing of the application for the building permit
- C = the current residential development charge per dwelling unit (or non-residential development charge per sq.ft. of gross floor area) which applies to residential units (or non-residential buildings) of the type demolished
- D = development charges net of demolition credit (cannot be a negative amount)

- (4) In no event shall the amount of the demolition credit herein exceed the amount of development charges otherwise payable with respect to the development of the said land.
- (5) The onus will be on the owner of land to provide all of the appropriate evidence required so as to justify and accurately calculate the demolition credit that may be owing to the owner pursuant to the provisions of this section.

### **FRONT-ENDING AGREEMENTS**

11. The Corporation may enter into a front-ending agreement with an owner of land on terms and conditions satisfactory to the Corporation and in accordance with the provisions of the Development Charges Act, 1997. The details pertaining to such agreements will be established as part of individual development plan of subdivisions and/or other pertinent Planning Act applications

### **INDEXING**

12. Development charges imposed pursuant to this by-law shall be adjusted annually without amendment to this by-law, commencing on January 1st, 2021 and on January 1st of each year thereafter, in accordance with the third quarter of the prescribed index in the Development Charges Act, 1997.

### **GENERAL**

13. Schedules

- (1) The following schedules shall form part of this by-law:

- Schedule A: Components of Services and Classes Designated in Section 6;
- Schedule B: Schedule of Development Charges
- Schedule C: Map of Urban Serviced Areas of the Town
- Schedule D: Map of Applicable Lands for Wastewater - Reaume Sanitary Service Area Area-specific Development Charges

14. This by-law shall be administered by the Treasurer of the Corporation and shall be enforced by the Chief Building Official of the Corporation.

15. This by-law shall come into force and take effect on the final passing thereof.

16. This by-law shall expire 5 years after the date it comes into force and takes effect, unless this by-law is repealed at an earlier date.

17. By-law 7842 of the Corporation, finally passed on December 15th, 2015, as amended, be and the same is hereby repealed.

18. This by-law may be referred to as the Town of LaSalle Development Charges By-law, 2020.

Read a first and second time and FINALLY PASSED this 8th day of December 2020.

1st Reading- December 8, 2020

2nd Reading- December 8, 2020

\_\_\_\_\_  
Mayor

3rd Reading - December 8, 2020

\_\_\_\_\_  
Clerk

Schedule A  
To By-law \_\_\_\_  
Components of Services and Classes Designated in Section 6

**Town-wide Services**

- Services Related to a Highway Roads
- Fire Protection Services
  - Fire Facilities
  - Fire Vehicles
  - Fire Small Equipment & Gear
- Policing Services
  - Police Facilities
  - Police Vehicles
  - Police Small Equipment & Gear
- Transit Services
  - Transit Vehicles
- Water Services
  - Water Distribution
- Parks and Recreation Services
  - Parkland Development
  - Parkland Amenities
  - Recreation Facilities
- Library Services
  - Library Facilities

Wastewater Collection & Treatment

**Area-specific Services**

Wastewater Services  
Reaume Sanitary Service Area

**Town-wide Classes of Services**

- Public Works
  - Services Related to a Highway
  - Water Services
  - Wastewater Services
- Growth Studies
  - Services Related to a Highway
  - Water Services
  - Wastewater Services
  - Fire Protection Services
  - Policing Services
  - Transit Services
  - Library Services
  - Parks and Recreation Services

**Urban Area Services**

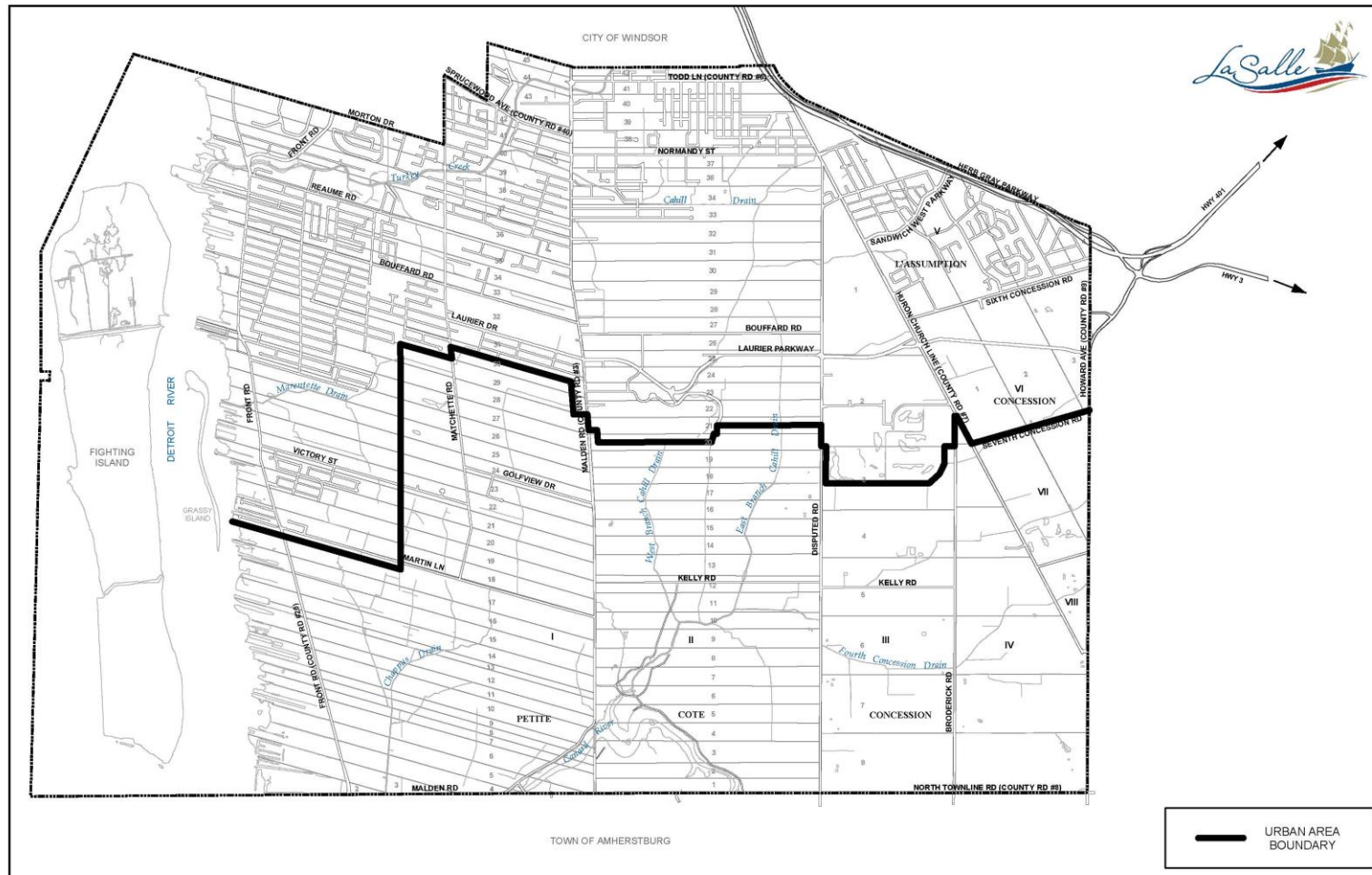
Wastewater Services



Schedule B  
To By-law \_\_\_\_\_  
Schedule of Development Charges

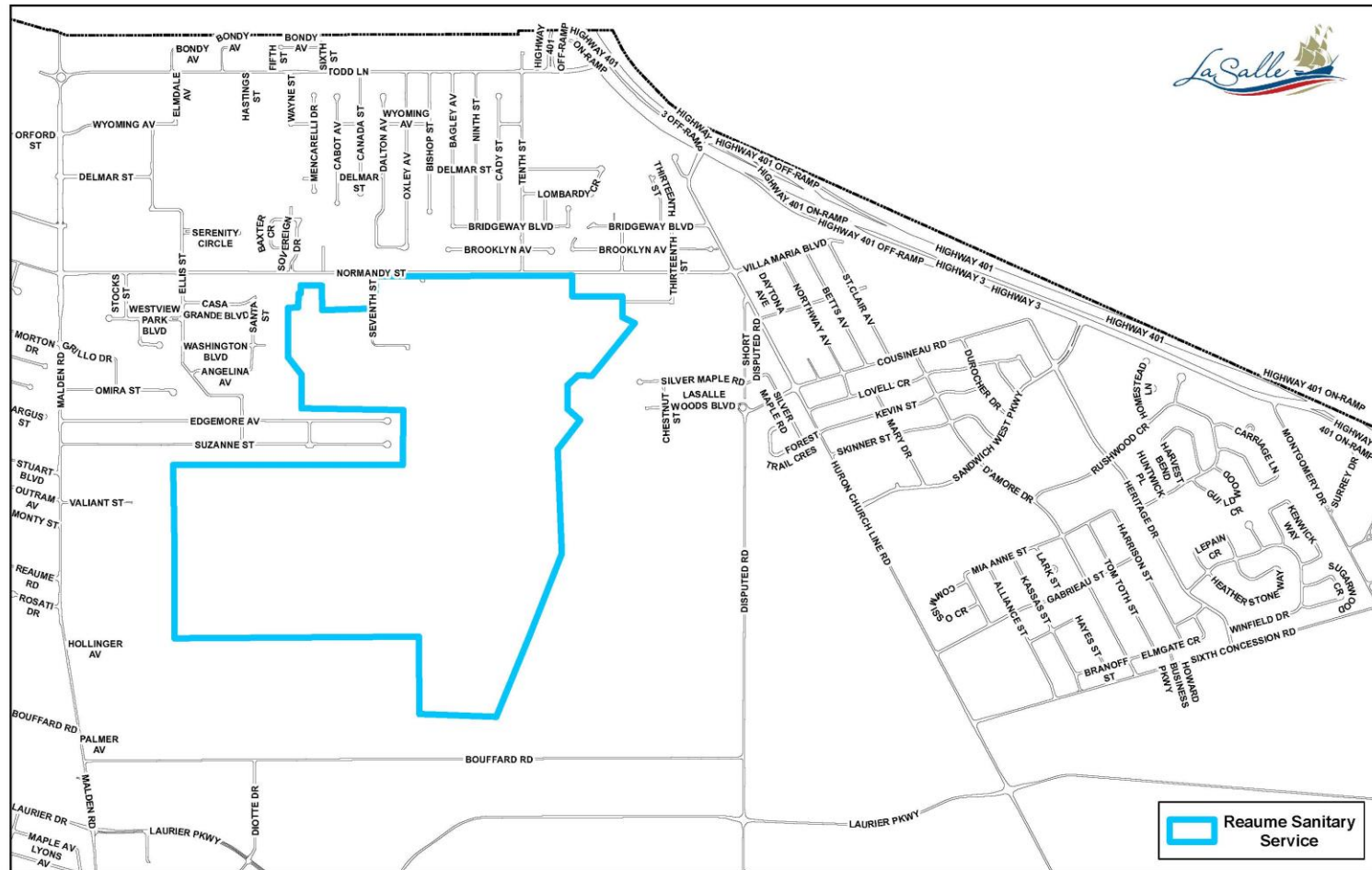
Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)
<b>Town-wide Services</b>						
Services Related to a Highway	6,239	3,882	3,384	2,615	2,186	3.71
Public Works (Facilities and Fleet)	443	276	240	186	155	0.27
Fire Protection Services	859	535	466	360	301	0.51
Policing Services	100	62	54	42	35	0.06
Parks and Recreation Services	7,339	4,567	3,980	3,076	2,571	1.07
Transit Services	104	65	56	44	36	0.06
Library Services	-	-	-	-	-	-
Growth Studies	182	113	99	76	64	0.10
Water Services	2,158	1,343	1,170	904	756	1.28
<b>Sub-total Town-wide Services</b>	<b>17,424</b>	<b>10,843</b>	<b>9,449</b>	<b>7,303</b>	<b>6,104</b>	<b>7.06</b>
<b>Urban Area Services</b>						
Wastewater Services	2,132	1,327	1,156	894	747	1.18
<b>Sub-total Urban Area Services</b>	<b>2,132</b>	<b>1,327</b>	<b>1,156</b>	<b>894</b>	<b>747</b>	<b>1.18</b>
<b>Area-Specific Services</b>						
Wastewater - Reaume Sanitary Service Area	2,252	1,396	1,216	946	788	-
<b>Sub-total Area-Specific Services</b>	<b>2,252</b>	<b>1,396</b>	<b>1,216</b>	<b>946</b>	<b>788</b>	<b>-</b>
<b>Grand Total - Town-wide</b>	<b>17,424</b>	<b>10,843</b>	<b>9,449</b>	<b>7,303</b>	<b>6,104</b>	<b>7.06</b>
<b>Grand Total - Urban Area</b>	<b>19,556</b>	<b>12,170</b>	<b>10,605</b>	<b>8,197</b>	<b>6,851</b>	<b>8.24</b>
<b>Grand Total - Reaume Sanitary Service Area</b>	<b>21,808</b>	<b>13,566</b>	<b>11,821</b>	<b>9,143</b>	<b>7,639</b>	<b>8.24</b>

Schedule C  
To By-law \_\_\_\_  
Map of Urban Serviced Areas of the Town



Schedule D  
To By-law \_\_\_\_\_

Map of Applicable Lands for Wastewater-Reaume Sanitary Service Area Area-specific Development Charges





## **The Corporation of the Town of LaSalle**

**To:** Mayor and Members of Council  
**Prepared by:** Dale Langlois, Director of Finance / Treasurer  
**Department:** Finance  
**Date of Report:** November 30, 2020  
**Report Number:** FIN-29-2020  
**Subject:** Appointment of External Auditors

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### **Recommendation**

That the report of the Director of Finance dated November 30, 2020 (FIN-29-2020) regarding the Appointment of External Auditors BE RECEIVED and Council resolve that KPMG BE APPOINTED as municipal auditors for the current year ended December 31, 2020 and the years ending December 31, 2021, December 31, 2022, and December 31, 2023.

### **Report**

Under section 296 (1) the current Municipal Act:

*A municipality shall appoint an auditor licensed under the Public Accounting Act who is responsible for,*

- (a) Annually auditing the accounts and transactions of the municipality and its local boards and expressing an opinion on the financial statements of these bodies based on the audit; and*
- (b) Performing duties required by the municipality or local board.*

Under section 296 (3) of the current Municipal Act:

*An auditor of a municipality shall not be appointed for a term exceeding five years.*

The current municipal auditors have a long history with the municipality, despite having several name changes along the way. In 1965, Clarkson Gordon was appointed as the municipal auditors of the Township of Sandwich West. In 1991, Clarkson Gordon was acquired by Ernst & Young who continued as municipal auditors of the corporation. In the fall of 2000, the Windsor office and the staff of Ernst & Young were acquired by KPMG.

In each instance, the transition was seamless to the municipality as the existing audit team was always retained.

Over the past decade, the municipal audit team has not changed significantly. There was a transition of audit partners on the engagement three years ago, which was seamless. The firm and personnel have collectively have over 50 years of municipal audit experience.

A recent audit fees survey of the local municipalities in the region indicated that the LaSalle audit fees are among the lowest in the region. The results of the survey have been summarized in the following chart. Please note that the audit fees relate solely to the audit function and do not reflect any special work done by the respective auditor.

<b>Municipality</b>	<b>Auditors</b>	<b>Audit Year</b>	<b>Audit fee (excl. HST)</b>
LaSalle	KPMG	2019	\$20,500
Tecumseh	KPMG	2019	\$22,230
Kingsville	BDO	2019	\$24,000
Leamington	HMID	2019	\$21,963
Lakeshore	KPMG	2019	\$20,250
Essex	KPMG	2020	\$28,623
Amherstburg	KPMG	2019	\$26,000

The following quote was received by KPMG for the next four year-ends and relates solely to the audit function and do not reflect any special work to be performed in the future:

<b>Year-end</b>	<b>Price (excl. HST)</b>
2020	\$20,900
2021	\$21,500
2022	\$22,000
2023	\$22,500

There are some new accounting standards that will be required in fiscal 2023 (Asset Retirement Obligation standard and the Financial instruments standard). It is expected, with the Asset Retirement Obligation standard specifically, that there will be a fair amount of work that will need to be done by clients to prepare for this standard and a fair amount of auditor involvement in understanding the implementation plan and decisions made along the way, in order to opine on them in fiscal 2023. It would certainly be efficient to the Town to have the same auditor advise/assist throughout the pre-implementation period and conduct the audit in the year of implementation.



In reviewing the comparative audit costs and consideration for services received from KPMG, the Town of LaSalle continues to receive exceptional services at competitive rates. Tendering the audit services would not result in any significant savings. It would only result in additional work to be done by the municipality, in terms of the tender process and orienting the new auditors to the systems, procedures and policies used at the Town.

**Consultations**

None

**Financial Implications**

Refer to body of report.

**Prepared By:**

Director of Finance/Treasurer

Dale Langlois, CPA, CA

## Link to Strategic Goals

Yes	Enhancing organizational excellence
	Sustain strong public services and infrastructure
	Strengthen the community's engagement with the Town
	Grow and diversify the local economy
	Build on our high-quality of life

## Communications

	Not applicable
	Website
	Social Media
	News Release
	Local Newspaper
	Bids & Tenders
	Notification pursuant to the Planning Act

## Notifications

Name	Address	Email

### Report Approval Details

Document Title:	FIN-29-2020 Appointment of External Auditors.docx
Attachments:	
Final Approval Date:	Nov 30, 2020

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



Chief Administrative Officer

Joe Milicia



## **The Corporation of the Town of LaSalle**

**To:** Mayor and Members of Council  
**Prepared by:** Dale Langlois, Director of Finance / Treasurer  
**Department:** Finance  
**Date of Report:** December 2, 2020  
**Report Number:** FIN-30-2020  
**Subject:** Insurance Renewal

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### **Recommendation**

That the report of the Director of Finance dated December 2, 2020 (FIN-30-2020) regarding Insurance Renewal BE RECEIVED; and that

Council AUTHORIZE the renewal of the annual insurance program with Frank Cowan Company.

### **Report**

Administration has had the opportunity to meet speak with the Town's local insurance broker to review the 2021 insurance program (for the period December 31, 2020 to December 31, 2021). Attached are excerpts of the report which detail cost analysis, schedule of coverage and summary of changes to the insurance program. Council will note that the insurance premium is proposed to increase from \$514,161 to \$550,147, an increase of \$35,986 or 7.00%. We have conducted an informal review of insurance premiums rates and increases from area municipalities and it would appear that the increases in LaSalle are on the lower end of the range experienced by our peer group. Administration is recommending the renewal based on the service levels to date and premium adjustment proposed.

### **Consultations**

Christine Lanoue-Menovcik, Brokerlink – Windsor Branch

### **Financial Implications**

Refer to body of the report and attachments.

**Prepared By:**

A handwritten signature in black ink, appearing to read "Dale Langlois", written in a cursive style.

Director of Finance/Treasurer

Dale Langlois, CPA, CA



## Link to Strategic Goals

	Enhancing organizational excellence
	Sustain strong public services and infrastructure
	Strengthen the community's engagement with the Town
	Grow and diversify the local economy
	Build on our high-quality of life

## Communications

Yes	Not applicable
	Website
	Social Media
	News Release
	Local Newspaper
	Bids & Tenders
	Notification pursuant to the Planning Act

## Notifications

Name	Address	Email

### Report Approval Details

Document Title:	FIN-30-2020 Insurance Renewal.docx
Attachments:	- 2021 Insurance Renewal - Copy.pdf
Final Approval Date:	Dec 3, 2020

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



Chief Administrative Officer

Joe Milicia

## Cost Analysis

	Expiring Program Term	Renewal Program Term
<b>Casualty</b>		
General Liability	\$ 286,250	\$ 323,463
Errors and Omissions Liability	23,354	24,522
Non-Owned Automobile Liability	200	200
Environmental Liability	26,664	26,664
Crime	1,500	1,500
Board Members Accident	1,282	1,273
Volunteers' Accident	200	200
Conflict of Interest	420	420
Legal Expense	900	900
Cyber	21,500	TBD
Facility User Solution	2,000	2,000
<b>Property</b>		
Property	72,144	82,792
Equipment Breakdown	3,870	3,947
<b>Automobile</b>		
Owned Automobile	61,955	69,390
<b>Excess</b>		
Follow Form- 1 <sup>st</sup> layer	6,494	7,014
Follow Form – 2 <sup>nd</sup> layer	5,428	5,862
<b>Total Annual Premium</b>	\$ 514,161	\$ 550,147
(Excluding Taxes Payable)		

# YOUR INSURANCE COVERAGE

## Schedule of Coverage

(Coverage is provided for those item(s) indicated below)

### Casualty

Coverage Description	(\$)*Deductibles	(\$)*Limit of Insurance
General Liability (Occurrence Form) <i>Broad Definition of Insured</i>	50,000	15,000,000 Per Claim No Aggregate
Voluntary Medical Payments		50,000 Per Person 50,000 Per Accident
Voluntary Property Damage		50,000 Per Occurrence 50,000 Annual Aggregate
Voluntary Compensation - Employees		50,000 Each Person 250,000 Annual Aggregate
Sewer Backup	50,000 Per Claimant	
Wrongful Dismissal (Legal Expense – Claims Made)	5,000	500,000 Per Claim 500,000 Aggregate
Forest Fire Expense		2,000,000 2,000,000 Aggregate
Errors & Omissions Liability (Claims Made Form)	50,000	15,000,000 Per Claim No Aggregate
Non-Owned Automobile Liability		15,000,000
Legal Liability for Damage to Hired Automobiles	500	250,000
Environmental Liability (Claims Made Form)	25,000	5,000,000 Per Claim 5,000,000 Aggregate
*Your deductible may be a Deductible and Reimbursement Clause (including expenses) refer to Policy Wordings		

### Follow Form – Excess Liability

Coverage Description	(\$)*Limit of Insurance
Excess Limit	10,000,000
<b>Underlying Policy</b>	<b>(\$)*Underlying Limit</b>
General Liability	15,000,000
Errors & Omissions Liability	15,000,000
Non-Owned Automobile	15,000,000
Owned Automobile	15,000,000

### Follow Form - Excess Liability\*

Coverage Description	(\$)*Limit of Insurance
Excess Limit	25,000,000 Occurrence
<b>Underlying Policy</b>	<b>(\$)*Underlying Limit</b>
General Liability	25,000,000
Errors & Omissions Liability	25,000,000
Non-Owned Automobile	25,000,000
Owned Automobile	25,000,000

\*Subject to Minimum Retained

**Total Limit of Liability (\$) 50,000,000**

## Schedule of Coverage

(Coverage is provided for those item(s) indicated below)

### Crime

Coverage Description	(\$) Deductibles	(\$) Limit of Insurance
Employee Dishonesty – Form A (Commercial Blanket Bond)		1,000,000
Loss Inside the Premises (Broad Form Money & Securities)		200,000
Loss Outside the Premises (Broad Form Money & Securities)		200,000
Audit Expense		200,000
Money Orders and Counterfeit Paper Currency		200,000
Forgery or Alteration (Depositors Forgery)		1,000,000
Computer and Transfer Fraud (Including Voice Computer Toll Fraud)		200,000

### Accident

Coverage Description	(\$) Deductibles	(\$) Limit of Insurance
Board Members: Persons Insured Mayor, Deputy Mayor & Five (5) Councillors		
Board Members Accidental Death & Dismemberment		250,000
Paralysis		500,000
Weekly Income – Total Disability		500
Weekly Income – Partial Disability		300
Accidental Death of a Spouse while Travelling on Business		Included
24 Hour Coverage Endorsement		Included
Volunteers Accidental Death & Dismemberment		50,000
Paralysis		100,000
Weekly Income – Total Disability		500
Weekly Income – Partial Disability		250

### Conflict of Interest

Coverage Description	(\$) Deductibles	(\$) Limit of Insurance
Legal Fees Expenses		100,000 Per Claim No Aggregate

### Legal Expense (Claims Made)

Coverage Description	(\$) Deductibles	(\$) Limit of Insurance
Legal Defence Cost		100,000 500,000 Aggregate



## Schedule of Coverage

(Coverage is provided for those item(s) indicated below)

### Property

<b>Coverage is on an All Risk Basis unless otherwise specified.                      Basis of Settlement is Replacement Cost unless otherwise specified                      The Deductible is on a Per Occurrence Basis</b>			
<b>Coverage Description</b>	<b>(\$ ) Deductibles</b>	<b>Basis</b>	<b>(\$ ) Limit of Insurance</b>
Property of Every Description - Blanket	25,000	RC	89,760,680
Scheduled Items Coverage, Deductible and Basis of Settlement as per Schedule	Refer to Schedule		3,437,200
Excluded Item or Locations	Refer to Schedule		Refer to Schedule

<b>Property Supplemental Coverage</b> (Included in the Total Sum Insured unless otherwise specified in the wording)		
Building By-laws	25,000	Included
Building Damage by theft	25,000	Included
Debris Removal	25,000	Included
Electronic Computer Systems		
Electronic Computer Hardware and Media	2,500	Included
Electronic Computer Systems Breakdown	2,500	500,000
Electronic Computer Systems – Extra Expense	2,500	25,000
Extra Expense Period of Restoration	25,000	90 Days
Expediting Expense	25,000	Included
Fire or Police Department Service Charges	25,000	Included
First Party Pollution Clean-up	25,000	Included
Fungi and Spores	25,000	10,000
Furs, Jewellery and Ceremonial Regalia		
Ceremonial Regalia	25,000	Included
Furs and Jewellery	25,000	25,000
Inflation Adjustment	25,000	Included
Live Animals Birds or Fish	25,000	25,000
Newly Acquired Property	25,000	Included
Professional Fees	25,000	Included

Property and Unnamed Locations	25,000	Included
Property Temporarily Removed Including while on Exhibition and during Transit	25,000	Included
Recharge of Fire Protection Equipment Expense	25,000	Included
Sewer Backup and Overflow	25,000	Included

<b>Public Entity Extension Endorsement</b> (In Addition to the Total Sum Insured unless specifically scheduled in the wording)		
Accounts Receivable	25,000	500,000
Bridges and Culverts	25,000	50,000
Buildings Owned due to Non-Payment of Municipal Taxes	25,000	100,000
Buildings in the Course of Construction Reporting Extension	25,000	1,000,000
By Laws – Governing Acts	25,000	25,000
Consequential Loss Caused by Interruption of Services		
On Premises	25,000	Included
Off Premises	25,000	1,000,000
Cost to Attract Volunteers Following a Loss	25,000	10,000
Docks, Wharves and Piers	25,000	100,000
Errors and Omissions	25,000	Included
Exterior Paved Surfaces	25,000	50,000
Extra Expense	25,000	500,000
Fine Arts		
At Insured's Own Premises	25,000	50,000
On Exhibition	25,000	100,000
Fundraising Expenses	25,000	10,000
Green Extension	25,000	50,000
Growing Plants		
Any One Item	25,000	1,000
Per Occurrence	25,000	100,000
Ingress and Egress	25,000	Included
Leasehold Interest	25,000	25,000
Master Key	25,000	25,000

Peak Season Increase	25,000	25,000
Personal Effects	25,000	25,000
Property of Others	25,000	25,000
Rewards: Arson, Burglary Robbery and Vandalism	25,000	25,000
Signs	25,000	Included
Vacant Property	25,000	1,000,000
Valuable Papers	25,000	500,000
<b>Business Interruption</b>		
Rent or Rental Value	25,000	500,000
Gross Revenue	25,000	231,000
<b>Additional Endorsements</b>		
Virus and Bacteria Exclusion	Not Applicable	Included
Earthquake – POED	3% Minimum \$100,000	Included
Flood – POED	\$ 50,000	Included
Watercraft	25,000	206,900
<b>(\$) Total Amount of Insurance</b>		96,355,780
<b>RC = Replacement Cost ACV = Actual Cash Value VAL = Valued</b>		

## Schedule of Coverage

(Coverage is provided for those item(s) indicated below)

### Equipment Breakdown (TechAdvantage)

Coverage Description	(\$ ) Deductibles / Waiting Period	(\$ ) Limit of Insurance
Direct Damage	25,000	50,000,000 Per Accident
Business Interruption Loss of Profits (Gross Revenue)	24 Hours	231,000
Extra Expense		500,000
Spoilage		50,000
Expediting Expense		Included
Hazardous Substances		500,000
Ammonia Contamination		500,000
Water Damage		500,000
Professional Fees		500,000
Civil Authority or Denial of Access		30 days
Errors and Omissions		250,000
Data Restoration		50,000
By-Law Cover		Included
Off Premises Transportable Object		10,000
Brands and Labels		100,000
Green Coverage		50,000
Environmental Efficiency <b>*Will not show on Declarations Page</b>		Up to 150% of Loss
Anchor Locations		Included
Service Interruption <b>*Will not show on Declarations Page</b>		Included Within 1000 metres
Contingent Business Interruption		25,000
Public Relations Coverage		5,000

## Schedule of Coverage

(Coverage is provided for those item(s) indicated below)

### Owned Automobile

Coverage Description	(\$) Deductibles	(\$) Limit of Insurance
Liability		
Bodily Injury		15,000,000
Property Damage		Included
Accident Benefits		As stated in Section 4 of the Policy
Uninsured Automobile		As stated in Section 5 of the Policy
Direct Compensation – Property Damage		
*This policy contains a partial payment of recovery clause for property damage if a deductible is specified for direct compensation-property damage.		
Loss or Damage**		
Specified Perils (excluding Collision or Upset)		
Comprehensive (excluding Collision or Upset)		
Collision or Upset		
All Perils	50,000	Included
Endorsements		
GCNA #4 - Fire Department Vehicles		Included
GCNA #5 - Notice of Cancellation		Included
GCNA #8 - Replacement Cost		Included
#20 - Coverage for Transportation Endorsement		1,200/Occ
#21B - Blanket Fleet Coverage		50/50
#32 - Use of Recreational Vehicle by Unlicensed Operators		Included
#44R - Family Protection Coverage		2,000,000
** This policy contains a partial payment of loss clause. A deductible applies for each claim except as stated in your policy.		



## Schedule of Coverage

(Coverage is provided for those item(s) indicated below)

### Facility User Solution

Coverage Description	(\$ ) Deductibles	(\$ ) Limit of Insurance
Commercial General Liability	Nil	2,000,000
Medical Expenses – Per Person	Nil	10,000
Non Owned Automobile	Nil	2,000,000

### Account Premium

<i>Prior Term</i>	<i>Total Annual Premium (Excluding Taxes Payable)</i>	\$ 514,161	<b>Total Annual Premium (Excluding Taxes Payable)</b>	<b>\$ 550,147</b>
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**Please refer to the insurance contract for all limits, terms, conditions and exclusions that apply. The premium Quoted is subject to a 15% minimum retained (unless otherwise stated).**

**\*Cyber - Quote is available with return of a completed application.**

# CHANGES TO YOUR INSURANCE PROGRAM

Please be advised of the following changes to your insurance program that now apply:

Intact Insurance Company is integrating The Guarantee Company of North America's business and policies and, as such, The Guarantee Company of North America will be replaced as a subscriber by Intact Insurance Company when your policy becomes effective.

## General Policy Change

- Effective January 1, 2020 we have updated Form GNGX408 Lloyds Additional Conditions which attaches to all policies where Lloyds is a participating carrier. The 'Notice Concerning Personal Information' section has been updated. A Sanctions Limitation and Exclusion clause has also been added to this form.
- 

## Property Policy

- Building values have been increased in order to reflect inflationary trends.
- **Virus and Bacteria Exclusion**

Frank Cowan Company is adding a virus and bacterial exclusion to property policies effective August 1st, 2020 for new business and October 1st, 2020 for renewals.

Previously we've communicated that our property coverage requires there to be a direct physical loss or direct physical damage subject to the policy terms and conditions and that business interruption coverage will not be triggered for a loss caused by a virus or bacteria.

The endorsement now clarifies that we exclude any virus, bacterium or other micro-organism that induces or is capable of inducing physical distress, illness or disease. The exclusion also stipulates that this exclusion supersedes any exclusion or coverage granted relating to 'pollutants' or 'contagions'.

The exclusion applies to all locations and all property policies and coverage including business interruption coverage, builders risk coverage, miscellaneous or other property coverage "form(s)" and any extensions, clauses or additions of coverage attached to and forming part of this policy, including exceptions to exclusions attached to these policies.

## Non-Owned Automobile Policy and Rented Vehicles

- Non-Owned Auto Coverage includes the SEF 94 endorsement – Legal Liability (Physical Damage) to a Hired/Rented Auto. Coverage is automatic for short term rentals (less than 30 days).

If rentals are automatically renewed on a regular basis (for consecutive 30 day periods) coverage is required under the auto policy, #OPCF 27B endorsement and will be charged for accordingly. Please review this exposure and advise us of the details.

## Automobile Policy

- Replacement Cost Endorsement applies to vehicles 20 years and newer. Refer to Highlights Page for more information on fire trucks and coverage conditions.

# AUTOMOBILE REPLACEMENT COST COVERAGE CHANGE HIGHLIGHTS

## OVERVIEW

---

The Replacement Cost Endorsement is attached to your automobile policy and amends Section 7 'Loss or Damage Coverages' of the policy to remove our right to deduct depreciation in the event of a loss.

Coverage under this endorsement has been amended as follows:

We will pay:

- the cost to repair the automobile with material of like kind and quality
- In the event of constructive or total loss:
  - the cost of **replacing the automobile** with a new automobile of the same make and model, similarly, equipped **if you are the original purchaser** and the automobile was new at the time of delivery;
  - **the actual price paid by you** for the automobile and its equipment or actual cash value whichever is greater:
    - i) **if the automobile was not new** at the time of purchase, or
    - ii) **if you are not the original purchaser**, or
  - for **fire trucks over 20 years but not exceeding 25 years, the actual price paid by you** for the automobile and its equipment or actual cash value whichever is greater.

The following conditions apply:

- coverage only applies to owned light and heavy commercial automobiles, licensed contractor equipment and trailers that are **20 years old or newer** and **for fire trucks over 20 years but not exceeding 25 years as stipulated above**
- coverage does not apply to any automobiles branded rebuilt
- coverage does not apply to any automobiles insured on an agreed value basis

## Important Information

- Replacement cost Coverage is no longer available for Private Passenger Vehicles and Miscellaneous Vehicles
- Please refer to the endorsement wording for complete details of coverage.
- When providing us with details of additional or substituted vehicles, please advise us of the purchase price and whether the vehicle was purchased new or used.

The information in this notice is intended for information purposes only. For full details with respect to coverage, exclusions, conditions and limitations refer to the policy wordings. While coverage may be quoted, once a policy is issued coverage is only applicable if shown on Declaration Page or Schedule of Coverage.



## **The Corporation of the Town of LaSalle**

**To:** Mayor and Members of Council

**Prepared by:** Jonathan Osborne, P.Eng., Manager of Engineering

**Department:** Public Works

**Date of Report:** November 27, 2020

**Report Number:** PW-32-20

**Subject:** Active Transportation Policy Statement Plan of Action for Town  
Constructed Facilities - 2020

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### **Recommendation**

That the report of the Manager of Engineering for the Town of LaSalle dated November 27, 2020 (PW-32-20) regarding the updated Active Transportation Facility Policy Statement and Plan of Action for Town Constructed Facilities BE RECEIVED and that the Active Transportation Facility Policy Statement and Plan of Action for Town Constructed Facilities policy BE APPROVED.

That Council AUTHORIZE administration to begin engineering and planning for projects outlined in the policy beginning in 2021, pending 2021 budget approval.

That Council AUTHROIZE administration to continue to use this policy within new developments.

### **Report**

This report has been prepared in follow up to a Council request on December 18, 2019 during 2020 budget deliberations to update the 1999 "Pedestrian and Bicycle Facility Policy Statement and Plan of Action.

The 1999 Policy provided Council with a comprehensive policy direction, and series of action items that addressed, at that time, the pedestrian and cycling deficiencies in LaSalle. This policy was the beginning of the development of pedestrian routes that link neighbourhoods with parks, commercial areas, schools, and other active transportation facilities. As well, set the criteria for identifying future facility requirements and their priority.

As a result of this policy, many pathways, trails, sidewalks, and bicycle lanes have been built. The policy had been updated in 2012, and again in 2015. The updates were completed to review what had been built, and to review and update the priority and costs for future active transportation (AT) facilities.

Since the last 2015 update, the Town has completed a Town-wide Active Transportation Master Plan (2018). This new master plan and has been incorporated into this updated policy.

The policy, **which is enclosed in this report**, has been updated and is now referred to as the “Active Transportation Facility Policy Statement and Plan of Action for Town Constructed Facilities”.

The policy includes background information on Town practices and policies, the importance of Active Transportation (AT) within the Town, updated criteria for implementation, updated priority lists for recommended projects, the coordination of AT construction with other infrastructure needs, how new developments will comply, and the financial implications of the projects.

It is important to note that the construction of these facilities are within the public right-of-way and on Town owned land and may result in the disruption of driveways, lawns, landscaping, sprinkler systems, etc. that are along the proposed routes.

This policy is provided for the betterment of the entire Town of LaSalle.

### **Notable Requests:**

Council and Administration are familiar with formal or informal requests for sidewalks or paths that come forward for roads such as, but not limited to; Stuart, Disputed, and Bouffard. These roads are predominately residential but were not developed with our current standard of constructing storm sewers, sanitary sewers, curb and gutter, sidewalk or trails. As such, to install sidewalks or pathways on these streets, other infrastructure would be required. These streets have been categorized as per the criteria in the policy.

### **Consultations**

This report was prepared jointly by the Public Works, Development and Strategic Initiatives, and Finance Department. Reference documents included:

- Pedestrian and Bicycle Facility Policy Statement and Plan of Action (1999), Town of LaSalle



- 2015 Up-date to the 1999 Council Adopted Pedestrian and Bicycle Facility Policy Statement and Plan of Action, Town of LaSalle
- Active Transportation and Transportation Master Plan for the Town of LaSalle (2018), WSP and RC Spencer Associates
- Town of LaSalle Roads Needs Study (2016), Dillon Consulting

## Financial Implications

Within the policy, there are cost estimates for AT facilities as well as other infrastructure needs for the respective segments.

The totality of the Group A projects is expected to be completed within the next 5 to 6 years, given the current annual allocation funding model of an annual capital contribution to pedestrian safety of \$500,000.

Projects outside of Group A are larger in scope, and funding options would have to be reviewed on a case by case basis.

## Prepared By:



Jonathan Osborne, P.Eng.  
Manager of Engineering

**Link to Strategic Goals**

yes	Enhancing organizational excellence
yes	Sustain strong public services and infrastructure
	Strengthen the community's engagement with the Town
	Grow and diversify the local economy
yes	Build on our high-quality of life

**Communications**

yes	Not applicable
	Website
	Social Media
	News Release
	Local Newspaper
	Bids & Tenders
	Notification pursuant to the Planning Act

**Notifications**

Name	Address	Email

**Report Approval Details**

Document Title:	PW-32-20 Active Transportation Policy Statement Plan of Action for Town Constructed Facilities - 2020.docx
Attachments:	- Active Transportation Facility Policy Statement and Plan of Action for Town Constructed Facilities.pdf
Final Approval Date:	Nov 30, 2020

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



Director, Public Works

Peter Marra



Chief Administrative Officer

Joe Milicia



## THE CORPORATION OF THE TOWN OF LASALLE POLICY MANUAL

<b>POLICY MANUAL SECTION:</b>  <i>[Section will be assigned by Council Services]</i>	<b>POLICY NUMBER:</b>  <i>[Policy number will be assigned by Council Services]</i>
<b>POLICY NAME:</b>  Active Transportation Facility Policy Statement and Plan of Action for Town Constructed Facilities	<b>AUTHORITY:</b>  <i>[Will be Assigned at Council]</i>
<b>DATE APPROVED:</b>  December 2020	<b>DEPARTMENT RESPONSIBLE:</b>  Public Works Department
<b>REVISION DATES:</b>  <i>[Any dates of previous revisions]</i>	<b>REVIEW DATE:</b>  <i>[Review date to be set by Council Services]</i>
<b>STATUS:</b>  <i>[Assigned by Council Services]</i>	



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## 1. Purpose

This policy and plan of action is for use by the Town of LaSalle (Town) to:

- a) Understand the background, context, need and benefit for Active Transportation (AT) facilities in the Town;
- b) Establish priority groups for the expansion of AT facilities; and,
- c) Establish high level cost estimates for AT facilities, as well as other associated infrastructure costs.

The terminology of Pedestrian and Bicycle facility has evolved into the more updated phrase "Active Transportation" or "AT". AT facilities are inclusive for sidewalks, off-road multi-use pathways, off-road bike lane, and on-road bike lanes.

## 2. Background

### **2.1 "Pedestrian and Bicycle Facility Policy Statement and Plan of Action" - 1999**

In May of 1999, Council adopted the "Pedestrian and Bicycle Facility Policy Statement and Plan of Action". This document was the foundation for establishing the need for pedestrian and bicycling facilities, and the plan for which to implement them. This document built upon the policies and objectives that were set out in the 1997 Official Plan, which included:

- a) *Council supports the creation of a new bikeway/linear trail system for the town. As funding becomes available, the town will implement a staged network of bikeways, recreational trails and walkways which will be developed and managed as part of the Town of LaSalle "greenway system". The design of bikeways within the town will encourage the separation of bicyclists and pedestrians whenever possible, or facilitate the mixture of pedestrians with slow-moving recreational bicyclists when such separation is not possible.*
- b) *Council supports and will take a leadership role in the coordination, design and implementation of a comprehensive "greenway system" for the Town of LaSalle. The "greenway system" is a cornerstone of this Plan and represents a major new land use planning and resource management approach for the town, to be implemented over a 10 to 20 year planning horizon. All new developments town-wide will be required to incorporate the "greenway system" elements within their*



*respective development plans to the greatest degree possible. Council will establish partnerships with private and public sector corporations, agencies and volunteer groups and service clubs to obtain the necessary financial resources for the community to fully implement and maintain the town's "greenway system".*

- c) Council will encourage the development of pedestrian routes to link all major open space areas, commercial districts and schools and other public institutions located within the town. This pedestrian network will be integrated with and designed to function as part of the town's overall transportation network, providing a safe and convenient alternative to automobile forms of transportation.*
- d) In areas of the town where new residential development is being phased, the town will consider the temporary or up-front permanent development of walkways, bikeways and trails at the early phase of the development to ensure continuous and early pedestrian/cyclist linkages to schools, parks and future transit stops.*
- e) Sidewalks on one or both sides of the street, or at other required locations, will be required to be constructed to serve new development and to provide pedestrian access to schools, parks and commercial districts town-wide. In certain instances, sidewalks may not be required on short residential crescent and cul-de-sac streets, depending on pavement length, anticipated volumes of pedestrian traffic, distance to existing pedestrian routes and the overall nature and type of adjacent land use.*
- f) The use of cul-de-sacs is discouraged within the town and, wherever possible, crescents and a modified grid system should be used when designing and constructing new roads in order to promote and facilitate walking within neighbourhoods and the use of a future transit system.*
- g) Alternative design standards will be favourably considered by Council in those instances where such innovation is required to protect important natural heritage features and/or to implement part of the proposed new "greenway system".*
- h) Sidewalks, walkways and bikeways shall be considered as integral parts of all new residential developments, to facilitate cycling and pedestrian modes of transportation within and between residential neighbourhoods, recreational and community facilities.*
- i) Functional design studies should be carried out in advance of any new recreationway/bikeway system being constructed to ensure that a safe and efficient*



*facility is put in place to meet the needs of existing and future LaSalle residents. In the interim period, Council should continue to acquire the necessary corridors as part of all development and redevelopment applications town-wide.*

- j) To maintain a safe and efficient road system in the town, it shall be the policy of Council to pursue a program of improving road alignments, surfaces and pavement widths, and to establish adequate road allowances and standards for new development. Priority will generally be given to any repairs on arterial and collector roads.*

The policies above are the foundation on which our existing AT network was built, and are extremely important to uphold and reflect in this updated policy. This policy has been updated in 2012 and 2015 review work completed, and to refine priorities for upcoming years. Both were Council adopted reports.

## **2.2 “Active Transportation and Transportation Master Plan” - 2018**

In 2018, Council adopted the “Active Transportation and Transportation Master Plan” (ATTMP). The ATTMP vision statement is:

*“The Town of LaSalle envisions an accessible, well-connected, age-friendly transportation network that supports sustainable and multimodal travel for pedestrians, cyclists, transit users and motorists. Planning, designing, constructing and maintaining the network acknowledges the mobility needs of numerous users of all ages and abilities, meeting the needs of today and tomorrow.”*

The ATTMP identified and developed:

- a) Existing network facilities and conditions;
- b) Proposed expansion;
- c) Proposed right-of-way and AT facility standards;
- d) High-level implementation plan.

In addition to use as a guide for standards and future expansion, this document was used in establishing the Town’s transportation system in the 2018 “Official Plan”.



### **2.3 “Town of LaSalle Official Plan” - 2018**

The Town’s Official Plan uses many of the policies in the above noted documents and summarizes the following policies for AT:

- a) *This Plan shall provide for a balanced transportation system that promotes active transportation facilities to encourage walking and cycling. To promote active, healthy living, the Town shall require that all development within the Urban Area contribute to the creation of a walkable and connected community with multiple destinations within walking distance of all residents. The Town will support walking and cycling as attractive modes of transportation by:*
  - i) *Using a complete streets approach to the design of new streets, as well as the reconstruction, repair and maintenance of any right-of-way in the Town;*
  - ii) *Requiring the development of high quality bicycle and pedestrian facilities on public right-of-ways in new developments, and ensuring those facilities create linkages to key destinations, as well as the sidewalk and trail systems;*
  - iii) *Ensuring all developments are planned, designed and developed to ensure the safety and efficient movement of cyclists and pedestrians, with a highly inter-connected street network;*
  - iv) *Prioritizing safety considerations for pedestrians and cyclists when designing new or upgraded intersections;*
  - v) *Minimizing vehicle crossings of multiuse trails, and implementing the highest safety standards for crossings that cannot be avoided; and,*
  - vi) *Including supportive infrastructure for active transportation such as bicycle activated street lights, enhanced street crossings, pedestrian rest areas, and bicycle parking in the design of new and reconstructed streets.*
- b) *Off-road multi-use paths will connect to the street network and to community amenities and will ensure that corridors between key destinations are fully accessible and support active transportation.*
- c) *Pedestrian circulation will generally be on sidewalks or multi-use trails adjacent to roads and shall be separated from the road by a landscaped boulevard. Exceptions may be considered where other design considerations (i.e. an urban commercial main street) warrant an exception or where insufficient right-of-way widths exist, or other terrain constraints exist.*



- d) *Active transportation routes, such as sidewalks, bike lanes, trails, and multi-use paths will include streetscaping elements that promote pedestrian and cyclist comfort and safety and are designed to enhance accessibility for all residents and will comply with the AODA. Such streetscape elements include, but are not limited to, benches, waste receptacles, bicycle racks, crosswalks, pedestrian-scaled lighting, and street trees.*
- e) *The planning, design and development of bicycle facilities shall utilize the design standards outlined in the Ontario Traffic Manual (OTM) Book 18. Bicycle circulation will generally be provided on bicycle lanes, cycle tracks, or multi-use paths.*
- f) *To protect the safety of pedestrian and cyclists, the Town will endeavour to utilize traffic calming initiatives such as:*
  - i) *Street design that discourages vehicle speeding through ROW design, complimentary streetscape design, building proximity to the street and boulevard street tree planting.*
  - ii) *Maximum traffic lane widths;*
  - iii) *Maximum number of traffic lanes in the roadway;*
  - iv) *On-street parking.*
- g) *The Town will work with Essex County towards the implementation of the County Wide Active Transportation System (CWATS) and will ensure that the development of new active transportation infrastructure contributes to the achievement of CWATS goals.*

In addition to the aforementioned policies, as part of the Mobility and Active Transportation section of the Official Plan, 6.5.3 Policies for Roads, there is an expectation that:

*In design, building and maintain roads within the Town, the following policies shall be applied to new and existing roads:*

*Sidewalks, walkways and bikeways shall be considered as integral parts of all new developments, to facilitate cycling and pedestrian modes of transportation within and between residential neighbourhoods, recreational and community facilities.*

*Sidewalks shall be provided along both sides of all new streets built in the Town of LaSalle;*

**As part of section XXIV of the Planning act all public works must conform to the Town of LaSalle Official Plan as adopted by Council May 22 of the year 2018.**



### **3. Active Transportation Goals**

#### ***3.1 Users and the Importance of Active Transportation***

Walking is the most basic form of active transportation. Everyone is a pedestrian, including persons using wheelchairs and other forms of mobility assistance. Walking is often the quickest way to accomplish short trips in urban areas. Bicycles are found in most Canadian homes. Conversely, the number of cyclists sharing roads with motorists is rising in communities throughout the country as a result of healthier lifestyle choices and the desire to pursue new recreational opportunities.

The aging population will have lasting impacts on the transportation needs on rapidly urbanizing municipalities within the Town of LaSalle. Many of today's adults will live longer and due to mobility restrictions will require fully accessible pedestrian facilities. The largest component of the population increase in the next 20 year period will be the elderly, as the baby-boom generation ages. Children, young adults and the elderly will increasingly utilize existing pedestrian and cyclist facilities. Thus, they will require new facilities to be provided and maintained to accommodate an increased demand for safe and convenient places to walk and bike town-wide.

While walking and bicycling cannot replace all trips, these methods of transportations can be practical for many local trips, including but not limited to: visiting friends and roundtrip travel to and from schools and parks within residential neighbourhoods. Walking and cycling are often the only modes of transportation available to a large segment of the population that do not have access to an automobile. A pedestrian and bicycle friendly environment can create new opportunities for these individuals to more fully participate in the social, economic and cultural life of the community.

Active Transportation enables school children to walk and bike safely conveniently to school and after-school activities, thereby reducing the need for bus and automobile trips. Increased cycling and walking within urban areas will help reduce traffic congestion, air and noise pollution, and may reduce or delay the need for additional roads and for road widening. Where there are sidewalks and street crossing opportunities, a person can park an automobile once to access several businesses and destinations. This reduces the need for additional parking spaces, circling the block to find parking spaces or driving from one shopping plaza to the next.





The number of people who feel comfortable walking or riding bicycles is a measure of the quality of life of a village, town or city. The presence of pedestrians and bicyclists in a municipality indicates that the sense of community is strong, people feel safe being outdoors, and social interactions can occur openly.

### **3.2 Goals**

The goal of this policy is for the Council of the Town of LaSalle to have an Active Transportation Plan that will allow the continued expansion and connection of the Active Transportation network in order to provide:

- a) residents of all ages and abilities safe, useable, and functional AT facilities throughout the Town;
- b) a system with a high degree of connectivity between and within residential neighbourhoods, community facilities, commercial districts, and neighbouring regional AT facilities;
- c) an implementation system to be used by Council and Administration that aligns with other capital and infrastructure needs;

### **3.3 Criteria for Prioritization for Town Constructed Projects**

The following set of criteria were utilized:

1. Identify critical gaps in the existing network with an emphasis on connecting existing neighbourhoods, commercial districts, and existing Town amenities.
2. Identify critical routes of the overall transportation network where collector and arterial roadways will require future improvement.
3. Review all infrastructure requirements for the individual segments over the entire proposed network. Part of this review includes high level look of potential funding mechanisms for infrastructure/services provided for those segments.
4. Review estimated capital costs for the AT facility installation and associated costs, as well as the cost of the AT component in addition to the other infrastructure costs.



5. Identify recent and current Master Plans or Environmental Assessments that have an impact on the AT network.

Applying this criteria, administration has created three groups for the AT action plan that the Town is responsible for constructing.

### ***3.4 Town Funded Projects***

Projects that are to be funded by the Town, have been categorized into three groups. These projects will include projects that run through Town owned land and Rights-of-Ways that abut residents' property. Construction will include the disruption of driveways, landscaping, lawns, etc. Although this is a challenging aspect of these works, it is important to keep in mind the Goals established within this policy, as well as the requirement to conform with the policies within the Official Plan.

#### ***3.4.1 Group A***

This group consists of projects where there is a gap in the networks, and the AT facility can be installed with minimal disruption to the existing infrastructure and where the existing infrastructure is in place. The existing environmental conditions would require permitting on a number of cases, and would form part of the overall costs.

#### ***3.4.2 Group B***

This group consists of projects that are key segments in the overall transportation plan, and would require additional infrastructure work. The component of AT is generally small in scope compared to the other works required. The installation of these segments would likely be triggered by the need for other works through the capital works plan.

#### ***3.4.3 Long Term implications for Group A and B***

Once Group A and Group B AT facilities are installed, significant gaps in the overall AT network of the Township will be completed and the Town will have a more complete network. This allows residents and visitors to safely utilize AT facilities by biking or walking to major destinations such as schools, parks, and Town of LaSalle Facilities such as Small Coast Waterfront Experience, Town Hall or the Vollmer Centre.



#### **3.4.4 Group C**

This group consists of projects that are part of the overall AT network, and also require additional infrastructure work. Consistent with Group B projects, these facilities would be constructed as part of a larger capital work project. For many of the listed, additional funding mechanism may be required, the form of grants, local improvement charge, Part XII charges, development charges, etc.

#### **3.5 Estimated Costs**

With each segment listed, an estimated cost has been shown for the AT facility, and any and all other infrastructure work costs. It should be noted that these are high level estimates only based on 2020 prices, and are listed primarily for comparative use only. A more detailed cost will be estimated as part of the annual budgeting process, as AT capital projects are undertaken by the Town.

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## 4. Action Plan

With the criteria and the groups, priority lists and cost estimates have been generated. The overall network plan can be seen as Figure 1 in Appendix A.

### 4.1 Group A Priority List

AT FACILITY LOCATION	FROM	TO	ESTIMATED COST OF AT FACILITY	ESTIMATED COSTS OF OTHER WORKS	TOTAL
ELLIS ST	WYOMING	SERENITY	50,000	-	50,000
CAHILL DRAIN	MALDEN	NAPLES	50,000	30,000	80,000
NORTH BRANCH NANTIS DRAIN EXTENSION	ELLIS	HYDRO CORRIDOR	120,000	-	120,000
FIRST	LAURIER	BOUFFARD	160,000	120,000	180,000
FRONT RD PILOT PROJECT	MORTON	GARY	-	630,000	630,000
HYDRO CORRIDOR	TODD	LASALLE WOODS	650,000	250,000	900,000

Table 1

The goal for this group is to begin with the engineering and permitting applications in 2021, and have the work completed by 2026. The total value will be approximately \$2,500,000, which aligns well with the annual \$500,000 allocation in the budget for Town constructed AT facility initiatives.

See Figure 2 in Appendix A for map representation.



#### 4.2 Group B Priority List

AT FACILITY LOCATION	FROM	TO	ESTIMATED COST OF AT FACILITY	ESTIMATED COSTS OF OTHER WORKS	TOTAL
SIXTH CONCESSION RD	ALLIANCE	HOWARD	310,000	2,910,000	3,220,000
MORTON DR	FRONT	MATCHETTE RD	300,000	5,430,000	5,730,000
MALDEN	CAHILL DRAIN	MEAGAN	590,000	17,890,000	18,480,000

Table 2

The projects listed above are ones that would complete important linkages within the network, and are also in need or will soon be in need of major infrastructure work. In the case of Malden Rd, there is an active Environmental Assessment process underway, and AT is an important part of that review. The need for improved AT facility exists, but the timeline is dependent on Council direction for the larger capital work project.

For the case of Morton, there are infrastructure needs that will trigger the installation of the AT facility. The Town has applied for various grants for this work, and will likely continue to do so.

See Figure 2 in Appendix A for map representation.

#### 4.3 Group C Priority List

The list of projects in this group are segments that are part of the overall network, but are not considered critical gaps. There are also other infrastructure requirements to be done that will likely trigger the timing for the AT installation. Many of the commonly requested projects that Council and Administration are aware of, lie within this list. In many cases, there are services that do not exist (ie. sanitary or storm sewers and connections), that would require an appropriate funding mechanism to move forward with the project (see Section 5. Financial Implications for further explanation).

Given the length of this list, please refer to Appendix B.

See Figure 3 in Appendix A for map representation, and Table 3 in Appendix B for the list of projects.



#### ***4.4 Developer Responsible AT Projects***

It should be noted that AT segments that lie within any proposed development will be constructed by the developer at the time of their construction. This includes further requirements for AT facilities to link phases of the same development or the new development to existing facilities. This list represents AT facilities that will be constructed by developers, above and beyond the standard Town requirement that sidewalks are to be constructed along both sides of all streets in all new developments.

In most cases, the developer is responsible for the entire cost of the installation. In some cases where the segment is identified in the development charges by-law, there is some contribution from development charges. The timelines of these segments are subject to the individual development timelines.

See Figure 4 in Appendix B for map representation, and Table 4 in Appendix B for the list of projects. Table 4 represents the overall big picture of AT facility planning and doesn't account for possible phasing of developments, needs for local roads, and mandatory installation of sidewalks.

#### ***4.5 Internal Sidewalks on Existing Residential Streets***

Not listed or shown on any figures are residential streets that do not currently have a sidewalk. For the purpose of this policy, all residential streets with no sidewalk would be prioritized after Groups A thru C are completed. These streets can be reviewed on a case by case basis at Council's discretion, with the understanding that the priority is on Groups A, B, and C.

Council should consider establishing a separate capital resource to fund the installation of new sidewalks within older neighbourhoods that do not currently have sidewalks. Alternatively, Council could utilize Section XII of the Municipal Act for this purpose.





## 5. Financial Implications

As can be seen by the cost breakdown in the attached figures, most of the projects are extremely costly due to the cost of “other works” that must be completed as part of the various projects. The cost of the actual sidewalks and pathways are a relatively low portion of the total project cost. Annually, the Town allocates \$500,000 to pedestrian safety, which can be used to fund the sidewalk and trail components of the projects noted in the attached figures. Currently, the built up balance for pedestrian safety is approximately \$2,500,000. The Township has allocated enough funds to complete the Group A projects with no further charges required.

There are financial challenges with the Group B and Group C projects, due to the amount required for the “other works”. The estimated costs of “other works” included in the attached figures will be funded from various sources, depending on what they consist of. For example, if a full road reconstruction will occur as part of the project, a large portion of the project cost may be funded from the roads reserve. The Town will continue to apply for grants to fund some of the larger projects as they become available. If other project costs such as a road reconstruction must be completed as part of the project, the Town takes the financially responsible approach of waiting until the road has reached the end of it’s useful life and needs to be replaced to add a sidewalk or path, rather than prioritizing the project based on the want for a sidewalk or path when the road has not yet reached the end of it’s useful life.

In the instances where services do not exist, whether it be sanitary sewers, storm sewers, street lighting, etc., the projects would require a mechanism to fund these additional services. It has been the practice of the Town to not use the tax base to provide new individual services to existing properties. In these circumstances, options would include Part XII or Local Improvement of the Municipal Act, to initiate and complete the project. Generally, these mechanisms directly allocate the costs of the additional services to the benefitting properties. If residents are not satisfied with timing and would like projects completed faster before funding is available, the opportunities under PART XII or Local Improvement exist. of the Municipal act to complete the project and directly allocate the cost of the project to the residents benefitting from the project on a weighted average formula.



## **6. Policy Review**

This policy will be periodically reviewed and updated as Town projects and developments progress. The intention is to review the policy on a five year basis.

## **7. References and Related Documents**

1999 Pedestrian and Bicycle Facility Policy Statement and Plan of Action  
2012 Update and Addendum to the 1999 Council Adopted Pedestrian and Bicycle Facility Policy Statement and Plan of Action  
2015 Update to the 1999 Council Adopted Pedestrian and Bicycle Facility Policy Statement and Plan of Action  
2016 Town of LaSalle Roads Needs Study  
2018 Town of LaSalle Active Transportation and Transportation Master Plan  
2018 Town of LaSalle Official Plan



## 8. Appendix A – Figures

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Figure 1 – Overall Proposed AT Network, Regional Facilities, and Existing AT

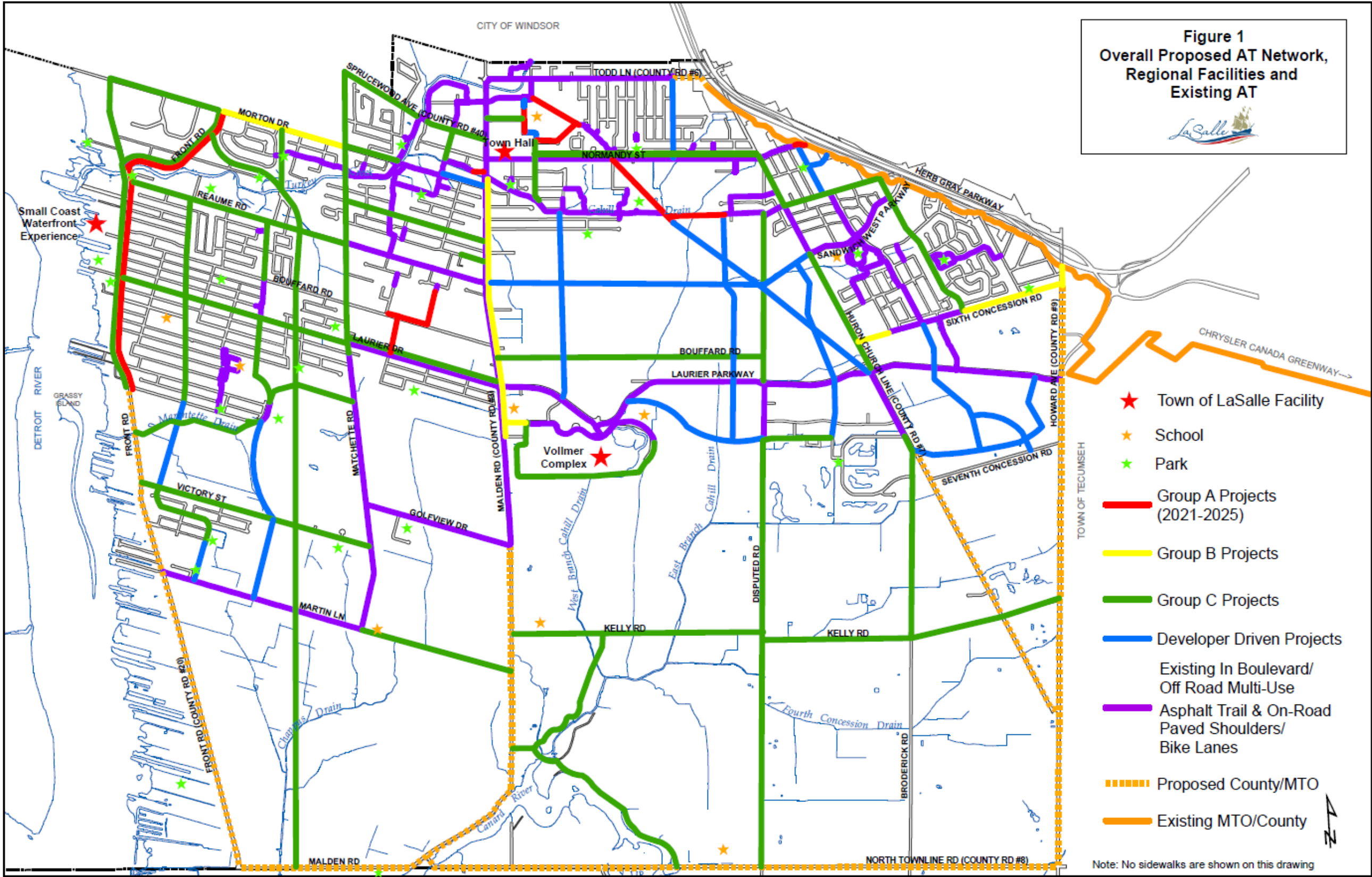




Figure 2 – Group A, Group B, and Existing AT

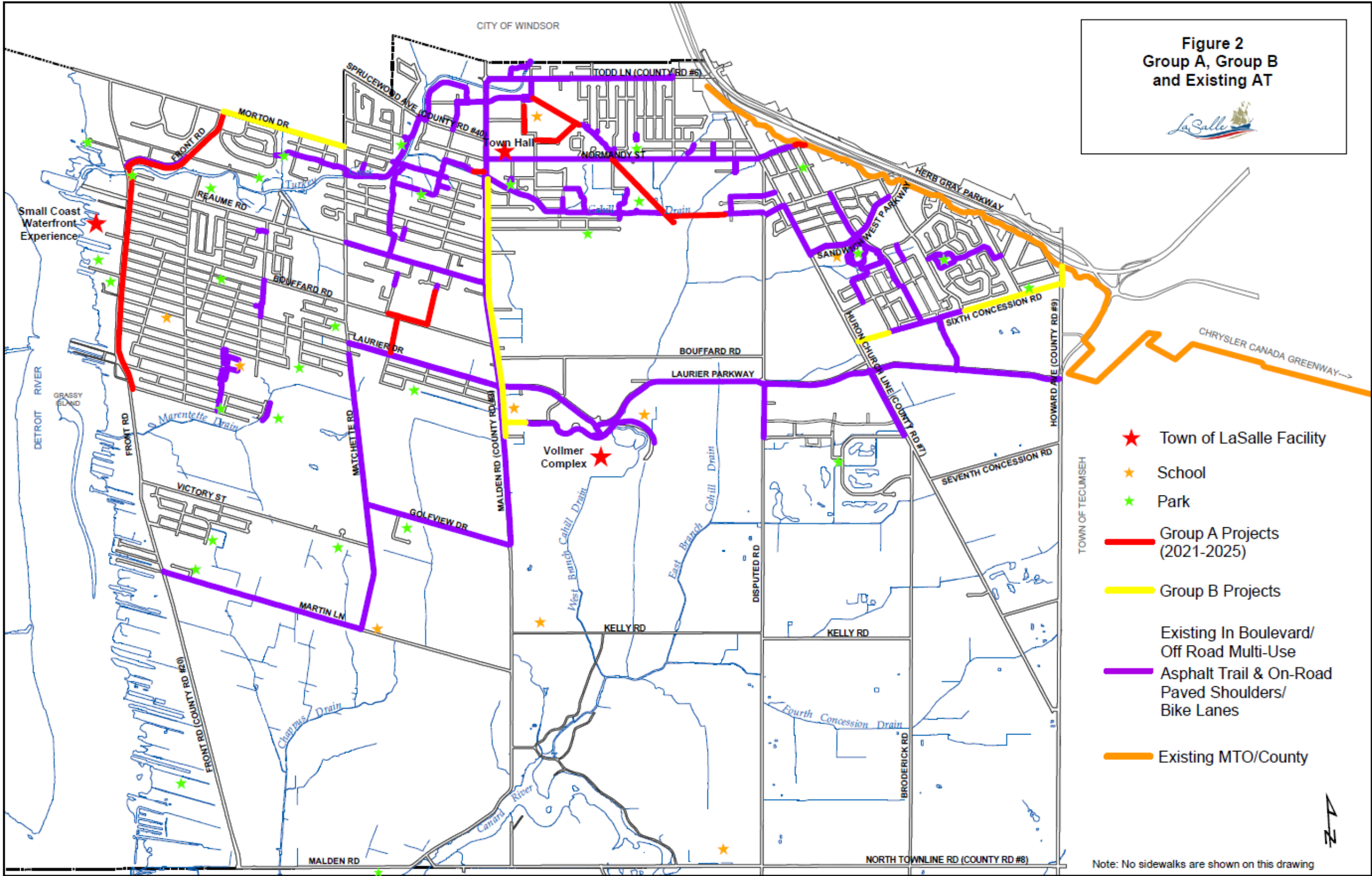


Figure 3 - Group C, Regional AT Facilities, and Existing AT

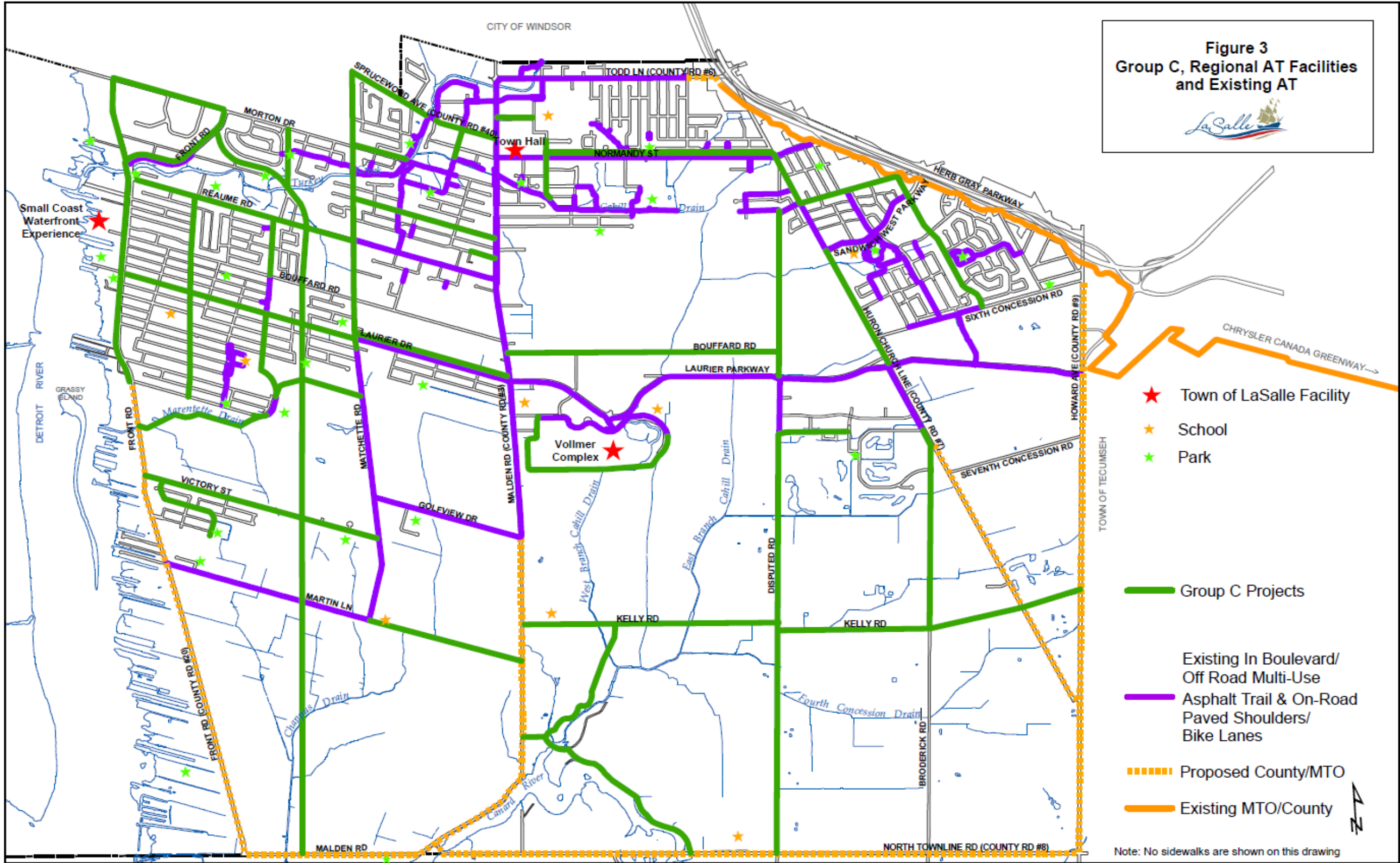
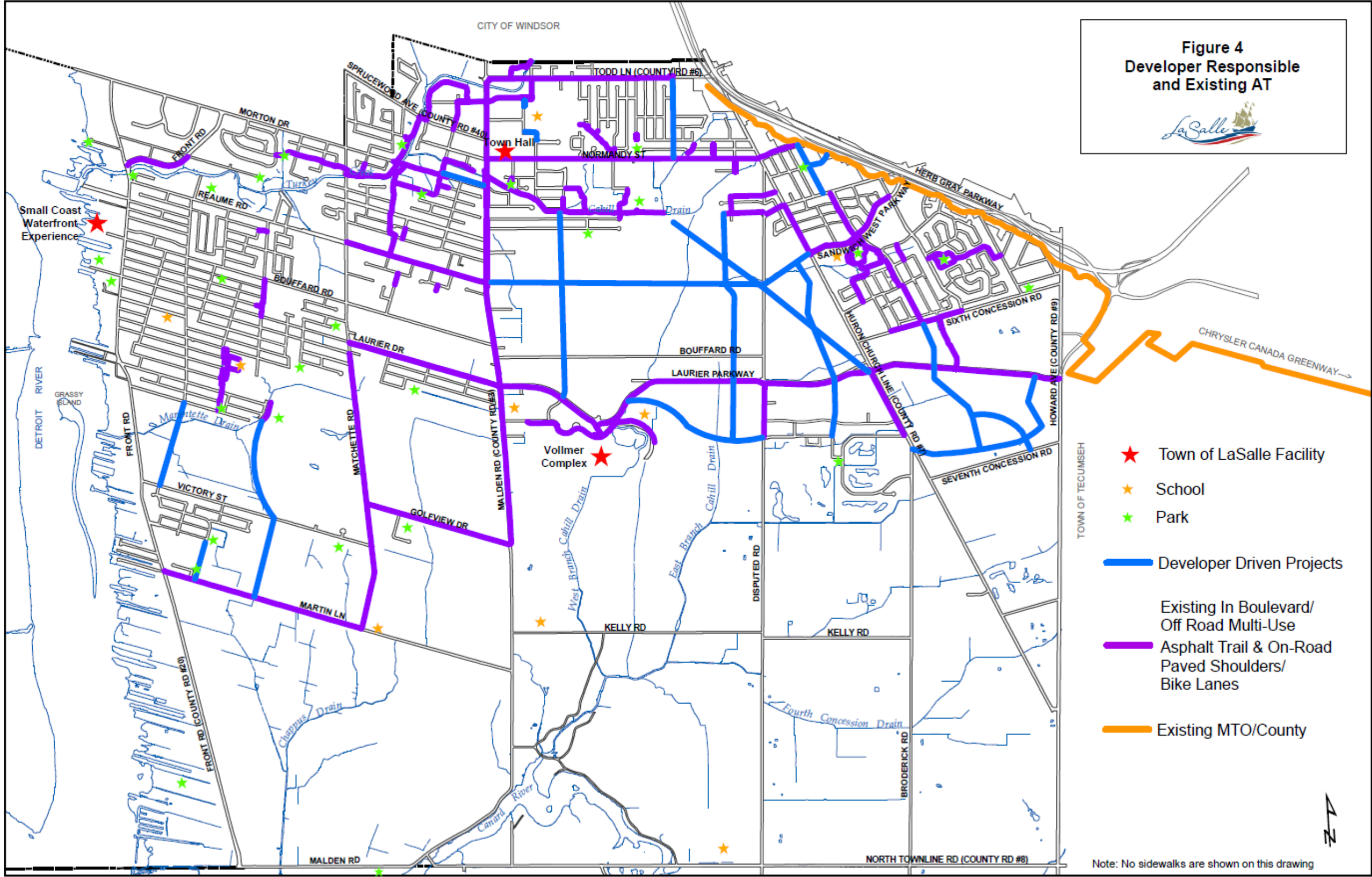




Figure 4 – Developer Responsible, and Existing AT





## **9. Appendix B – Tables**

Table 1 – Group A Projects

ROAD NAME	ROAD FROM	ROAD TO	TYPE OF ACTIVE TRANSPORTATION/PEDESTRAIN SAFETY FACILITY	ESTIMATED COST OF ACTIVE TRANSPORTATION/PEDESTRAIN SAFETY FACILITY	OTHER WORKS REQUIRED:	ESTIMATED COSTS RELATED TO OTHER WORK REQUIRED	TOTAL ESTIMATED COSTS
ELLIS ST	WYOMING AV	SERENITY CIRCLE	MULTI-USE PATH	\$ 50,000.00		\$ -	\$ 50,000.00
CAHILL DRAIN	MALDEN	NAPLES	MULTI-USE PATH	\$ 50,000.00	PROPERTY AQUSITION	\$ 30,000.00	\$ 80,000.00
NORTH BRANCH OF NANTIS DRAIN EXTENSION	ELLIS	HYDRO CORRIDOR	MULTI-USE PATH	\$ 120,000.00	ESA	\$ -	\$ 120,000.00
FRONT RD	MORTON DR	GARY AV	SIDEWALK + BUFFERED BIKE LANES	\$ -	PILOT PROJECT	\$ 630,000.00	\$ 630,000.00
FIRST	LAURIER	TUSCANY OAKS	MULTI-USE PATH	\$ 160,000.00	ESA	\$ 630,000.00	\$ 790,000.00
HYDRO CORRIDOR	TODD	LASALLE WOODS BLVD	MULTI-USE PATH	\$ 700,000.00	ESA	\$ 200,000.00	\$ 900,000.00

Table 2 – Group B Projects

ROAD NAME	ROAD FROM	ROAD TO	TYPE OF ACTIVE TRANSPORTATION/PEDESTRAIN SAFETY FACILITY	ESTIMATED COST OF ACTIVE TRANSPORTATION/PEDESTRAIN SAFETY FACILITY	OTHER WORKS REQUIRED:	ESTIMATED COSTS RELATED TO OTHER WORK REQUIRED	TOTAL ESTIMATED COSTS
SIXTH CONCESSION RD	HURON CHURCH LINE	HOWARD	SIDEWALK + MULTI-USE PATH	\$ 340,000.00	OPEN DITCHES	\$ 3,000,000.00	\$ 3,340,000.00
MORTON DR	HIGHWAY 18	MATCHETTE RD	SIDEWALK + MULTI-USE PATH	\$ 300,000.00	RECONSTRUCTION REQUIRED	\$ 5,430,000.00	\$ 5,730,000.00
MALDEN	CAHILL DRAIN	MEAGAN	SIDEWALK + BUFFERED BIKE LANES	\$ 600,000.00	RECONSTRUCTION REQUIRED	\$ 17,800,000.00	\$ 18,400,000.00

**Table 3 – Group C Projects**

ROAD NAME	ROAD FROM	ROAD TO	TYPE OF ACTIVE TRANSPORTATION/PEDESTRAIN SAFETY FACILITY	ESTIMATED COST OF ACTIVE TRANSPORTATION/PEDESTRAIN SAFETY FACILITY	OTHER WORKS REQUIRED:	ESTIMATED COSTS RELATED TO OTHER WORK REQUIRED	TOTAL ESTIMATED COSTS
MONTY	JAMIE	MALDEN		\$ 60,000.00		\$ -	\$ 60,000.00
MAYFAIR AV	END-INTERNATIONAL	END - DUNN		\$ 60,000.00		\$ -	\$ 60,000.00
MORTON DR.	MATCHETTE RD.	POPE ST - END		\$ 110,000.00		\$ -	\$ 110,000.00
EIGHTH CONCESSION	BRODERICK	CABOTO		\$ 130,000.00		\$ -	\$ 130,000.00
EIGHTH CONCESSION	HOWARD AV	HURON CHURCH LINE RD		\$ 140,000.00		\$ -	\$ 140,000.00
MORTON BRANCH OF TURKEY CREEK	MORTON RD	ESSEX RAILWAY/ TURKEY CREEK		\$ 140,000.00		\$ -	\$ 140,000.00
MALDEN	MARTIN LN	CANARD DR		\$ 140,000.00		\$ -	\$ 140,000.00
SEVEN LAKES DR	MEO BLVD	DISPUTED RD		\$ 160,000.00		\$ -	\$ 160,000.00
ELLIS ST	SERENITY CIRCLE	CAHILL DRAIN	MULTI-USE PATH	\$ 210,000.00		\$ -	\$ 210,000.00
RUNSTEDLER	VICTORY AV	JEWEL ST-END		\$ 220,000.00		\$ -	\$ 220,000.00
MICHIGAN AV	BOISMIER	GARY AV	SIDEWALK + MULTI-USE PATH	\$ 100,000.00	RECONSTRUCTION REQUIRED	\$ 140,000.00	\$ 240,000.00
MICHIGAN AV	REAUME RD	MAPLE AV		\$ 240,000.00		\$ -	\$ 240,000.00
INTERNATIONAL AV	FRONT RD	END-MAYFAIR		\$ 340,000.00		\$ -	\$ 340,000.00
VICTORY	FRONT RD	MATCHETTE RD		\$ 370,000.00		\$ -	\$ 370,000.00
HERITAGE DR	COUSINEAU RD	SIXTH CONCESSION RD		\$ 370,000.00		\$ -	\$ 370,000.00
DELMAR AV	ELLIS ST	MALDEN RD		\$ 80,000.00		\$ 310,000.00	\$ 390,000.00
MAYFAIR AV	LAURIER DR	SACRED HEART/END	SIDEWALK + MULTI-USE PATH	\$ 140,000.00	SECTION DITCH INFILL	\$ 330,000.00	\$ 470,000.00
BRODERICK RD	HURON CHURCH LINE	ST. FRANICS		\$ 50,000.00	OPEN DITCH	\$ 540,000.00	\$ 590,000.00
MARENTETTE DRAIN	FRONT	MATCHETTE		\$ 620,000.00		\$ -	\$ 620,000.00
COUSINEAU RD	HURON CHUCH LINE	HERITAGE DR		\$ 220,000.00		\$ 450,000.00	\$ 670,000.00
MARTIN LN	MALDEN RD	MATCHETTE RD		\$ 360,000.00		\$ 370,000.00	\$ 730,000.00
NEWMAN	SPRUCEWOOD	NAPLES	MULTI-USE PATH	\$ 100,000.00		\$ 750,000.00	\$ 850,000.00
CANARD DR	MALDEN RD	NORTH TOWNLINE		\$ 500,000.00	NARROW R.O.W	\$ 630,000.00	\$ 1,130,000.00
MORTON DR	OLD FRONT RD	HIGHWAY 18		\$ 260,000.00	RECONSTRUCTION REQUIRED	\$ 860,000.00	\$ 1,120,000.00
KELLY RD.	MALDEN RD.	SNAKE LANE		\$ 220,000.00		\$ 930,000.00	\$ 1,150,000.00
OLD FRONT RD	MORTON DR	FRONT ROAD/HIGHWAY 18		\$ 190,000.00	OPEN DITCH	\$ 1,050,000.00	\$ 1,240,000.00
SPRUCEWOOD	MATCHETTE	LASALLE	SIDEWALK + BUFFERED BIKE LANES	\$ 130,000.00		\$ 1,200,000.00	\$ 1,330,000.00
MAYFAIR AV	END - FIELD	END - INTERNATIONAL	SIDEWALK + MULTI-USE PATH	\$ 60,000.00	ESA/PROPERTY/ROAD NEEDED	\$ 1,420,000.00	\$ 1,480,000.00
MAYFAIR AV	REAUME RD	BOUFFARD RD		\$ 140,000.00		\$ 1,550,000.00	\$ 1,690,000.00
FRONT RD	MORTON DR	TURKEY CREEK	SIDEWALK + BUFFERED BIKE LANES	\$ 280,000.00	ROAD DIET/PERMANENT SOLUTION	\$ 1,490,000.00	\$ 1,770,000.00
ESSEX RAILWAY	FRONT RD	NORTH TOWNLINE RD		\$ 1,850,000.00	CORRIDOR OWNERSHIP	\$ -	\$ 1,850,000.00
MALDEN*	GOLFVIEW	MARTIN LANE	MULTI-USE PATH	\$ 290,000.00	DITCH INFILL	\$ 1,600,000.00	\$ 1,890,000.00
SPRUCEWOOD	ABBOTT ST	MALDEN RD	SIDEWALK + BUFFERED BIKE LANES	\$ 200,000.00		\$ 1,900,000.00	\$ 2,100,000.00
MICHIGAN AV	MAPLE AV	BOISMIER	SIDEWALK + MULTI-USE PATH	\$ 120,000.00	RECONSTRUCTION REQUIRED	\$ 2,110,000.00	\$ 2,230,000.00
SPRUCEWOOD	LASALLE	ABBOTT ST	SIDEWALK + BUFFERED BIKE LANES	\$ 30,000.00		\$ 2,750,000.00	\$ 2,780,000.00
FRONT RD	TURKEY CREEK	GARY AV	SIDEWALK + BUFFERED BIKE LANES	\$ 520,000.00	ROAD DIET/PERMANENT SOLUTION	\$ 2,750,000.00	\$ 3,270,000.00
MATCHETTE RD	SPRUCEWOOD AVE	MORTON DR	MULTI-USE PATH	\$ 180,000.00	RECONSTRUCTION REQUIRED	\$ 3,250,000.00	\$ 3,430,000.00
MATCHETTE RD	REAUME RD	LAURIER DR	MULTI-USE PATH	\$ 230,000.00	RECONSTRUCTION REQUIRED	\$ 4,210,000.00	\$ 4,440,000.00
HURON CHURCH LINE*	SANDWHICH WEST PKWY	LAURIER PKWY	SIDEWALK + BUFFERED BIKE LANES	\$ 290,000.00	RECONSTRUCTION REQUIRED	\$ 4,370,000.00	\$ 4,660,000.00
LAURIER DR	MATCHETTE RD	MALDEN RD		\$ 360,000.00	ESA/RECONSTRUCTION REQUIRED	\$ 4,590,000.00	\$ 4,950,000.00
STUART BLVD	MATCHETTE RD	MALDEN RD		\$ 330,000.00	RECONSTRUCTION REQUIRED	\$ 5,010,000.00	\$ 5,340,000.00
MATCHETTE RD	MORTON DR	REAUME RD	MULTI-USE PATH	\$ 170,000.00	RECONSTRUCTION REQUIRED	\$ 5,690,000.00	\$ 5,860,000.00
REAUME RD	FRONT RD	MATCHETTE RD	SIDEWALK + MULTI-USE PATH	\$ 520,000.00	RECONSTRUCTION REQUIRED	\$ 6,890,000.00	\$ 7,410,000.00
LAURIER DR	FRONT RD	MATCHETTE RD		\$ 550,000.00	ESA/RECONSTRUCTION REQUIRED	\$ 6,960,000.00	\$ 7,510,000.00

DISPUTED RD	LASALLE WOODS	LAURIER PKWAY		\$ 420,000.00	RECONSTRUCTION REQUIRED	\$ 7,770,000.00	\$ 8,190,000.00
BOUFFARD	MALDEN RD	DISPUTED RD		\$ 620,000.00	RECONSTRUCTION REQUIRED	\$ 8,600,000.00	\$ 9,220,000.00
BRODERICK RD	KELLY RD	HURON CHURCH LINE RD		\$ 970,000.00	OPEN DITCH	\$ 8,520,000.00	\$ 9,490,000.00
DISPUTED RD	SEVEN LAKES DR	NORTH TOWNLINE RD		\$ 990,000.00	OPEN DITCH	\$ 8,700,000.00	\$ 9,690,000.00
MALDEN*	CANARD DR	FRONT ROAD	CWATS				
NORTH TOWNLINE RD*	FRONT RD	HOWARD RD	CWATS				
HURON CHRUCH LINE*	LAURIER PKWAY	HOWARD	CWATS				
FRONT RD*	GARY	NORTH TOWNLINE RD	CWATS				

**Table 4 – Developers Responsibility List**

ROAD NAME	ROAD FROM	ROAD TO
D'AMORE	SIXTH CONCESSION	SEVENTH CONCESSION
D'AMORE	COUSINEAU	VILLA MARIA
DIOTTE DR	BOUFFARD RD	LAURIER PKWY
DIOTTE EXTENSION	SUZANNE	BOUFFARD
ELLIS ST	DELMAR ST	SERENITY CIRCLE
FOREST TRAILS EXTENSION	LASALLE WOODS	HYDRO CORRIDOR
GERAEDTS EXTENSION	WESTBROOK	HIGHWAY 3
HYDRO CORRIDOR	LASALLE WOODS BLVD	LAURIER
LASALLE WOODS	LASALLE WOODS	SEVEN LAKES
LEPTIS MAGNA	DISPUTED	LEGACY OAKS SCHOOL
MAYFAIR AV	INTERNATIONAL	MARTIN
MCINTOSH HORSE FARM	LAURIER PARKWAY	BRODERICK & HURON CHURCH LINE
MEO BLVD	SANDWHICH WEST	SEVEN LAKES
MICHIGAN	GARY	VICTORY
MORTON DR	MCNABB AV - END	MALDEN RD
RUNSTEDLER	JEWEL	DOSEENBACH
SANDWHICH WEST	DISPUTED	MALDEN
SANDWHICH WEST EXTENSION	HURON CHURCH LINE	DISPUTED
TENTH	TODD LN	LOMBARDI
TENTH	LOMBARDI	NORMANDY





## **The Corporation of the Town of LaSalle**

**To:** Mayor and Members of Council

**Prepared by:** Peter Marra, P.Eng. – Director of Public Works

**Department:** Public Works

**Date of Report:** November 30, 2020

**Report Number:** PW-34-20

**Subject:** Turkey Creek Watershed – Various Master Drainage Study Updates

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### **Recommendation**

That the report of the Director of Public Works dated November 30, 2020 (PW-34-20) regarding the Turkey Creek watershed and the various master drainage studies BE RECEIVED.

That Council CONCUR that administration continue to work through the EA process with our neighboring municipalities which may include the issuance of a formal objection to the MECP if so required.

That Council DIRECT administration to forward report PW-34-20 to the ERCA Board and request that further information be provided to the ERCA Board and Town of LaSalle Council.

### **Report**

This report is being provided to Council for informational purposes.

In April/May of 2020, the Town of LaSalle became aware of the advance stages of several master drainage studies/environmental assessments (EA) occurring within the Town of Tecumseh and the City of Windsor in the Turkey Creek watershed area. All these studies' outlet through various tributaries into Turkey Creek and flow through LaSalle to the Detroit River.

There are two studies of interest, one in Tecumseh in the Oldcastle area discharging into the Wolfe Drain, and ultimately into the Turkey Creek. The other study covers a large portion of the City of Windsor, with some of the study area discharging into the Grand Marais Drain which ultimately transitions into the Turkey Creek.

Both above noted studies are being completed by the respective municipalities, as the proponent, under the provision of the environmental assessment (EA) act. The EA process is a public process, which allows for the Town of LaSalle to be part of the studies and provide comments.

#### Town of Tecumseh – Oldcastle Study

As noted, this study lies in the Town of Tecumseh, in the Oldcastle area. The Town of Tecumseh is looking at providing for improvements to the primarily industrial area in Oldcastle to provide for increased level of service for their existing storm drainage system. This study covers a large area in Oldcastle, which only a small area discharges through LaSalle and the other areas in this study drains elsewhere, not effecting LaSalle.

The area that drains through LaSalle, discharges into the Wolfe Drain, travels along the Herb Grey Parkway, which then discharges into the Cahill Drain, which crosses under the Parkway and eventually traverses through the Cahill Drain in LaSalle which ultimately discharges in Turkey Creek in the vicinity of Vince Marcotte Park.

As the runoff traverses through all the various tributaries, not only is there the presence of Tecumseh/Oldcastle runoff, various parts of the City of Windsor also discharge throughout this system. What is discharging into this system in Windsor also forms part of the City of Windsor Sewer Master Plan Study, which will be discussed later in this report.

This very drainage system, that is identified above in the Oldcastle study, is the subject of a separate master drainage study being completed by the Town of LaSalle within the Howard/Bouffard area. This Howard/Bouffard study will be discussed later in this report as well.

The Town of LaSalle has expressed our concerns to the Town of Tecumseh through their Oldcastle study, and the Town of Tecumseh and LaSalle are continuing to work through these concerns to try and find a way to move forward.

City of Windsor – Sewer Master Plan Study

This City of Windsor Study covers a large part of the City of Windsor from the east end right through the core and into south Windsor. This study commenced early in 2018 and at that time, the City and their consultant issued the notice of study commencement. In 2018, the Town of LaSalle issued a letter asking to be involved in any of this study that would affect and drainage through LaSalle. This was done, in 2018, because LaSalle recognized the magnitude of this study and was only interested in the areas that would affect LaSalle and not interested in the other areas in the City that drained elsewhere.

May 2020, was the first point of contact from the City of Windsor and their consultant with LaSalle. At this stage, the study was in the almost finalized stage with recommended solutions. The Town of LaSalle immediately recognized concerns with various reports being utilized as part of this study with respect to downstream concerns in LaSalle, particularly the flood lines and flows under the extreme events in the Turkey Creek. LaSalle submitted our concerns to the City and their consultant in May 2020 stating such.

As noted, in May 2020, LaSalle issued our concerns to the City of Windsor and their consultant. LaSalle continued to issue various concerns throughout the remainder of 2020 as we became aware of additional information from reviewing the multitude of various other historical studies and other relative historical information.

In July 2020, the City of Windsor and their consultant presented the final solutions to Windsor City Council without addressing any of LaSalle's concerns.

At this stage of Windsor's sewer master plan, they are initiating the notice of study completion through the environmental assessment act, and to date, LaSalle's concerns still yet to be addressed satisfactorily.

There have been several correspondences back and forth between LaSalle and the City and at this stage, LaSalle's only course of action is to issue a formal objection through the EA process to the Ministry of the Environment, Conservation and Parks (MECP). Through this process, the MECP, and, through the Minister of the Environment will render a decision on LaSalle's concerns. It should be noted that MECP and ERCA have been copied on the correspondence regarding the concerns from the Town of LaSalle.

Also, part of this study, LaSalle recognized the overlap and inconsistencies between the City of Windsor, the Town of Tecumseh and the Town of LaSalle studies and initiated a conference meeting with the three municipalities and the Essex Region Conservation Authority (ERCA). This will be discussed later in this report with respect to the Larger Turkey Creek Watershed Study.

Town of LaSalle – Howard/Bouffard Master Drainage Study

As Council is aware, the Town embarked on a master drainage study within the Howard/Bouffard area. This area is within the Canard River watershed, however, is currently greatly affected with overflows coming from the Turkey Creek Watershed. This study is also being completed under the environmental assessment process and involves a public input component.

This study commenced in 2018 and was expected to be completed in and around the summer of 2020. However, the pandemic has delayed the completion of this study along with the relative information contained within this report from various other studies underway.

Because this study is greatly affected by an external watershed overflowing into the area, and primarily is a result of flows and runoff generated outside of LaSalle, almost all of the landowners in the area have questioned how will the solution be paid for by these external municipalities. It is for this reason; LaSalle has paused this study to better understand the external affects and responsibility for contributions toward the solution to deal with existing drainage conditions.

Larger Turkey Creek Watershed Study

As discussed earlier, in May/June of 2020, after LaSalle did an overall review of the various active studies and various historical studies, LaSalle requested and initiated a meeting with all three municipalities and ERCA.

At this meeting, the discussion occurred around the historical piecemeal/inconsistent approach of modeling efforts within the Turkey Creek watershed, and the decision was made to have an overarching, comprehensive study/model developed. This new study would once and for all establish the fundamentals within Turkey Creek watershed.

This was decided that ERCA would take the lead on this study with input from the various three municipal partners. In fact, ERCA reported to their board in September 2020, on this initiative. To date, proposal have been received and LaSalle continues to work with ERCA and the other municipal partners to see this larger study come to fruition.

The essence of this larger study is to provide more accurate information within the Turkey Creek watershed relative to flows, flood lines, modeling approaches and assumptions, affects to adjacent watersheds, quantify flows, and assist in identifying municipal assessments, etc. Pending the result of the larger study, there are most likely several additional report/reviews too follow.

ERCA and the three municipal partners, feel strongly that this larger Turkey Creek watershed study will better inform ERCA, LaSalle, Tecumseh and Windsor in their efforts to work cooperatively in addressing drainage concerns regionally through the various systems to better protect our respective residents in a safe and efficient manner.

LaSalle, has paused our master drainage study efforts, pending this larger study and LaSalle continue to work with our municipal neighbors to assist them in recognizing the effects on the downstream drainage systems in LaSalle through their other drainage study efforts.

### Summary of Concerns

The following is a brief summary of two major concerns that LaSalle has with the currently underway EA studies in our neighboring municipalities;

1. For the Town of Tecumseh study, it is known that they are proposing to increase outflows from the Oldcastle area as part of their solution. It is known that the immediate receiving drain can handle it, but as it continues to transvers through the system and into LaSalle, this becomes a major concern to LaSalle as indications are that the receiving drains in LaSalle may be at or above previously approved capacities;
2. For the City of Windsor sewer master plan, one of the background reports that are being relied on, was completed in March 2019. This 2019 report revisited the hydrologic modeling for Grand Marais Drain/Turkey Creek. This report has shown at Front Road, where Turkey Creek pass under Front Road, the flows have increased from approx. 73cms to 100cms an approx. 37% increase. And that the flood lines have went up, from the regulated elevation of 175.11 to 176.74 a 1.63m increase in flood level. This is a major concern for LaSalle. This 2019 reports shows consistent increase in flows all the way through the Turkey Creek/Grand Marais Drain with an approx. increase on average of approx. 70% throughout.

To date, these have been clearly expressed by LaSalle with no form of an adequate response to alleviate these concerns.



**Consultations**

This process and concerns have been discussed internally between the Public Works Department, the Development and Strategic Initiative Department and the CAO.

LaSalle also continue to be actively involved in the EA process with our neighboring municipalities

**Financial Implications**

None currently.

**Prepared By:**A handwritten signature in black ink, appearing to read 'Peter Marra', is positioned below the 'Prepared By:' heading.

Peter Marra, P.Eng. – Director of Public Works

## Link to Strategic Goals

	Enhancing organizational excellence
yes	Sustain strong public services and infrastructure
	Strengthen the community's engagement with the Town
	Grow and diversify the local economy
yes	Build on our high-quality of life

## Communications

yes	Not applicable
	Website
	Social Media
	News Release
	Local Newspaper
	Bids & Tenders
	Notification pursuant to the Planning Act

## Notifications

Name	Address	Email

**Report Approval Details**

Document Title:	PW-34-20 Turkey Creek Watershed - various master drainage study updates.docx
Attachments:	
Final Approval Date:	Dec 2, 2020

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



Chief Administrative Officer

Joe Milicia



## THE CORPORATION OF THE TOWN OF LASALLE

### Minutes of a Meeting of the Parks, Recreation and Events Committee

November 19, 2020

9:00 a.m.

Sandwich West Room

2nd Floor LaSalle Civic Centre

5950 Malden Road

Members of Committee Councillor Mike Akpata, Councillor Renaud  
Present:

Members of Committee Councillor Sue Desjarlais  
Absent:

Administration Present: R. Hyra, Human Resources Manager/Acting Director of Council Services, P. Funaro, Recreation Manager, M. Beggs, Manager of Parks and Roads, M. Masonovich, Manager of Fleet & Facilities, T. Brydon, Supervisor of Parks, Gaetano Ferraro, Manager of Finance/Deputy Treasurer, L. Jean, Deputy Clerk, K. Scherer, Recreation Coordinator, T. Coke, Council Coordinator

#### A. CALL TO ORDER

Councillor Akpata calls the meeting to order at 9:04 a.m.

#### B. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

#### C. ADOPTION OF MINUTES

Moved By: Councillor Renaud

Seconded By: Councillor Akpata

That the minutes of the meeting of the Parks, Recreation and Events Committee dated October 8, 2020 BE ADOPTED as presented.

**Carried.**

#### D. REPORTS/ CORRESPONDENCE FOR COMMITTEE ACTION

1. Virtual Recreation Programming and Online Safety Policy Update

Moved By: Councillor Renaud

Seconded By: Councillor Akpata

That the report of the Recreation Manager dated November 12, 2020 (CR-2020-27) regarding updates to the Virtual Recreation Programming and Online Safety Policy BE RECEIVED; and that the changes to the Virtual Recreation Programming and Online Safety Policy BE APPROVED.

**Carried.**

2. Light Up LaSalle Holiday Decorating Contest

Moved By: Councillor Renaud

Seconded By: Councillor Akpata

That the report of the Recreation Manager dated November 12, 2020 (CR-2020-28) regarding the Light Up LaSalle Holiday Decorating Contest BE RECEIVED.

**Carried.**

**Clerk's Note:** Due to constrained timelines, Patti Funaro, Manager of Recreation and Culture, requests to add an item to the agenda and provide a verbal update regarding a potential holiday event to be held in December.

3. Moved By: Councillor Renaud

Seconded By: Councillor Akpata

That the request of the Recreation Manager to add an item to the agenda and provide a verbal update regarding a holiday event to be held in December BE APPROVED.

**Carried.**

4. Moved By: Councillor Renaud

Seconded By: Councillor Akpata

That the verbal update provided by the Recreation Manager regarding a holiday event being a Santa Drive-By BE RECEIVED; that Administration BE AUTHORIZED to proceed with the event; and that the total cost of the event be no more than \$10,000.

**Carried.**

5. Moved By: Councillor Renaud

Seconded By: Councillor Akpata

That the December 17, 2020 Parks, Recreation and Events Committee Meeting BE CANCELLED and that regular scheduled meetings resume in 2021.

**Carried.**

**E. NEXT MEETING**

The next scheduled meeting will be held on January 21, 2021 at 9:00 a.m.

**F. ADJOURNMENT**

The meeting is adjourned at the call of the Chair at 9:23 a.m.

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Chair

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Council Co-ordinator



COMMITTEE MATTERS  
Parks, Recreation and Events Committee

November 19, 2020

**Clerk's Note:** The Parks, Recreation and Events Committee approved the following matters during their meeting held on November 19, 2020. Copies of items are attached for reference as part of the corresponding Minutes.

1. **Subject: Santa Drive-By Event**

Motion: Moved by Councillor Renaud  
Seconded by Councillor Akpata

That the verbal update provided by the Recreation Manager regarding a holiday event regarding a Santa Drive-By BE RECEIVED; that Administration BE AUTHORIZED to proceed with the event; and that the total cost of the event be no more than \$10,000.

2. **Subject: Virtual Recreation Programming and Online Safety Policy Update**

Motion: Moved by Councillor Renaud  
Seconded by: Councillor Akpata

That the report of the Recreation Manager dated November 12, 2020 (CR-2020-27) regarding updates to the Virtual Recreation Programming and Online Safety Policy BE RECEIVED; and that the changes to the Virtual Recreation Programming and Online Safety Policy BE APPROVED.



## Committee Matters- #2

Virtual Recreation  
Programming and Online  
Safety Policy Update



## **The Corporation of the Town of LaSalle**

**To:** Members of the Parks, Recreation & Events Committee

**Prepared by:** Patti Funaro, Recreation Manager

**Department:** Culture & Recreation

**Date of Report:** November 12, 2020

**Report Number:** CR-2020-27

**Subject:** Virtual Recreation Programming and Online Safety Policy Update

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### **Recommendation**

That the report of the Recreation Manager dated November 12, 2020 (CR-2020-27) regarding updates to the Virtual Recreation Programming and Online Safety Policy BE RECEIVED; and that the changes to the Virtual Recreation Programming and Online Safety Policy BE APPROVED.

### **Report**

The Virtual Recreation Programming and Online Safety Policy was approved in June of 2020 in response to the need to offer some type of recreation programs during the shutdown due to COVID-19. Since then, the Department of Culture and Recreation has offered a variety of virtual programs to community members of all ages. Although the Vollmer is phasing in reopening and restarting recreation programs, the need for virtual program still exists for those that wish to remain at home.

As with many guidelines and protocols that have changed and evolved throughout this pandemic, it has become evident that the initial procedures established for virtual programming need to be updated to better manage our internal resources and costs.

The recommended change is to remove the requirement to have two employees hosting adult programming and instead allow adult programs to have one employee host and lead the program. As an additional security measure, the host will turn off the cameras and microphones for all participants at the start of the program. All other protocols and procedures will remain the same.

This change allows the department to continue offering virtual options for fitness classes at no additional cost. The in-person fitness classes will also be offered via Zoom, allowing the in-person instructor to fill both roles. In addition to reducing costs, eliminating a second staff person makes recruiting and scheduling someone in one hour

shifts less problematic.

### **Consultations**

Legal Counsel

Information Technology

### **Financial Implications**

Small savings in staff costs of approximately \$200 per week.

### **Prepared By:**

A handwritten signature in dark ink, appearing to read "P. Funaro". The signature is stylized with a large, looped "P" and a cursive "Funaro".

Manager of Recreation and Culture

Patti Funaro

## Link to Strategic Goals

	Enhancing organizational excellence
	Sustain strong public services and infrastructure
	Strengthen the community's engagement with the Town
	Grow and diversify the local economy
	Build on our high-quality of life

## Communications

	Not applicable
	Website
	Social Media
	News Release
	Local Newspaper
	Bids & Tenders
	Notification pursuant to the Planning Act

## Notifications

Name	Address	Email

**Report Approval Details**

Document Title:	CR-2020-27 Update to Online Engagement Policy.docx
Attachments:	- Virtual Recreation Programming and Online Safety Policy - draft update nov 12.pdf
Final Approval Date:	Nov 12, 2020

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



Human Resources Manager

Rick Hyra



## **The Corporation of the Town of LaSalle**

**To:** Mayor and Members of Council  
**Prepared by:** Linda Jean, Deputy Clerk  
**Department:** Council Services  
**Date of Report:** November 30, 2020  
**Report Number:** CL-25-20  
**Subject:** Accessible Document Creation Software

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### **Recommendation**

That the report of the Deputy Clerk dated November 30, 2010 (CL-25-20) advising of software allowing for the integration of document accessibility for the creation of compliant and accessible PDF's at a one-time setup and training cost of \$6,000 and annual user license costs of \$3,060 for six licenses BE RECEIVED.

### **Report**

Earlier this year, the County of Essex was provided with a variety of demonstrations and quotes from qualified firms to provide accessible document creation software. Out of those companies, it was determined that Abledocs software would provide the best product and value.

Abledocs is an industry leader in PDF accessibility software providing full content accessible solutions which meet compliance requirements as outlined in WCAG 2.2. Products and services provided by Abledocs help eliminate barriers for individuals that cannot access traditional print documents due to various print disabilities including vision limitations such as low vision or blindness, cognitive disabilities such as dyslexia and other document accessibility and print disabilities.

At present, Town staff are using Adobe Pro to meet AODA website compliance and have found it to be a very time consuming and arduous process in both repairing and creating accessible documents. Staff in the Council Services Department have met with Abledocs and have been provided a demonstration and confirm it to be a user friendly, time saving and cost effective solution to easily and efficiently repair and create compliant accessible documents which can be posted on the Town's website.



Accordingly, The County of Essex has secured a reduced group pricing of 50% off the listed price and the Town is able to take advantage of these initial savings. One time cost for software package implementation and training is \$6,000 plus hst, which will be funded from the accessibility reserve. The annual cost of 6 licenses and annual support is \$3,060 plus hst (\$510 per user x 6 users), which will be funded from a reallocation of the annual accessibility reserve allocation.

In the event further support is required, Abledocs also provides remediation services at \$60.00 per hour.

## Consultations

Dale Langlois, Director of Finance/Treasurer

## Financial Implications

The one time setup and training cost will be \$6,000 for this software. The annual cost for six licenses (one per department) will be \$3,060.

Factor	Annual Cost	One Time Cost
Scan of all website documents		\$1,500
Annual costs of axesWord licenses (\$200 per user)	\$1,200	
Annual costs of axesPDF licenses (\$225 per user)	\$1,350	
Annual Support cost (\$85 per user)	\$510	
Training – Microsoft Word 101		\$1,500
Training – axesWord Intro		\$1,500
Training – axesPDF Intro		\$1,500
<b>Total</b>	<b>\$3,060</b>	<b>\$6,000</b>

**Prepared By:**



Deputy Clerk

Linda Jean, Deputy Clerk

## Link to Strategic Goals

Yes	Enhancing organizational excellence
	Sustain strong public services and infrastructure
Yes	Strengthen the community's engagement with the Town
	Grow and diversify the local economy
Yes	Build on our high-quality of life

## Communications

	Not applicable
Yes	Website
	Social Media
	News Release
	Local Newspaper
	Bids & Tenders
	Notification pursuant to the Planning Act

## Notifications

Name	Address	Email

### Report Approval Details

Document Title:	Accessible Document Creation Software.docx
Attachments:	
Final Approval Date:	Dec 2, 2020

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

#### No Signature found

Dale Langlois



Human Resources Manager

Rick Hyra



Chief Administrative Officer

Joe Milicia

## Schedule of Reports for Council December 8, 2020

Council Resolution or Member Question	Subject	Department	Report to Council	Comments
Deputy Mayor Meloche	Heritage Committee	Development & Strategic Initiatives	Fall 2021	Requested at the June 9, 2020 Regular Meeting of Council:  That the report of the Director of Development & Strategic Initiatives dated May 29, 2020 (DS-15-2020) regarding a Municipal Heritage Committee BE RECEIVED; and that this report BE BROUGHT to Council in 2021 for consideration.
B2/2020	Pedestrian Safety Initiative	Public Works, Planning, Finance	Dec 8, 2020	Requested at the December 18, 2019 Budget Deliberations:  Administration prepare a report for future consideration on how best to proceed with requests for sidewalk/pedestrian safety initiatives, and that priority list be created for future initiatives  See Report PW-32-20 on today's Agenda.
Councillor Carrick	BIA for the Town of LaSalle	Administration	Budget 2021	At the July 14, 2020 Regular Meeting of Council, Councillor Carrick requests an Administrative Report be prepared regarding the establishment of a BIA for the Town of LaSalle
173/20	Connecting Links	Public Works	Spring 2021	At the July 14, 2020 Regular Meeting of Council:  "That Council AUTHORIZE administration to prepare a subsequent report outlining the Town's position on the remaining County roads traversing through Town."

## Schedule of Reports for Council December 8, 2020

286/20	Meo Boulevard Trail Construction	Public Works	January 2021	<p>At the October 27, 2020 Regular Meeting of Council:</p> <p>“That the report of the Director of Public Works and the Director of Development and Strategic Initiatives dated October 16, 2020 (PW-24-20) regarding the asphalt trail on Meo Boulevard BE REFERRED back to Administration and that an Administrative Report BE PREPARED to review on road bike lanes to achieve the same intended purpose of the original trail on Meo Boulevard.”</p>
285/20	Rainbow Crosswalks	Public Works	January 2021	<p>At the October 27, 2020 Regular Meeting of Council:</p> <p>“That the report of the Director of Public Works dated October 21, 2020 (PW-25- 20) regarding the installation of a Rainbow Crosswalk at the intersection of Normandy Road and Malden Road BE DEFFERED and that a policy BE IMPLEMENTED outlining procedures and processes and brought back to Council for consideration.”</p>
Mayor Bondy	Sidewalk Review on Normandy Street	Public Works	January 2021	<p>At the November 24, 2020 Regular Meeting of Council:</p> <p>Mayor Bondy requests an Administrative Report be prepared regarding a sidewalk review from the East to the West side of Normandy Street beginning on Huron Church Road and ending on North Woodmont.</p>

## Schedule of Reports for Council December 8, 2020

### DEFERRED REPORTS THAT REQUIRE PUBLIC MEETINGS OR PUBLIC INPUT

Council Resolution or Member Question	Subject	Department	Report to Council	Comments
68/19	Discharge of Firearms on/near waterways	Police	Public Meeting to be determined	Requested at the February 26, 2019 Regular Meeting of Council  "That correspondence received from Deputy Chief Kevin Beaudoin, LaSalle Police Service, dated February 8, 2019 regarding the discharge of firearms within the Town of LaSalle BE RECEIVED for information and that a Public Meeting BE SCHEDULED to address this matter, and that affected parties BE NOTIFIED in advance of the Public Meeting."
231/19	Vollmer Property Additional Entrance from Malden Road	Public Works	To be determined	Requested at the July 09, 2019 Regular Meeting of Council  "That the report of the Director of Public Works dated July 2, 2019 (PW-21-19) regarding the existing entrance to the Vollmer property from Malden Road BE DEFERRED and that an Administrative Report BE PREPARED to provide Council with further details outlining possible options; and further that all affected property owners BE NOTIFIED when this matter appears before Council."
Mayor Bondy	LaSalle Police Service Electronic Sign	LaSalle Police Service	To be determined	At the January 28, 2020 Regular Meeting of Council, Mayor Bondy requests that Administration prepare a Report outlining the proposed electronic sign for the LaSalle Police Service.
Councillor Renaud	Cannabis Retail Licensing	Administration	To be determined	At the April 14, 2020 Regular Meeting of Council Councillor Renaud requests an update regarding cannabis retail licensing and shops within the Town and Canada, as well as changes in Provincial modeling for retail shops.



**Schedule of Reports for Council  
December 8, 2020**

212/20	6150 Malden Road	Development & Strategic Initiatives	To be determined	<p>At the August 25, 2020 Special Meeting of Council for Planning Act Matters</p> <p>"That the report of the Supervisor of Planning &amp; Development Services, dated August 12, 2020 (DS-29-2020) regarding a request that has been submitted by 6150 Malden Inc. for the land located on the east side of Malden Road, south of Omira Street BE DEFERRED.</p>
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**THE CORPORATION OF THE TOWN OF LASALLE**

**BY-LAW NO. 8496**

A By-Law to repeal By-law 8423 being a By-law to  
execute a Developer's Severance Agreement,  
adopted on April 14, 2020

**Whereas** By-law number 8423 was finally passed by Council on April 14, 2020 relating to Developer's Severance Agreement with Francis Gratton and Heather Ann Gratton;

**And whereas** it is deemed expedient to repeal the above noted By-law, as it is no longer necessary.

**Now therefore the Council of the Corporation of the Town of LaSalle hereby enacts as follows:**

1. That By-law number 8423 be repealed.
2. This By-law shall come into force and take effect on the final passing thereof.

**Read** a first and second time and finally passed this 8th day of December, 2020.

1st Reading - December 8, 2020

\_\_\_\_\_  
Mayor

2nd Reading – December 8, 2020

3rd Reading - December 8, 2020

\_\_\_\_\_  
Deputy Clerk

**The Corporation of the Town of LaSalle**

**By-law Number 8497**

A By-law to deem a portion of Registered Plan 635  
not to be lands on a registered plan of subdivision for  
the purposes of Section 50(3) of the *Planning Act*

**Whereas** Section 50(4) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended,  
authorizes a municipality to designate any plan of subdivision or part thereof that  
has been registered for eight (8) years or more to be deemed not to be a  
registered plan of subdivision for the purposes of subdivision control;

**And whereas** it is deemed expedient to pass such a By-law in order to  
adequately control the development of certain lands within the Town of LaSalle;

**Now therefore the Council of the Corporation of the Town of LaSalle hereby  
enacts as follows:**

1. Those portions of Registered Plan 635, in the Town of LaSalle, in the  
County of Essex, more particularly described as follows shall be deemed  
not to be lands on a registered plan of subdivision for the purposes of  
subsection 3 of Section 50 of the Planning Act, R.S.O. 1990, c. P.13, as  
amended:

Firstly, Lots 79 to 84, Plan 635 now designated as Parts 1, 2 and 3 on  
Reference Plan 12R-27826; LaSalle;

Secondly, Part Alley, Plan 635 (Closed by CE686301) now designated as  
Parts 5, 6 and 7 on Reference Plan 12R-28014; LaSalle

2. This By-law shall come into force and take effect after the final passing  
thereof upon the date on which this By-law is registered in the Land  
Registry Office for the County of Essex (No. 12).

**Read** a first and second time and finally passed this 8th day of December, 2020.

1st Reading – December 8, 2020

\_\_\_\_\_  
Mayor

2nd Reading – December 8, 2020

3rd Reading – December 8, 2020

\_\_\_\_\_  
Deputy Clerk

## **The Corporation of the Town of LaSalle**

### **By-law Number 8498**

A By-law to stop up, close and sell an alley system running east-west lying to the north of Lots 336 to 363, both inclusive, Registered Plan 777, LaSalle.

**Whereas** registered owners abutting the alley system have made an application to the Corporation to close and purchase a portion of the alley;

**And whereas** the Corporation has determined the distribution of the alley in accordance with its Alley Closing Policy, approved on May 14, 2019 as policy number M-DSI-003;

**And whereas** the Council of the Corporation deems it beneficial to grant this request;

**And whereas** by virtue of the provisions of Section 34 of the Municipal Act, 2001, R.S.O. 2001, c. 25, as amended, a by-law permanently closing a highway, including a lane on a registered plan of subdivision, does not take effect until a certified copy of the by-law is registered in the appropriate Land Registry Office;

**Now therefore the Council of the Corporation of the Town of LaSalle hereby enacts as follows:**

1. That the alley system on Registered Plan 777 running east-west lying to the north of Lots 336 to 363, both inclusive, now designated as Parts 1 to 22, both inclusive, on Reference Plan 12R-28482, in the Town of LaSalle, in the County of Essex, be and the same is hereby stopped up and closed.
2. That all portions of the alley shall be subject to a perpetual easement in favour of Bell Canada and Essex Powerlines Corporation, their successors and assigns, on, in, over, under, across and along the lands herein described for the purposes of constructing, maintaining, replacing, altering and repairing their equipment, plants, services, lines, poles, pipes, wires, conduits, cables and all appurtenances thereto for the carrying and providing any and all public and private utilities and services in the course of their operation, with the right by their agents, servants and workmen to enter upon the said lands at all reasonable times for the purposes aforesaid.
3. Upon completion of the closing of that alley more particularly described in Section 1 herein, that the said alley so closed may be sold to the owners as determined by the Corporation, at a sale price of \$200.00 per part on a reference plan, and that all other costs and expenses incurred in connection with this matter be borne in accordance with the Corporation's Alley Closing Policy.
4. It is hereby confirmed the lands described in Section 1 of this By-law are surplus to the needs of the Corporation.
5. In the event any owner of land abutting the said alley does not purchase their proportionate share of the said alley so closed within the time frame as determined by the Chief Administrative Officer of the Corporation, the Corporation shall follow its Alley Closing Policy and offer the proportionate share to an abutting landowner.

- 6. The Mayor and the Clerk of the Corporation be and they are hereby authorized to do all acts and sign all documents which may be necessary to complete the sale of the said alley so closed as provided herein, and to otherwise carry out the intent of this By-law.
- 7. This By-law shall come into force and take effect after the final passing thereof on the date upon which this By-law is registered in the Land Registry Office for the County of Essex (No.12).

**Read** a first and second time and finally passed this 8th day of December, 2020.

1st Reading – December 8, 2020

\_\_\_\_\_  
Mayor

2nd Reading – December 8, 2020

3rd Reading – December 8, 2020

\_\_\_\_\_  
Deputy Clerk

**The Corporation of the Town of LaSalle**  
**By-law Number 8499**

A By-Law to confirm the purchase of Lots  
232 to 235, inclusive, Registered Plan  
650, from Anthony Mariotti

**Whereas** Anthony Mariotti, owner of Lots 232 to 235, inclusive, Registered Plan 650, in the Town of LaSalle, in the County of Essex, wishes to sell the said lands to the Corporation of the Town of LaSalle (“Corporation”)

**And whereas** the Council of the Corporation deems it expedient to authorize the purchase of the said lands;

**Now therefore the Council of the Corporation of the Town of LaSalle hereby enacts as follows:**

- 1. That the Corporation authorize the purchase of Lots 232 to 235, inclusive, Registered Plan 650 from Anthony Mariotti for the purchase price of \$8,476.28.
- 2. That the execution by the Mayor and the Clerk of the Corporation of any and all documents necessary to complete this transaction, and the affixing of the Corporation’s seal to such documents to give effect to this transaction, be and the same are hereby confirmed.
- 3. That corresponding By-law number 8303 be repealed.
- 4. This By-law shall take effect on the final passing thereof.

**Read** a first and second time and finally passed this 8th day of December, 2020.

1st Reading – December 8, 2020	_____
	Mayor
2nd Reading – December 8, 2020	
3rd Reading – December 8, 2020	_____
	Deputy Clerk



**The Corporation of the Town of LaSalle**

**By-law Number 8500**

A By-law to confirm the donation of Lots  
60 and 61, Registered Plan 849, from  
Antonio DiPaolo and Bartolomeo DiPaolo

**Whereas** the Corporation of the Town of LaSalle ("Corporation") has been requested by Antonio DiPaolo and Bartolomeo DiPaolo to accept the dedication of Lots 60 and 61, Registered Plan 849, in the Town of LaSalle, in the County of Essex;

**And whereas** the Council of the Corporation deems it expedient to confirm acceptance of the donation of said lands;

**Now therefore the Council of the Corporation of the Town of LaSalle hereby enacts as follows:**

1. That the Corporation accept the donation of Lots 60 and 61, Registered Plan 849 from Antonio DiPaolo and Bartolomeo DiPaolo, in consideration of the Corporation granting a tax receipt to Antonio DiPaolo and Bartolomeo DiPaolo.
2. That the execution by the Mayor and the Clerk of the Corporation of any and all documents necessary to complete this transaction, and the affixing of the Corporation's seal to such documents to give effect to this transaction, be and the same are hereby confirmed.
3. This By-law shall take effect on the final passing thereof.

**Read** a first and second time and finally passed this 8th day of December, 2020.

1st Reading – December 8, 2020

\_\_\_\_\_  
Mayor

2nd Reading – December 8, 2020

3rd Reading – December 8, 2020

\_\_\_\_\_  
Deputy Clerk

## **The Corporation of the Town of LaSalle**

### **By-law Number 8501**

A By-Law to Impose Development  
Charges on certain Residential and Non-  
Residential Development within the Town  
of LaSalle.

**Whereas** the Development Charges Act, 1997, S.O. 1997, c.27 authorizes an area municipality to pass by-laws to establish and impose development charges against land to pay for increased capital costs required due to development within the municipality;

**And Whereas** the Corporation has completed a background study to review development levels and service levels, both historic and projected, within the Town of LaSalle, which Development Charge Background Study has been reviewed, considered and approved by the Council of the Corporation;

**And Whereas** the Council of the Corporation held an open house and public meeting on October 29, 2020, to review the provisions of the Development Charge Background Study and a proposed development charges by-law, notice of which meeting was given in accordance with the provisions of the Development Charges Act, 1997;

**And Whereas** the Council of the Corporation heard representations from any and all persons who attended the said public meeting and who requested the opportunity to be heard, and also reviewed and considered any and all written submissions received by the Corporation prior to the public meeting, no matter whether in objection to or in support of the said Study or proposed by-law;

**And Whereas** the Council of the Corporation has determined it is not necessary to hold any further public meetings to continue to review the said Study or proposed by-law;

**And Whereas** the development charges contained in this by-law have been determined in accordance with the provisions of the Development Charge Background Study;

**Now therefore the Council of the Corporation of the Town of LaSalle hereby enacts as follows:**

## Definitions

### 1. In this By-law:

- (1) "apartment dwelling unit" means a residential unit within a building containing four or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the outside and through a corridor or hallway from the inside, but shall not include a semi-detached dwelling, a townhouse dwelling or "linked homes" as defined in paragraph (22) provided herein;
- (2) "Bill 197" means the COVID-19 Economic Recovery Act, 2020, which received Royal Assent on July 21, 2020;
- (3) "class" means a grouping of services combined to create a single service for the purposes of this by-law and as provided in section 7 of the Development Charges Act;
- (4) "commercial use" means use of any lands, buildings or structures for the purpose of buying and selling commodities and supplying services, as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar industrial uses;
- (5) "Corporation" means the body corporate referred to as The Corporation of the Town of LaSalle;
- (6) "Council" means the Council of The Corporation of the Town of LaSalle;
- (7) "development" includes redevelopment;
- (8) "development charge" means a charge imposed pursuant to this by-law, as adjusted in accordance with the provisions of this by-law;
  - a) "Town-wide development charge" means a charge, which is calculated on a per capita basis and is payable by all development within the Town of LaSalle.
  - b) "Urban Area development charge" means a charge, which is calculated on an urban area basis and is payable by a development within the urban areas of the Town of LaSalle.

1. "Area-specific development charge" means a charge, which is calculated on an area-specific basis and is payable by a development within the defined area in the Town of LaSalle.
- (9) "Development Charge Background Study" means the Development Charge Background Study, dated October 7, 2020, as amended;
- (10) "dwelling unit" means one or more habitable rooms occupied or designed to be occupied by one or more persons as an independent and separate housekeeping unit in which separate kitchen and sanitary facilities are provided for the use of such person or persons, with a private entrance from outside the building or from a common hallway or stairway inside the building;
- (11) "gross floor area" means the sum total of the gross horizontal areas of all floors, above or below grade, of the building or buildings on the land concerned, measured from the exterior faces of the exterior walls, or from the centreline of the common wall separating two buildings to the exterior walls thereof, and the "gross floor area" of a building shall include a basement floor area where the basement ceiling height is 1.8 metres or more, but the "gross floor area" of a building shall not include:
  - a) elevator shafts and stairwells at each floor;
  - b) floor area used exclusively for the accommodation of heating, cooling, ventilating, electrical, telecommunications or mechanical equipment that service the building;
  - c) interior balconies and mezzanines and enclosed porches; and
  - d) loading facilities, above or below grade; or
  - e) any part of the building or structure that is used for the parking of motor vehicles, for storage units or any other accessory use.
- (12) "industrial use" means the use of any land, building or structure for the purpose of manufacturing, processing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing,

warehousing, storing or adopting for sale any goods, substance, article or thing, or any part thereof, and the storage of building and construction equipment and materials, as distinguished from the buying and selling of commodities and the supplying of personal services. A transportation terminal would also be considered an "industrial use";

- (13) "institutional use" means development of a building or structure intended for use,
- a) as a long-term care home within the meaning of subsection 2 (1) of the Long-Term Care Homes Act, 2007;
  - b) as a retirement home within the meaning of subsection 2 (1) of the Retirement Homes Act, 2010;
  - c) by any of the following post-secondary institutions for the objects of the institution:
    - 1. a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario,
    - 2. a college or university federated or affiliated with a university described in subclause (1), or
    - 3. an Indigenous Institute prescribed for the purposes of section 6 of the Indigenous Institutes Act, 2017;
  - d) as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
  - e) as a hospice to provide end of life care.
- (14) "multiple dwellings" means all dwellings other than single detached dwellings, semi- detached dwellings, apartment house dwellings and special care/special need dwellings;
- (15) "non-profit housing use" development of a building or structure intended for use as residential premises by,

- a) A corporation without share capital to which the Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing;
  - b) A corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing; or
  - c) A non-profit housing co-operative that is in good standing under the Co-operative Corporations Act.
- (16) "non-residential use" means lands, buildings or structures or portions thereof used or designed or intended to be used for uses other than a residential use, and includes all commercial, industrial and institutional uses;
- (17) "owner" means the owner of land or the person who has made application for approval for the development of land upon which a development charge is imposed;
- (18) "rental housing" means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;
- (19) "residential use" means lands, buildings or structures used or designed or intended for use as a residence for one or more individuals, and shall include but is not limited to single detached dwellings, semi-detached dwellings, townhouse dwellings and apartment dwellings;
- (20) "semi-detached dwelling" means one of a pair of two attached single dwelling units with a common wall having a fire resistance rating of at least one hour, dividing the pair of single dwellings vertically, each of which has an independent entrance either directly from the outside or through a common vestibule;
- (21) "services" means services described in the Development Charge Background Study and as designated in section 6 of this by-law;



- (22) "single detached dwelling" means a single dwelling which is freestanding, separate and detached from other main buildings or main structures, and includes dwellings that are free standing, separate and attached to one or more other main buildings below grade level only ("linked homes"), and also includes a mobile home that is permitted by the Corporation to attach to municipal water or sanitary sewer/wastewater services;
- (23) "special care/special need dwelling" means a building or a complex of buildings containing two or more dwelling units, which units have a common entrance from the street level, where occupants have the right to use, in common with other occupants, hallways, stairs, yards, common rooms and accessory buildings, which may or not may not have exclusive sanitary and/or kitchen facilities that are designed to accommodate persons with specific needs or persons who require special care, including independent permanent living arrangements, where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services are provided at various levels, and without limiting the generality of the foregoing includes retirement homes and lodges, nursing homes, charitable homes, group homes (including correctional group homes), hospices and student residences;
- (24) "Town of LaSalle" means the geographic area known as the Town of LaSalle;
- (25) "townhouse dwelling" means a building divided vertically into three or more attached dwelling units by common walls extending from the base of the foundation to the roofline, each dwelling unit having a separate entrance at grade, and so located on a lot that individual units may not have legal frontage on a public street.

## **Application**

### **2. Lands Applicable**

- (1) This by-law applies to all land within the Town of LaSalle.
- (2) Notwithstanding the provisions of subsection 2(1), this by-law shall not apply to lands that are owned by and used for the purposes of:
  - a) The Corporation; or

- b) A School Board as defined in section 1(1) of the Education Act; or
- c) The Corporation of the County of Essex.

### 3. Timing of Payment

- (1) Subject to the provisions of this by-law, development charges shall be payable by the owner of any land within the Town of LaSalle where such land is the subject of a development that requires any of the approvals set out in section 4 of this by-law.
- (2) Town-wide and Urban area development charges are payable by the owner of land at the time of the issuance of the first building permit.
- (3) Area-specific development charges for the Reaume Sanitary Service Area are payable by the owner of the land at the time of the execution of the development agreement.
- (4) The Corporation may, by an agreement in writing, give an owner of land a credit towards all or part of a development charge in exchange for that owner performing works that relate to a designated municipal service for which a development charge or a part thereof is imposed under this by-law.
- (5) Notwithstanding 3(1) to 3(4), Development Charges for rental housing and institutional developments are due and payable in 6 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest (as provided in the Town's Development Charge Interest Rate Policy, as amended), payable on the anniversary date each year thereafter.
- (6) Notwithstanding 3(1) to 3(4), Development Charges for non-profit housing developments are due and payable in 21 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest (as provided in the Town's Development Charge Interest Rate Policy, as amended), payable on the anniversary date each year thereafter.

- (7) Where the development of land results from the approval of a Site Plan or Zoning Bylaw Amendment received on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the Development Charges under Subsections 3(1) to 3(4) shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply, Development Charges under Subsections 3(1) to 3(4) shall be calculated on the rates, including interest (as provided in the Town's Development Charge Interest Rate Policy, as amended), set out in Schedules "B" on the date of the later planning application, including interest.
4. Development charges are hereby imposed on all lands within the Town of LaSalle that are developed or proposed to be developed for residential uses or non-residential uses if the development or proposed development requires:
  - (1) the passing of a zoning by-law or an amendment to a zoning by-law under section 34 of the Planning Act;
  - (2) the approval of a minor variance under section 45 of the Planning Act;
  - (3) a conveyance of land to which a by-law passed under section 50(7) of the Planning Act applies;
  - (4) the approval of a plan of subdivision under section 51 of the Planning Act;
  - (5) a consent under section 53 of the Planning Act;
  - (6) the approval of a description under section 50 of the Condominium Act; or
  - (7) the issuing of a permit under the Building Code Act, 2006, in relation to a building or structure.
5. Notwithstanding the provisions of section 4 herein, if two or more of the actions described in section 4 occur at different times, additional development charges may be imposed by the Corporation if the subsequent action has the effect of increasing the need for services.

## **Services and Classes**

6. The development charges imposed under this by-law have been calculated for the categories of services and classes and the components thereof as set out in Schedule "A" to this by-law and are as follows:

- (1) Services Related to a Highway;
- (2) Public Works;
- (3) Fire Protection Services;
- (4) Policing Services;
- (5) Parks and Recreation Services;
- (6) Transit Services;
- (7) Library Services;
- (8) Growth Studies;
- (9) Water Services;
- (10) Wastewater Services; and
- (11) Wastewater – Reaume Sanitary Service Area.

## **Development Charges**

7. Determination of the Charges

- (1) The Town-wide development charges as set out in Schedule "A" to this by-law shall apply to and be imposed on all land within the Town of LaSalle being developed for residential uses according to the type of residential unit to be developed thereon, which development charge shall be payable on a per dwelling unit basis.
- (2) The Town-wide development charges as set out in Schedule "A" to this by-law shall apply to and be imposed on all land within the Town of LaSalle being developed for non-residential uses according to the provisions of this by-law, which development charges shall be payable for each square foot of the gross floor area of the building or buildings to be constructed thereon.
- (3) The Urban area development charges as set out in Schedule "A" to this by-law shall apply to and be imposed on the municipal urban area as defined by Schedule "C" to this by-law for residential uses on a per

dwelling unit basis and for non-residential uses on a per square foot of gross floor area basis.

- (4) The Wastewater - Reaume Sanitary Service Area area-specific development charges as set out in Schedule "A" to this by-law shall apply to and be imposed on the Reaume Sanitary Service Area as defined by Schedule "D" to this by-law for residential uses on a per dwelling unit basis.

## **Exemptions**

8. Notwithstanding the provisions of this by-law, no development charge shall be payable where the development:
  - (1) is limited to the enlargement of an existing dwelling unit;
  - (2) is limited to the creation of up to two additional dwelling units as prescribed, in prescribed classes of existing residential buildings as set out in the Regulations to the Development Charges Act, 1997;
  - (3) is limited to the creation of an additional dwelling unit as prescribed, in prescribed classes of new residential buildings as set out in the Regulations to the Development Charges Act, 1997;
  - (4) is limited to the creation of an additional dwelling unit ancillary to a new dwelling unit for prescribed classes of new residential buildings as set out in the Regulations to the Development Charges Act, 1997;
  - (5) is the enlargement of the gross floor area of an existing industrial building in accordance with the following provisions;
    - a) Notwithstanding any other provision of this by-law, there shall be an exemption from the payment of development charges for one or more enlargements of an existing industrial building on its site, whether attached or separate from the existing industrial building, up to a maximum of fifty per cent of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to the Development Charges Act or this section. Development charges shall be imposed

in accordance with this by-law with respect to the amount of the floor area of an enlargement that results in the gross floor area of the industrial building being increased by greater than fifty per cent of the gross floor area of the existing industrial building.

- b) If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
  - 1. determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
  - 2. divide the amount determined under subsection 1. by the amount of the enlargement
- c) For the purpose of section 3.8 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.

- (6) is a non-residential use. This exemption is limited to development applications executed prior to June 30, 2022. Subsequently, no exemption for this development type will be provided; and
- (7) is an apartment development. This exemption is limited to development applications executed prior to June 30, 2022. Subsequently, no exemption for this development type will be provided.

## **Removal of Buildings**

### **9. Redevelopment**

- (1) Despite any other provisions of this By-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 10 years prior to the date of payment of development charges in regard to such redevelopment was, or is to be removed, in whole or in part, or converted from one principal use to another principal use on the



same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

- a) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under Section 7 by the number, according to type, of dwelling units that have been or will be removed or converted to another principal use; and
  - b) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charges under Section 7, by the gross floor area that has been or will be removed or converted to another principal use;
- (2) For the purposes of subsection 9(1) herein, "removed" shall include the physical moving of a building or structure, or the destruction of a building or structure as a result of any man-made or natural disaster.

## **Demolition Credit**

### **10. Demolition Credit**

- (1) Where a building or structure has been demolished or is to be demolished, in whole or in part, a demolition credit shall be given as provided herein for such demolished building or structure or part thereof against development charges otherwise payable with respect to development on the same land.
- (2) A demolition credit shall be given only where the date of demolition is three years or less prior to the date of the filing of the application for a building permit for the development of the same land. For the purposes of this section, the date of demolition shall be deemed to be the date of issuance of a demolition permit by the Corporation.

- (3) The demolition credit shall be calculated according to the following formula:  
$$A - (B \times C) = D$$
where:  
A = development charges otherwise paid or payable  
B = the number of residential dwelling units (or sq.ft. of non-residential gross floor area) demolished no earlier than three years prior to the date of the filing of the application for the building permit  
C = the current residential development charge per dwelling unit (or non-residential development charge per sq.ft. of gross floor area) which applies to residential units (or non-residential buildings) of the type demolished  
D = development charges net of demolition credit (cannot be a negative amount)
- (4) In no event shall the amount of the demolition credit herein exceed the amount of development charges otherwise payable with respect to the development of the said land.
- (5) The onus will be on the owner of land to provide all of the appropriate evidence required so as to justify and accurately calculate the demolition credit that may be owing to the owner pursuant to the provisions of this section.

### **Front-Ending Agreements**

11. The Corporation may enter into a front-ending agreement with an owner of land on terms and conditions satisfactory to the Corporation and in accordance with the provisions of the Development Charges Act, 1997. The details pertaining to such agreements will be established as part of individual development plan of subdivisions and/or other pertinent Planning Act applications

### **Indexing**

12. Development charges imposed pursuant to this by-law shall be adjusted annually without amendment to this by-law, commencing on January 1st, 2021 and on January 1st of each year thereafter, in accordance with the third quarter of the prescribed index in the Development Charges Act, 1997.

## **General**

### **13. Schedules**

(1) The following schedules shall form part of this by-law:

Schedule A: Components of Services and Classes Designated in Section 6;

Schedule B: Schedule of Development Charges

Schedule C: Map of Urban Serviced Areas of the Town

Schedule D: Map of Applicable Lands for Wastewater - Reaume Sanitary Service Area Area-specific Development Charges

14. This by-law shall be administered by the Treasurer of the Corporation and shall be enforced by the Chief Building Official of the Corporation.

15. This by-law shall come into force and take effect on the final passing thereof.

16. This by-law shall expire 5 years after the date it comes into force and takes effect, unless this by-law is repealed at an earlier date.

17. By-law 7842 of the Corporation, finally passed on December 15th, 2015, as amended, be and the same is hereby repealed.

18. This by-law may be referred to as the Town of LaSalle Development Charges By-law, 2020.

**Read** a first and second time and finally passed this 8th day of December, 2020.

1st Reading – December 8, 2020

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Mayor

2nd Reading – December 8, 2020

3rd Reading – December 8, 2020

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Deputy Clerk

**Schedule A  
To By-law 8501  
Components of Services and Classes Designated in Section 6**

**Town-wide Services**

- Services Related to a Highway
  - Roads
- Fire Protection Services
  - Fire Facilities
  - Fire Vehicles
  - Fire Small Equipment & Gear
- Policing Services
  - Police Facilities
  - Police Vehicles
  - Police Small Equipment & Gear
- Transit Services
  - Transit Vehicles
- Water Services
  - Water Distribution
- Parks and Recreation Services
  - Parkland Development
  - Parkland Amenities
  - Recreation Facilities
- Library Services
  - Library Facilities

**Urban Area Services**

- Wastewater Services
  - Wastewater Collection & Treatment

**Area-specific Services**

- Wastewater Services
  - Reaume Sanitary Service Area

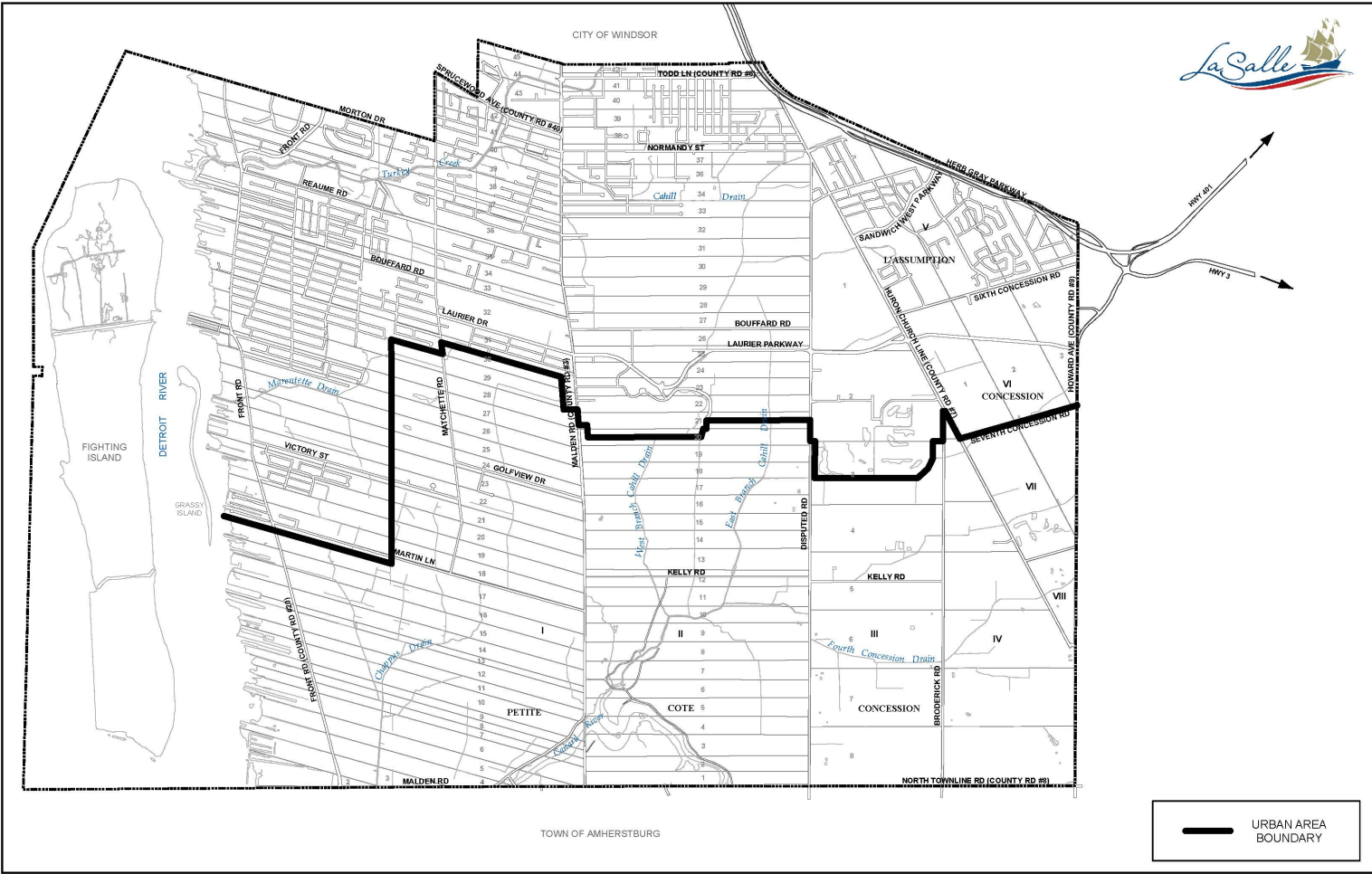
**Town-wide Classes of Services**

- Public Works
  - Services Related to a Highway
  - Water Services
  - Wastewater Services
- Growth Studies
  - Services Related to a Highway
  - Water Services
  - Wastewater Services
  - Fire Protection Services
  - Policing Services
  - Transit Services
  - Library Services
  - Parks and Recreation Services

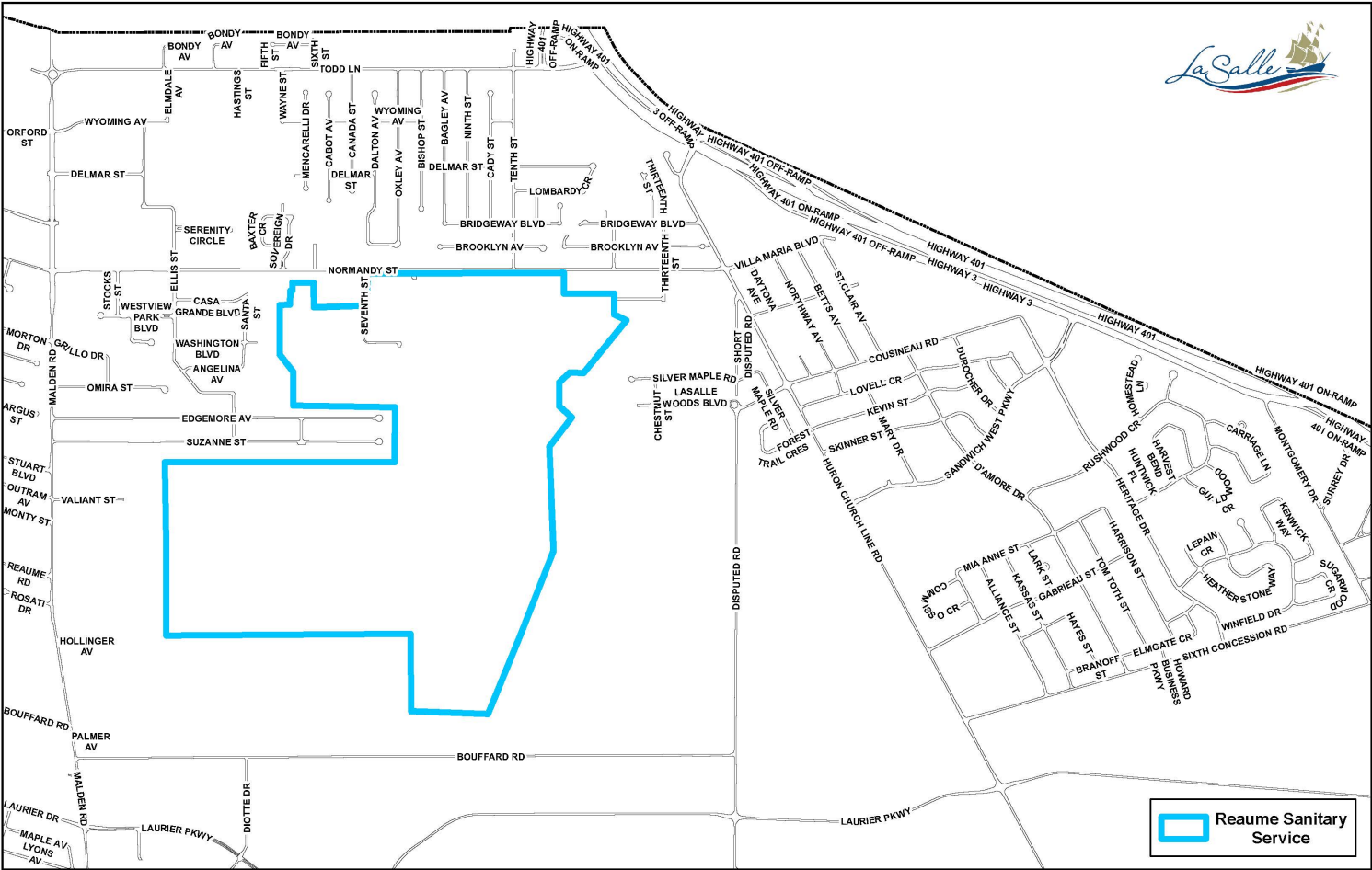
**Schedule B**  
**To By-law 8501**  
**Schedule of Development Charges**

Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)
<b>Town-wide Services</b>						
Services Related to a Highway	6,239	3,882	3,384	2,615	2,186	3.71
Public Works (Facilities and Fleet)	443	276	240	186	155	0.27
Fire Protection Services	859	535	466	360	301	0.51
Policing Services	100	62	54	42	35	0.06
Parks and Recreation Services	7,339	4,567	3,980	3,076	2,571	1.07
Transit Services	104	65	56	44	36	0.06
Library Services	-	-	-	-	-	-
Growth Studies	182	113	99	76	64	0.10
Water Services	2,158	1,343	1,170	904	756	1.28
<b>Sub-total Town-wide Services</b>	<b>17,424</b>	<b>10,843</b>	<b>9,449</b>	<b>7,303</b>	<b>6,104</b>	<b>7.06</b>
<b>Urban Area Services</b>						
Wastewater Services	2,132	1,327	1,156	894	747	1.18
<b>Sub-total Urban Area Services</b>	<b>2,132</b>	<b>1,327</b>	<b>1,156</b>	<b>894</b>	<b>747</b>	<b>1.18</b>
<b>Area-Specific Services</b>						
Wastewater - Reaume Sanitary Service Area	2,252	1,396	1,216	946	788	-
<b>Sub-total Area-Specific Services</b>	<b>2,252</b>	<b>1,396</b>	<b>1,216</b>	<b>946</b>	<b>788</b>	<b>-</b>
<b>Grand Total - Town-wide</b>	<b>17,424</b>	<b>10,843</b>	<b>9,449</b>	<b>7,303</b>	<b>6,104</b>	<b>7.06</b>
<b>Grand Total - Urban Area</b>	<b>19,556</b>	<b>12,170</b>	<b>10,605</b>	<b>8,197</b>	<b>6,851</b>	<b>8.24</b>
<b>Grand Total - Reaume Sanitary Service Area</b>	<b>21,808</b>	<b>13,566</b>	<b>11,821</b>	<b>9,143</b>	<b>7,639</b>	<b>8.24</b>

Schedule C  
To By-law 8501  
Map of Urban Serviced Areas of the Town



Schedule D  
To By-law 8501  
Map of Applicable Lands for Wastewater-Reaume Sanitary Service Area Area-specific Development Charges





**The Corporation of the Town of LaSalle**

**By-Law Number 8502**

A By-law to appoint Hearing Officers  
pursuant to the Administrative Monetary  
Penalties System

**Whereas** the Corporation of the Town of LaSalle ("Corporation") is authorized through the *Municipal Act, 2001*, S.O. 2001, c. 25, to establish a system of administrative monetary penalties for contraventions to the Corporation's By-laws;

**And whereas** the Council of the Corporation passed an Administrative Monetary Penalties By-law 8289 on March 26, 2019;

**And whereas** the Council of the Corporation passed the appointment of screening officers and hearing officers to adjudicate reviews and appeals of administrative penalties By-law 8290 on March 29, 2019;

**And whereas** the Corporation deems it expedient to appoint certain persons as Hearing Officers pursuant to the Administrative Monetary Penalties By-law 8289, and the appointment of screening officers By-law 8290;

**Now therefore the Council of the Corporation of the Town of LaSalle hereby enacts as follows:**

1. That the persons listed in Schedule "A" are appointed as Hearing Officers pursuant to the Administrative Monetary Penalties By-law 8289, and the appointment of screening officers By-law 8290 from the date of the passing of this By-law for the term of one (1) year with the option to renew the term;
2. That Schedule "A" forms part of this By-law;
3. This By-law shall come into force and take effect on the final passing thereof.

**Read** a first and second time and finally passed this 8th day of December, 2020.

1st Reading - December 8, 2020

\_\_\_\_\_  
Mayor

2nd Reading – December 8, 2020

3rd Reading - December 8, 2020

\_\_\_\_\_  
Deputy Clerk

**Schedule “A”**

Hearing Officers

Hearing Officer Name	Appointment Date
William Wright	December 8, 2020
David Greenaway	December 8, 2020