

# Municipality of Lakeshore – Report to Council

## Chief Administrative Officer



**To:** Mayor & Members of Council  
**From:** Truper McBride, Chief Administrative Officer  
**Date:** August 15, 2023  
**Subject:** Bylaw Modernization Program

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### Recommendation

Support the accelerated Bylaw Modernization Program as presented by the Chief Administrative Officer at the August 15, 2023 Council meeting.

### Background

At the July 18, 2023 Regular Meeting, Council adopted its Strategic Objectives for the 2022 – 2026 term of office.

1. Building and Stewarding Municipal Infrastructure
2. Developing Our Future Communities
3. Modernizing and Enhancing Municipal Function
4. Become an Economic Leader in Essex County
5. Modernizing Resident-Centered Service

Administration is developing an implementation plan for the Strategic Objectives and anticipates having that before Council in advance of the Draft 2024 Budget.

Additionally, as part of the CAO work plan, Council has requested that a Bylaw development work plan be implemented to address the bylaw backlog and bring forward no less than 1 bylaw or bylaw amendment per month. It is a result of this direction from Council that Administration is providing this report.

This direction is consistent with Council's Strategic Goal to 'Modernize Citizen-Centered Service' and the stated strategy to modernize bylaws.

This report is responding to this direction and presenting a schedule of bylaws that Administration is capable of delivering for the remainder of 2023. The Bylaw Modernization Program for 2024 will be informed through the Budget process.

## Comments

Appendix A – Prioritized List of Bylaw and Policy for Development provides the current schedule for bylaw development adopted by the previous Council. Some bylaws on the list require a larger administrative effort than others to review and update, this is shown in Appendix A in the column titled 'Scope/Nature of Project'. This list of Bylaws for Development was received by Council as part of the Strategic Plan Update in March 2021.

Since adoption of this list in mid 2021, the following bylaws have been adopted, modernized, or amended and subsequently removed from the list:

- Fill Bylaw
- Name Change Bylaw
- Greenhouse Interim Control Bylaw
- Float Homes Zoning Bylaw Amendment
- Official Plan Five Year Review Update
- Greenhouse Amendment OPA
- Vehicle for Hire Bylaw
- Yard Maintenance Bylaw
- Animal Care and Control Bylaw
- Mask Bylaw
- Food Trucks

Council through resolution may choose to add or delete any bylaw to Appendix A. It is important to note that not all bylaws are equal in terms of effort required to review, draft and consult. As a result, any changes to this work plan may impact resourcing.

The following represents the list of bylaws intended to be brought to Council by the end of 2023.

- July – OPA Short term rental accommodations (Council adopted a new direction and a public hearing will be scheduled in the fall)
- September – Procedure By-law and Short-term Rental Accommodation OPA/ZBLA
- October – Noise By-law
- November – Campground Licensing
- December – Procurement By-law

## Review of Bylaw Development Process

In the fall, Administration will be undertaking a process mapping exercise to review internal procedures for the development of bylaws and policies to seek efficiencies and

clearer documentation for staff on the development, drafting, and consultation requirements.

## **Risks associated with Accelerated Bylaw Modernization Program**

### **1. Public Engagement and Consultation**

Delivering one bylaw a month to Council for consideration will result in reduced public consultation and engagement due to both the speed that bylaws will be drafted and associated resourcing constraints. If the public does not feel properly consulted, it may result in increased delegation requests at Council meetings where a draft bylaw is being considered.

Certain statutory bylaws such as Official Plan Amendments and Zoning Bylaw Amendments require public meetings. Public meetings are intended for Council to receive information and views of the proposed bylaw from the public which can routinely be in opposition and/or voicing concern.

Administration recommends consultation for all new regulatory bylaws in order to receive fulsome feedback for Council's consideration. Running simultaneous public engagement processes can cause confusion for the public, and may risk engagement fatigue. Accordingly, Administration does not recommend proceeding with more than two (2) regulatory bylaws in any given year.

### **2. Potential for development of a backlog**

It is normal practice for Council to provide comments and direction regarding a draft bylaw before adoption and refer back to Administration for further work. Due to the aggressive schedule being proposed, there is the potential to create an unmanageable workload should bylaws begin to not get approved by Council each month and referred back to Administration for further work. Should this occur, Administration will advise Council on the required changes to the Bylaw Modernization Program schedule.

### **3. Enforcement challenges**

Lakeshore is a diverse municipality with a variety of land uses. From the country residential, and small communities and farms in the agricultural areas to the rapidly growing suburban area along the north shore and Patillo industrial area, it is often a challenge to ensure that a bylaw provision that may resolve an issue in one part of Lakeshore may have an opposite and unintended consequence for property in another part of Lakeshore. An accelerated bylaw development program may increase the risk of the adoption of a bylaw with this impact to varying degrees, as Administration will have less time to consider the broad impacts as it relates to enforcement.

## Financial Impacts

There are no financial impacts associated with this report as there is sufficient funding in the 2023 Budget to complete the bylaw workplan as laid out above. Depending on any changes Council may wish to make to Appendix A, Administration will consider any resourcing enhancements.

The base budget includes public engagement resources for two large-scale regulatory reviews per year, which can consume hundreds of hours of staff time across the staff team working on them. Should Council wish to increase the number of reviews per year, Administration can bring this change request to the 2024 Budget deliberations. This may include resources for public engagement, legal review, or consulting, depending on the type of regulatory bylaw to review.

## Attachments

Appendix A – Prioritized List of Bylaw and Policy for Development

## Report Approval Details

Document Title:	Bylaw Modernization Plan.docx
Attachments:	- Prioritized list of Bylaw and Policy for Development.docx
Final Approval Date:	Aug 10, 2023

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

Prepared by Truper McBride