

Tuesday, November 28, 2017, 7:00 PM  
Tecumseh Town Hall  
[www.tecumseh.ca](http://www.tecumseh.ca)

	<b>Pages</b>
<b>1. CALL TO ORDER - Mayor</b>	
<b>2. MOMENT OF SILENCE</b>	
<b>3. NATIONAL ANTHEM</b>	
<b>4. ROLL CALL &amp; DISCLOSURE OF PECUNIARY INTEREST</b>	
<b>5. COUNCIL MINUTES</b>	
a. Regular Council November 14, 2017	3 - 11
b. Special Council Minutes November 21, 2017	12 - 14
c. Public Council Meeting November 14, 2017	15 - 21
<b>6. SUPPLEMENTARY AGENDA ADOPTION</b>	
<b>7. DELEGATIONS</b>	
a. St. Pius X School Robotics Team Re: Save the Fish Program	
b. Jamie Kell, President and Manager Tecumseh Thunder Senior Team Re: Ontario Champions (4x) and 2017 National Reps for Ontario	
<b>8. COMMUNICATIONS FOR INFORMATION</b>	
a. Essex County Agricultural Hall of Fame Re: Nominations for 2018 Hall of Fame Induction	22 - 22
b. Ministry of Education Re: Public Engagement on Education Assessment in Ontario	23 - 24
c. National Coalition Against Contraband Tobacco Re: Contraband Tobacco in Ontario	25 - 26
d. County of Essex Re: Notice of Decision Official Plan Amendment No. 14	27 - 29
<b>9. COMMUNICATIONS ACTION REQUIRED</b>	
a. Township of Ignace Re: Provincial Flood Insurance Program  That the Township of Ignace resolution requesting the Government of Ontario be urged to create a Provincial Flood Insurance Program, to cover those individuals, families and businesses who are unable to secure flood insurance for their properties, be supported.	30 - 30

- b. Tecumseh Vista Academy Secondary School Re: Exemption from Bylaw 31 - 31
- That** Tecumseh Vista Academy Secondary School request for a Sign By-Law exemption, to advertise their Grade 8 Information Night being held on Wednesday, December 13, 2017, be referred to the Planning Department.

**10. REPORTS**

- a. Corporate Services & Clerk
1. Manager Committee & Community Services Report 36-17 32 - 36  
Re: 2018 Cat Spay & Neuter Voucher Program
2. Director Corporate Services & Clerk Report No 44-17 37 - 41  
Re: Farm Lease Agreement John Nostadt 2018 Crop Year
3. Director Corporate Services & Clerk Report No 45-17 42 - 48  
Re: Skate Pro Lease Agreement Renewal Tecumseh Arena
- b. Planning & Building Services
1. Manager Planning Services Report No 33-17 49 - 65  
Re: Site Plan Control Home Hardware Stores Limited  
1613 Lesperance Road

**11. UNFINISHED BUSINESS**

- a. Unfinished Business Listing 66 - 66  
November 28, 2017

**12. NEW BUSINESS**

**13. MOTIONS**

- a. By-Law 2017-78 67 - 67
- Being a by-law to confirm the proceedings of the November 28, 2017 regular meeting of the Council of The Corporation of the Town of Tecumseh

**14. NOTICES OF MOTION**

**15. NEXT MEETING**

**16. ADJOURNMENT**

**MINUTES OF A REGULAR MEETING OF  
THE COUNCIL OF THE TOWN OF TECUMSEH**

Tecumseh Council meets in regular public session on Tuesday, November 14, 2017, in the Council Chambers, 917 Lesperance Road, Tecumseh, Ontario at 7:00 pm.

(RCM 18-1)

**ORDER**

The Mayor calls the meeting to order at 8:05 pm.

(RCM 18-2)

**MOMENT OF SILENCE**

The Members of Council and Administration observe a moment of silence.

(RCM 18-3)

**NATIONAL ANTHEM**

The Members of Council and Administration observe the National Anthem of O' Canada.

(RCM 18-4)

**ROLL CALL**

Present:	Mayor	- Gary McNamara
	Deputy Mayor	- Joe Bachetti
	Councillor	- Bill Altenhof
	Councillor	- Andrew Dowie
	Councillor	- Brian Houston
	Councillor	- Tania Jobin
	Councillor	- Rita Ossington

Absent:

Also Present:	Chief Administrative Officer	- Tony Haddad
	Director Corporate Services & Clerk	- Laura Moy
	Director Financial Services & Treasurer	- Luc Gagnon
	Director Fire Services & Fire Chief	- Doug Pitre
	Director Information & Communication Services	- Shaun Fuerth
	Director Parks & Recreation Services	- Paul Anthony
	Director Planning & Building Services	- Brian Hillman
	Director Public Works & Environmental Services	- Dan Piescic
	Deputy Clerk & Manager Legislative Services	- Jennifer Alexander
	Deputy Treasurer & Tax Collector	- Tom Kitsos
	Drainage Superintendent/Engineering Technologist	- Sam Paglia
	Manager Engineering Services	- Phil Bartnik
	Manager Roads & Fleet	- Kirby McArdle

**DISCLOSURE OF PECUNIARY INTEREST**

There is no pecuniary interest declared by a Member of Council.

(RCM 18-5)

**MINUTES**

Motion: (RCM-388/17) Moved by Councillor Tania Jobin  
Seconded by Councillor Andrew Dowie

**That** the minutes of the October 24, 2017 Regular Meeting of Council, the minutes of the October 24, 2017 Special Meeting of Council and the minutes of the October 28, 2017 Special Meeting of Council, as were duplicated and delivered to the Members, are adopted.

Carried

(RCM 18-6)

**SUPPLEMENTARY AGENDA ADOPTION**

Motion: (RCM-389/17) Moved by Councillor Brian Houston  
Seconded by Councillor Tania Jobin

**That** the November 14, 2017 Supplementary Council Agenda, be adopted.

Carried

(RCM 18-7)

**DELEGATIONS**

None.

(RCM 18-8)

**COMMUNICATIONS**

**Communications – For Information**

- A. Town of Essex Re: Notice of Public Meeting - Zoning By-law Amendment
- B. Ontario Good Roads Association Re: Call for Nominations
- C. Municipality of Morris-Turnberry Re: Resolution concerning Tenanted Farm Tax Class properties being changed to Residential Tax Class

Motion: (RCM-390/17) Moved by Councillor Rita Ossington  
Seconded by Deputy Mayor Joe Bachetti

**That** Communications – *for Information A* through C as listed on the November 14, 2017 Regular Council Meeting Agenda are received.

Carried

Administration is requested to provide comments On Communication-For Information item C and the potential implications regarding this amendment and not implementing this change, and how this action could financially impact municipalities and property owners.

**Communications – Action Required**

- A. Town of Lakeshore Re: Provincial Flood Insurance Program

Motion: (RCM-391/17) Moved by Councillor Rita Ossington  
Seconded by Councillor Brian Houston

**That** the Town of Lakeshore resolution requesting the Province to create a Provincial Flood Insurance Program to cover those individuals, families, and businesses who are unable to secure flood insurance for their properties, be supported.

Carried

(RCM 18-9)

### COMMITTEE MINUTES

Motion: (RCM-392/17) Moved by Councillor Bill Altenhof  
Seconded by Councillor Brian Houston

**That** the October 11, 2017 minutes of the Town of Tecumseh Business Improvement Area, as was duplicated and delivered to the Members of Council, are accepted.

Carried

Motion: (RCM-393/17) Moved by Deputy Mayor Joe Bachetti  
Seconded by Councillor Rita Ossington

**That** the October 16, 2017 minutes of the Heritage Committee, as was duplicated and delivered to the Members of Council, are accepted.

Carried

Motion: (RCM-394/17) Moved by Councillor Tania Jobin  
Seconded by Councillor Rita Ossington

**That** the October 16, 2017 minutes of the Cultural & Arts Committee, as was duplicated and delivered to the Members of Council, are accepted.

Carried

Motion: (RCM-395/17) Moved by Councillor Andrew Dowie  
Seconded by Councillor Bill Altenhof

**That** the October 26, 2017 minutes of the Senior Advisory Committee, as was duplicated and delivered to the Members of Council, are accepted.

Carried

(RCM 18-10)

### REPORTS

Deputy Clerk & Manager Legislative Services Report No. 35/17 Re: Dog Tag and Licensing Enforcement

Motion: (RCM-396/17) Moved by Councillor Brian Houston  
Seconded by Councillor Rita Ossington

**That** the Mayor and the Clerk be authorized to enter into an agreement with the Commissionaires and Quick Connect Services for the enforcement of dog tag/licences in 2018;

**And that** Corporate Services & Clerk Report No. 35/17 regarding dog tag and licensing enforcement be received.

As recommended by the Deputy Clerk & Manager Legislative Services under Report No. 35/17.

Carried

Director Corporate Services & Clerk Report No. 40/17 Re: Community Support Centre Services Agreement Two Year Term Renewal: 2018-2019

Motion: (RCM-397/17) Moved by Deputy Mayor Joe Bachetti  
Seconded by Councillor Tania Jobin

**That** The Corporation of the Town of Tecumseh (Town) renew the Agreement with the Community Support Centre (CSC) for the provision of public transportation to persons with a disability and seniors in the Town;

**And that** a by-law be prepared to authorize the Mayor and the Clerk to execute the renewal Agreement between the Town and CSC, for a further two year term commencing January 1, 2018, and concluding December 31, 2019;

**And further that** funding in the amount of Ten Thousand Dollars (\$10,000) be allocated in each of the 2018 and 2019 Budgets for the service;

As recommended by the Director Corporate Services & Clerk under Report No. 40/17.

Carried

Manager Committee & Community Services Report No. 41/17 Re: Seniors Community Grant Program 2017-2018

Motion: (RCM-398/17) Moved by Councillor Bill Altenhof  
Seconded by Councillor Brian Houston

**That** Corporate Services & Clerk Report No. 41/17 regarding the Seniors Community Grant Program, 2017-2018 be received.

As recommended by the Manager Committee & Community Services under Report No. 41/17.

Carried

Manager Planning Services Report No. 31/17 Re: Mr. William Leon, 7035 10th Concession Road, Extension of Temporary Use By-law – Garden Suite

Motion: (RCM-399/17) Moved by Councillor Rita Ossington  
Seconded by Councillor Brian Houston

**That** the scheduling of a public meeting, to be held on Tuesday, December 12, 2017 at 6:30 p.m., in accordance with the *Planning Act* for the application submitted by Mr. William Leon ("the applicant") requesting the extension of Temporary Use By-law 2012-63 for an additional three years, in accordance with Section 39.1 of the *Planning Act* to continue to permit the use of a garden suite as an accessory dwelling unit on a 9.6 hectare (23.7 acre) parcel of land situated on the west side of 10th Concession Road (7035 10th Concession Road), approximately 600 metres north of its intersection with County Road 8, be authorized;

As recommended by the Manager Planning Services under Report No. 31/17.

Carried

Drainage Superintendent/Engineering Technologist Report No. 49/17 Re:  
Request for Repair and Improvements to a Municipal Drain – Antaya Drain

Motion: (RCM-400/17) Moved by Councillor Andrew Dowie  
Seconded by Deputy Mayor Joe Bachetti

**That** Dillon Consulting Limited (Dillon) be appointed Drainage Engineer to:

- I. make an examination of drainage area as submitted by the Drainage Superintendent for the Town of Tecumseh in the “Notice of Request for Drain Improvement” dated September 15, 2017; and
- II. to prepare a Drainage Report for the Antaya Drain in accordance with Section 78 of the Drainage Act, including provisions for future maintenance of the Drain.

As recommended by the Drainage Superintendent/Engineering Technologist under Report No. 49/17.

Carried

Director Public Works & Environmental Services Report No. 50/17 Re:  
Backwater Valve Inspector Temporary Position

Motion: (RCM-401/17) Moved by Councillor Brian Houston  
Seconded by Councillor Bill Altenhof

**That** a Backwater Valve Inspector be retained on a temporary basis to conduct initial inspections to assist in processing the Foundation Drain Disconnection & Backwater Valve Installation Subsidy Program applications for a contract period of nine (9) months;

**And that** the wage for the Backwater Valve Inspector of \$37,000 be funded from the Wastewater Operating budget.

As recommended by the Director Public Works & Environmental Services under Report No. 50/17.

Carried

Drainage Superintendent/Engineering Technologist Report No. 52/17 Re:  
Request for Repair and Improvements to a Municipal Drain - Appointment of Drainage Engineer – Gouin Drain

Motion: (RCM-402/17) Moved by Councillor Rita Ossington  
Seconded by Councillor Brian Houston

**That** Dillon Consulting Limited (Dillon) be appointed Drainage Engineer to:

- I. make an examination of drainage area as submitted by the Drainage Superintendent for the Town of Tecumseh in the “Notice of Request for Drain Improvement” dated September 15, 2017; and
- II. to prepare a Drainage Report for the Gouin Drain in accordance with Section 78 of the Drainage Act, including provisions for future maintenance of the Drain.

As recommended by the Drainage Superintendent/Engineering Technologist under Report No. 52/17.

Carried

Manager Roads & Fleet Report No. 53/17 Re: Association of Municipalities of Ontario Electric Truck Pilot Program

Motion: (RCM-403/17) Moved by Councillor Bill Altenhof  
Seconded by Councillor Andrew Dowie

**Whereas** municipalities purchase and maintain fleet vehicles in order to provide necessary services to their communities;

**Whereas** emerging electric vehicle and hybrid technologies have the potential to significantly improve the environmental impact of municipal fleets by reducing their GHG emissions;

**Whereas** municipal fleet managers make significant and costly decisions on the fleet vehicles they purchase and these vehicles may be part of municipal fleets for several years;

**Whereas** more data and information is necessary to encourage municipal adoption of new green technologies and to help make decisions about the most appropriate applications;

**Whereas** AMO is proposing to apply to the Municipal GHG Challenge Fund to procure electric trucks which will be loaned to participants in the pilot and members to test and measure usage;

**Be it resolved that** the Council of the Town of Tecumseh will participate in and support the AMO Electric Truck Pilot Project alongside other interested municipal governments, including by partnering with AMO, in the application for grant funding from the Municipal GHG Challenge Fund.

As recommended by the Manager Roads & Fleet under Report No. 53/17.

Carried

Discussion is held on the recycling of parts from electric vehicles and the overall impact on the environment.

Drainage Superintendent/Engineering Technologist Report No. 54/17 Re: Request for Repair and Improvements to a Municipal Drain - Appointment of Drainage Engineer – Desjardins Drain

Motion: (RCM-404/17) Moved by Councillor Brian Houston  
Seconded by Councillor Rita Ossington

**That** Dillon Consulting Limited (Dillon) be appointed Drainage Engineer to:

- I. make an examination of drainage area as submitted by the Drainage Superintendent for the Town of Tecumseh in the "Notice of Request for Drain Improvement" dated September 15, 2017; and
- II. to prepare a Drainage Report for the Desjardins Drain in accordance with Section 78 of the Drainage Act, including provisions for future maintenance of the Drain.

As recommended by the Drainage Superintendent/Engineering Technologist under Report No. 54/17.

Carried

Discussion is held on the appointment of drainage engineers, the limited availability and the costs.



Manager Roads & Fleet Report No.55/17 Re: Sanitary Sewer Collection System Rehabilitation Project PART II Request for Proposals - Proposal Award

Motion: (RCM-405/17) Moved by Deputy Mayor Joe Bachetti  
Seconded by Councillor Brian Houston

**That** the Proposal for the Clean Water & Wastewater Fund (CWWF) Sanitary Sewer Collection System Rehabilitation Project PART II in the estimated amount of \$1,492,900 excluding HST be awarded to Sewer Technologies Inc. in a reduced amount of \$1,026,000 excluding HST; and

**That** the Mayor and Clerk be authorized to execute an agreement, satisfactory in form to the Town's Solicitor, with Sewer Technologies Inc.; and

**That** the estimated cost of \$1,026,000 including non-rebateable HST, for the renewal and rehabilitation of sanitary sewer pipe, manholes and the rehabilitation of sanitary sewer service connections in the Town of Tecumseh wastewater system, be a charge against the CWWF Sanitary Sewer Collection System Rehabilitation Project PART II.

As recommended by the Manager Roads & Fleet under Report No. 55/17.

Carried

Drainage Superintendent/Engineering Technologist Report No. 56/17 Re: Request for Repair and Improvements to a Municipal Drain - Appointment of Drainage Engineer – Lachance Drain

Motion: (RCM-406/17) Moved by Councillor Rita Ossington  
Seconded by Councillor Tania Jobin

**That** Dillon Consulting Limited (Dillon) be appointed Drainage Engineer to:

- I. make an examination of drainage area as submitted by the Drainage Superintendent for the Town of Tecumseh in the "Notice of Request for Drain Improvement" dated September 15, 2017; and
- II. to prepare a Drainage Report for the Lachance Drain in accordance with Section 78 of the Drainage Act, including provisions for future maintenance of the Drain.

As recommended by the Drainage Superintendent/Engineering Technologist under Report No. 56/17.

Carried

(RCM 18-11)

**BY-LAWS**

There were no by-laws presented to Council.

(RCM 18-12)

**UNFINISHED BUSINESS**

The Members received the Unfinished Business listing.

**Bill 148 Fair Workplaces Better Jobs Act**

The Mayor informed members that a letter was received from the Ministry of Municipal Affairs advising the Town of proposed amendments to Bill 148.

**Riverside Trail**

Administration is directed to respond to Mr. Crowder's request for acknowledgement of his letter regarding the Riverside Trail and to notify him that a report will come to Council in the future on this matter.

(RCM 18-13)

## **NEW BUSINESS**

### **Bill 160**

Motion: (RCM-407/17) Moved by Deputy Mayor Joe Bachetti  
Seconded by Councillor Rita Ossington

**That** the Mayor be authorized, on behalf of Tecumseh Council, to send a letter to the Premier of Ontario, Hon. Kathleen Wynne, advising of the Town's support of the submissions by AMO to the Standing Committee regarding *Bill 160 Strengthening Quality and Accountability for Patients Act, 2017* and request for amendments to the *Fire Protection and Prevention Act* and the *Ambulance Services Collective Bargaining Act* that would prevent arbitrators the scope of authority to impose a fire-medical service delivery on an unwilling municipal government;

**And that** a copy of the letter be sent to the Minister of Health and Long Term Care, Hon. Dr. Eric Hoskins; Minister of Community Safety and Correctional Services, Hon. Marie-France Lalonde; Minister of Labour, Hon. Kevin Flynn; Minister of Municipal Affairs, Hon. Bill Mauro; Local MPPs, AMO, County of Essex and area municipalities.

Carried

### **2018 Draft Budget and Business Plan**

The Chief Administrative Officer, the Director Financial Services & Treasurer and the Deputy Treasurer & Tax Collector present the 2018 Proposed Business Plan and budget.

Motion: (RCM-408/17) Moved by Councillor Andrew Dowie  
Seconded by Councillor Brian Houston

**THAT** the 2018 Proposed Business Plan and Budget presentation, be received.

Carried

(RCM 18-14)

## **MOTIONS**

Motion: (RCM-409/17) Moved by Councillor Rita Ossington  
Seconded by Councillor Bill Altenhof

**That** By-law 2017-76 being a by-law to confirm the proceedings of the November 14, 2017, regular meeting of the Council of The Corporation of the Town of Tecumseh be given first, second, third and final reading.

Carried

(RCM 18-15)

## **NOTICES OF MOTION**

No motions were presented to Council.

(RCM 18-16)

**NEXT MEETING**

**Tuesday, November 21, 2017**

4:30 pm Special Council Meeting Re: 2018 Draft Budget and Business Plan.

**Wednesday, November 22, 2017**

5:00 pm Special Council Meeting Re: 2018 Draft Budget and Business Plan, if required.

**Tuesday, November 28, 2017**

5:00 pm Policies and Priorities Committee

6:00 pm Special Council Meeting Re: Committee Appointments and Award Nominations

7:00 pm Regular Council Meeting

(RCM 18-17)

**ADJOURNMENT**

Motion: (RCM-410/17) Moved by Councillor Brian Houston

Seconded by Councillor Andrew Dowie

**That** there being no further business the November 14, 2017 regular meeting of Council now adjourn at 10:07 pm.

Carried

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Gary McNamara, Mayor

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Laura Moy, Clerk

**MINUTES OF A SPECIAL MEETING OF  
THE COUNCIL OF THE TOWN OF TECUMSEH**

Tecumseh Council meets in special session on Tuesday, November 21, 2017, in the Council Chambers, 917 Lesperance Road, Tecumseh, Ontario at 4:30 pm.

(SCM 8-1)

**ORDER**

The Mayor calls the meeting to order at 4:30 pm.

(SCM 8-2)

**ROLL CALL**

Present:	Mayor	- Gary McNamara
	Deputy Mayor	- Joe Bachetti
	Councillor	- Bill Altenhof
	Councillor	- Andrew Dowie
	Councillor	- Brian Houston
	Councillor	- Tania Jobin
	Councillor	- Rita Ossington
Also Present:	Chief Administrative Officer	- Tony Haddad
	Director Corporate Services & Clerk	- Laura Moy
	Director Financial Services & Treasurer	- Luc Gagnon
	Director Fire Services & Fire Chief	- Doug Pitre
	Director Public Works & Environmental Services	- Dan Piescic
	Director Planning & Building Services	- Brian Hillman
	Director Parks & Recreation Services	- Paul Anthony
	Director Information & Communication Services	- Shaun Fuerth
	Deputy Fire Chief	- Chad Mactier
	Deputy Treasurer & Tax Collector	- Tom Kitsos
	Manager Water & Wastewater	- Denis Berthiaume
	Manager Parks & Horticulture	- Casey Colthurst
	Manager Facilities	- Ray Hammond
	Manager Building Services & Chief Building Official	- Mike Voegeli
	Manager Engineering Services	- Phil Bartnik
	Manager Roads & Fleet	- Kirby McArdle
	Manager Recreation Programs & Events	- Kerri Rice
	Manager Planning Services	- Chad Jeffery
	Manager Strategic Initiatives	- Lesley Racicot

(SCM 8-3)

**DISCLOSURE OF PECUNIARY INTEREST**

There is no pecuniary interest declared by a Member of Council.

(SCM 8-4)

**DELEGATIONS**

None.

(SCM 8-5)

**COMMUNICATIONS**

- A. 2018 Tecumseh Business Plan & Budget - Operating Lifecycle & Reserves, as submitted to Town Council on November 14, 2017

Motion: (SCM-19/17) Moved by Deputy Mayor Joe Bachetti  
Seconded by Councillor Brian Houston

**That** the 2018 Tecumseh Business Plan & Budget - Operating Lifecycle & Reserves, as submitted to Town Council on November 14, 2017, be received.

Carried

(SCM 8-6)

**REPORTS**

Each of the Directors gives a brief overview of their respective departments' budgets and address queries by the Members.

- A. Director Financial Services & Treasurer
- B. Chief Administrative Officer
- C. Director Information & Communication Services
- D. Director Corporate Services & Clerk

The meeting recesses at 5:50 pm for dinner and reconvenes at 6:15 pm.

- E. Director Fire Services & Fire Chief
- F. Director Parks & Recreation Services
- G. Director Public Works & Environmental Services
- H. Director Planning & Building Services

The Director Financial Services gives a summary of the Lifecycle Reserves and Reserves.

Motion: (SCM-20/17) Moved by Deputy Mayor Joe Bachetti  
Seconded by Councillor Brian Houston

**That** a pre-commitment be made in the Parks & Recreation Capital Works Plan of \$400,000 for an [Sportsplex] to be funded from the Tax Stabilization funds.

**Recorded Vote:**

Mayor Gary McNamara	Support
Deputy Mayor Joe Bachetti	Support
Councillor Tania Jobin	Support
Councillor Brian Houston	Support
Councillor Bill Altenhof	Support
Councillor Andrew Dowie	Support
Councillor Rita Ossington	Support

Carried

In response to a request, a brief update is given on the CIP and Tecumseh Streetscape Project by the Director Public Works & Environment Services.

Discussion is held on a rate abatement program and whether such a program would reduce the rat population.

Motion: (SCM-21/17) Moved by Deputy Mayor Joe Bachetti  
Seconded by Councillor Rita Ossington

**That** the 2018 Business Plan and Budget as presented at the November 21, 2017 Special Meeting of Council, be accepted.

Carried

Motion: (SCM-22/17) Moved by Councillor Brian Houston  
Seconded by Councillor Bill Altenhof  
**That** the November 22, 2017 Special Council Meeting be cancelled.  
Carried

(SCM 8-7)

**ADJOURNMENT**

Motion: (SCM-23/17) Moved by Councillor Andrew Dowie  
Seconded by Councillor Brian Houston  
**THAT** there being no further business the November 21, 2017  
special meeting of Council now adjourn at 8:47 pm.  
Carried

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Gary McNamara, Mayor

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Laura Moy, Clerk

**MINUTES OF A PUBLIC MEETING OF  
THE COUNCIL OF THE TOWN OF TECUMSEH**

Tecumseh Council meets in Public Session on Tuesday, November 14, 2017, in the Council Chambers, 917 Lesperance Road, Tecumseh, Ontario at 6:00 pm.

(PCM 13-1)

**ORDER**

The Mayor calls the meeting to order at 6:04 pm.

(PCM 13-2)

**ROLL CALL**

Present:	Mayor	- Gary McNamara
	Deputy Mayor	- Joe Bachetti
	Councillor	- Bill Altenhof
	Councillor	- Andrew Dowie
	Councillor	- Brian Houston
	Councillor	- Tania Jobin
	Councillor	- Rita Ossington
Also Present:	Chief Administrative Officer	- Tony Haddad
	Director Corporate Services & Clerk	- Laura Moy
	Director Public Works & Environmental Services	- Dan Piescic
	Drainage Superintendent/Engineering Technologist	- Sam Paglia
	Director Planning & Building Services	- Brian Hillman
	Director Parks & Recreation Services	- Paul Anthony
	Deputy Clerk & Manager Legislative Services	- Jennifer Alexander
	Manager Engineering Services	- Phil Bartnik
	Manager Roads & Fleet	- Kirby McArdle
	Manager Planning Services	- Chad Jeffery
	Solicitor	- Ed Hooker

(PCM 13-3)

**DISCLOSURE OF PECUNIARY INTEREST**

There is no pecuniary interest declared by a Member of Council.

(PCM 13-4)

**DELEGATIONS**

The Manager Planning Services explains the purpose of this evening's meeting is to hear from stakeholders on a proposed Plan of Subdivision and Zoning By-law Amendment for a property located on the north-east corner of the 8<sup>th</sup> Concession Road and County Road 46 intersection within the Oldcastle Business Park.

He describes the proposed Plan of Subdivision as submitted to the County of Essex, the approval authority, as well as the proposed Zoning By-law Amendment submitted to the Town for approval.

The members are informed about how these proposals conform to the Provincial Policy Statement, County of Essex Official Plan, Sandwich South Official Plan and Zoning By-law.

**Santarossa (106110 Ontario Inc.)**

Solicitor for the applicant, Brian Chillman, discusses the application for the subdivision and zoning by-law application. There is no Official Plan application for this property; the land is designated as Business Park. The reason for this

Zoning By-Law Amendment application is to meet the business demands in the area. The applicant is requesting to be able to reduce the size of the lots as reflected in the Industrial Zone (M1) classification. The proposed subdivision has nine lots ranging from 2.4 acres to 14.37 acres; the majority are below five acres. This location is attractive to business due to access to the 401 Highway and has municipal services.

**Planner for Dillion Consulting Limited, Melanie Muir**

Ms. Muir discusses the strategic economic advantages of the property including the close proximity to the 401 Highway, Windsor, Essex County and the Town. The Traffic Impact Study has been completed and there are no issues identified. The study found that County Road 46 and 8<sup>th</sup> Concession Road have adequate traffic movement and can accommodate more traffic from this development. There is a provision for an interior roadway which will take pressure off the existing roads and most of the employment will be shift work which will ease the flow of traffic. This application is requesting to change the lot sizes to meet the business requirements for business to thrive. This development will attract new development and employment which will increase the Town's tax base.

Mr. Chillman reassures members that there is strong demand from interested parties for these new sized lots. This area is ideal for economic development and is confident this application will meet the needs of businesses once the development has begun.

**Applicant, Max De Angelis**

Mr. De Angelis discusses the reasoning of the proposed smaller lot sizes to accommodate the needs of the business community. The layout of the properties provides the maximum amount of businesses and economic opportunity for the Town. He indicates to the members some of the challenges with stormwater management and the financial strain on employers. Mr. De Angelis has had conversations with local business owners and they would like to remain in the area and expand their business. The layout and lot sizes of the properties provide the most flexibility and the maximum amount of business and economic opportunity to the Town and community from tax base perspective. The proposed properties are subject to site plan control and review and these properties are independent of Mr. Del Duca's property with non-competing uses. He stresses the importance of developing these properties as there is demand and business will go elsewhere.

The Mayor asks members if there are any questions at this time. A member of Council asks Ms. Muir to clarify remarks regarding the potential for increased traffic congestion on 8<sup>th</sup> Concession Road, if the Business Park Zone were to remain. Ms. Muir explained that the traffic analysis reviewed the traffic patterns in this area and since the current Business Park classification permits commercial businesses, the effect could be a higher flow of traffic and more stress on the road network than a light industrial classification.

A member asks what type of business would reside in this proposed subdivision. Mr. De Angelis indicated that the demand for these lot sizes are mould shops, CNC equipment, and research and development companies.

**Resident, Perry Burford**

The Town's Official Plan is 20 years old and he asks members why there is not an updated plan. Mr. Burford indicates that there are no secondary plans aimed at the Santarossa property or the Del Duca property. He would like to see public input on these types of decisions at the beginning of the planning application process. The timing of this meeting and the OMB hearing is put to question with members.

The Mayor informs the resident that the timing of the OMB hearing for the Del Duca property is not determined by Council and that the timing of the Santarossa meeting is a function of when the application was filed with the Town.



**Resident, Judy Wellwood-Robson**

The resident addresses the members of Council on the importance of having a detailed plan of the Oldcastle area. Mrs. Wellwood-Robson expresses that there was not a sufficient amount of public consultation on this application; and public education regarding the types of business that are permitted with these land classifications. Mrs. Wellwood-Robson discusses the M1 Zone classification regarding the impact and expansion of economic development in the area. She suggests more commercial businesses such as restaurants in the area which creates a vibrant community and meets the needs of residents. She urges members to have more public consultation on this application, and objects to the application indicating that one meeting is not sufficient time for Council to address public concerns. There needs to be more time and a plan of design for Oldcastle area.

Director of Planning and Building addresses Mrs. Wellwood-Robson concerns with the Town not having a new Official Plan. The current Official Plan has sufficient policies for good planning development decisions. He also notes that it is normal for Official Plans to extend beyond a 5 year life. There is reference to the City of Windsor and the multi-year process in updating their official plan which is ongoing.

There has been very limited growth with the Town since amalgamation with the exception of industrial growth and there is a need to accommodate for this growth. Director Planning & Building Services indicates that the final process for this application is to seek approval on the plan subdivision from the County, and that the plan subdivision process is adequate for the orderly subdivision of the property. There is no regulation that mandates the Town to establish a secondary plan for the area.

Director Planning & Building Services indicates that Mrs. Wellwood-Robson and another resident did meet with the Town to consult and provide information on a variety of subjects including the planning process for future development of the remaining Hamlet Development lands in Oldcastle. There are many competing interests in this area from business, residents, and the Province however, he notes that it was from his perspective a very positive meeting and that more would follow.

The Director Planning & Building Services made comment to the concern on the timing of the OMB Hearing with this meeting as an unfortunate coincidence. The applicant has been working on this application for over a year and a September public meeting had originally been sought but ultimately, due to various reasons, the November 14 , 2017 meeting date was selected.

The Deputy Mayor addresses the resident on the remarks about a planning committee for this development application similar to the Maidstone Hamlet development. He did not recall any homes being built from that planning process from 20 years ago. The community wanted this committee but no residential development has resulted from it. Council must find the balance between community, residents, and business needs. In Oldcastle, there is a heavy presence of light industrial with a component of residential as seen with Council's road tour earlier in October. Members need to maintain communication efforts between residents and the Town. There is a commitment from this Council to see this area vibrant. There is merit to the application presented and in the future there may be some consideration to establishing some form of committee.

**Resident, Judy Wellwood-Robson**

The resident responds to the Deputy Mayor's comments and urged members of Council to consider the residents with this application as they will be there all the time. The Business Park was developed to diversify industry and she does not know who this will involve. She addresses members indicating that there was no discussion on developing the residential areas in the long term. She urges members of Council the desire to see a community by design, not one that evolves from these applications. There is demand for residential development as

seen with interest on her property. She indicates the residents are not trying to hold up development, they are asking Council to think this through as this is the first time they are being introduced to this development.

The Mayor addresses the audience indicating that due to time limits this evening, it is preferable that residents address Council if their statement has new information to further this discussion and try to not repeat what has already been said.

**Resident, Roland Peltier**

This development directly impacts both he and his wife who have lived on this property for several years. There is not enough time for public input on this application. Mr. Peltier received a letter a few weeks ago and did not know this meeting was happening tonight on this application. Mr. Peltier was not aware of the Del Duca OMB hearing discussed. There were questions about the development regarding the woodlot boundaries, installation of sewer systems and connection of homes.

The Director Public Works and Environmental Services explains to the resident that the Town has been working on the rollout of sanitary servicing of the Oldcastle Hamlet for the last several years. In the plan, the 8<sup>th</sup> Concession sanitary sewer trunk is extended to North Talbot Road and other areas in 15-20 years. Depending on location, the sanitary sewer would be in front of his residence in the municipal road allowances and not the back of their residential properties.

Mr. Peltier continues to ask members about the application and questions if the access road in the plan would have access to County Road 46 or 8<sup>th</sup> Concession Road, and notes it appears there would be an access point to both of these roads.

The Manager Planning Services indicates that this plan illustrates that there would be no direct driveway access to County Road 46 at 8<sup>th</sup> Concession. The access will be provided through an interior road system with outlets to County Road 46 and 8<sup>th</sup> Concession. Individual properties will not have direct access to these existing roads, they will use the interior road to get to County Road 46 and 8<sup>th</sup> Concession. In respect to the naturalized area, the block contains the entirety of naturalized area plus a 10 metre buffer which is proposed to be conveyed to Essex Region Conservation Authority or another public body. There are other options such as a conservation easement.

Mr. Peltier asks members what is the meaning of the designation Park Open Space in the application.

The Manager Planning Services explains that the Park Open Space is the category for zoning purposes which permits a naturalized area, which would include wood lots and natural heritage areas.

Mr. Peltier discusses the wildlife in this area and is concerned that the wildlife is going to be killed with the increase in traffic as a result of this development. He is concerned that his home will be completely surrounded by industry in the next few years. As a home owner, they have spent money on improvements to their home and concerned that they will be forced to sell their home. One of the benefits of living in this area is the close proximity to all amenities and municipalities.

The Manager Planning Services explains to the resident that the subject property has been designated Business Park for the past 20 years. There is a difference between the Business Park and Industrial (M1) zoning but they both permit light industrial uses, which is what the applicant intends to proceed with this property. This designation permits light industry uses and the development rights have always been with this property. The zoning application is requesting the change in lot sizes and the emphasis on light industrial uses which are more conducive for development that is being proposed.

Mr. Peltier remarks to members that the proposed lot sizes do reflect the type of business that would locate in this area. If this development has small lot sizes, smaller businesses may come in for only a few years and may not stay for the long term. There is concern for an economic downturn like in 2008 and businesses leave and this area becomes a ghost town.

The Mayor comments to the resident on the realities of the economy and Council cannot project its impact on the future of this area. We need to protect what is currently in the area, and the Town is located on one of the busiest international borders for economic activity. This area is in close proximity to the 401 Highway which attracts industry due to good access to markets, the international border and the balance of Ontario. The landowner has a business opportunity and lands are developing in the area which is important to the Town and the region for economic development.

The Mayor stops the discussion stating it was becoming argumentative.

Mr. De Angelis addresses the woodlot concerns and as a developer, he is committed to maintaining the woodlot area. This issue was addressed at the very first meeting regarding this development and the significance of preservation of the area. They have conducted an Environmental Assessment report and a Species at Risk Assessment report to ensure due diligence with preserving the woodlot. Development occurs on the merit of demand and economic and financial feasibility. There is no commercial use to be located on this property. The applicant has done their homework, responded to their client's demands and they are responding to the pent-up demand for industrial lots.

Mr. Chillman addresses Council and indicates that the applicant is required to go through Site Plan Control to address many of the issues raised this evening. Furthermore, Mr. Chillman responds to the comments made by Judy Wellwood-Robson and a desire for a secondary plan for the Oldcastle area which is outside of the scope what is needed for this project. A plan of subdivision ensures orderly development of the land. This applicant and property does not have time to wait and take additional time for additional rezoning applications, due the demands for the property.

Ms. Muir addresses members on the extensive process for the Environmental Impact Assessment on this application. It is concluded from this assessment that to preserve the woodlot area a 10 metre buffer provides additional environmental protection for both the woodlot and area residents. There will be no development in this area.

#### **Resident, Micheline Cornellier**

Mrs. Cornellier addresses the members inquiring clarification on Site Plan Control. The Manager Planning Services explains to the resident that any proposed development that occurs on these properties must go through Site Plan Control which is a process that details the location of the building, parking, landscaping, lighting, and any site amenities on the property. This process ensures that the development is in keeping with the Town requirements and ensures a high development standard.

Mrs. Cornellier inquires about the noise controls regulations. The Manager Planning Services explains that there are noise control measures in place with light industrial classification, which does not allow effluent producing industries including excessive noise. Noise is also regulated through the Ministry of the Environment and Climate Change as well.

Mrs. Cornellier addresses members on the next steps in this application process and timelines. The Manager Planning Services explains that the next step depends on Council's direction. The department will report to Council summarizing issues and offering recommendations to address concerns as well as recommending conditions on the draft plan of subdivision for Council endorsement and forwarding to the County of Essex. If agreeable, a zoning by-

law amendment is brought to Council and if adopted, notices will be issued outlining the appeal options.

Mrs. Cornellier addresses members regarding the municipal services of the development and if sewage attracts certain type of clients and why the change now as this will have a big impact on residences. The Director Public Works & Environmental Services explains that the site has access to the sanitary sewers on the 8<sup>th</sup> Concession Road but the construction of the sewers on-site would be the responsibility of the developers.

The Director Planning & Building Services addresses the resident's concern in the timing of the application and indicates that the market has changed after 17 years and there is a demand for this type of light industrial development. This developer is looking for greater flexibility for a range of industrial users that will bring economic development to the area. Oldcastle industrial area has a history of diversity and lotting fabric of properties in the area. The nature of business is changing and there is a need for this type of flexibility to allow businesses to set up shop and employ people.

**Resident, Jennifer Brook**

Ms. Brook comments to members that she attended a Sanitary Sewer By-law meeting and has concerns regarding the transparency of Council. There are five residential areas that will eventually be surrounded by industrial properties. There are a lot of trucks in this area and changing the zoning from Business Park to Light Industrial will increase truck traffic. This is a safety concern.

Ms. Muir addresses Council about the volume of traffic in the area. The Traffic study summarizes the impact and funneling of traffic and will alleviate this issue along with property turn lanes.

The Director Planning & Building Services explains to the resident that the Traffic Study addresses these matters and clarifies that due to County Road 46 being under the jurisdiction of the County. The County reviews and approves improvements to County Road 46.

The Mayor indicates to the members that the County monitors these roads and the Town has been identified as the gateway corridor to the bridge with Highway 3, Manning Road accesses to the 401 Highway. There are improvements to be made on Manning Road to Highway 3. County Road 46 has been designated by the Ministry as a detour road for 401 Highway. The County is looking at future road capacity and making those improvements. County roads are the County's responsibility even though they intersect in the Town.

The Director Planning & Building Services addresses concerns regarding the three parcels of agriculture land located to the east of the development which are included in the County's Official Plan as part of the Oldcastle settlement area. These areas have been identified as expansion areas for employment by the County. The County's Official Plan is a public document and is available for review by the public.

**Resident, Robert Sherman**

Mr. Sherman indicates to members that he attended the Public Information Centre (PIC) for the Sanitary Sewer By-law. He inquires whether this property is included in the by-law and assessments.

The Manager Engineering Services explains the proposed main and lateral by-law is specific to existing properties. New development is not subject to part 12 charges, but they will pay their fair share through development charges.

A member of Council reminds residents present to sign in and confirm to be notified of when a report will come forward to Council regarding this matter.



ESSEX COUNTY AGRICULTURAL HALL OF FAME

% Gerald Herdman  
6565 Disputed Road  
LaSalle, ON  
N9H 1X8

October 08, 2017

To: All Representatives of Member Organizations and Individual Members of the Essex County  
Agricultural Hall of Fame

From: Dan Diemer, Chairperson - Essex County Agricultural Hall of Fame

Subject: **Nominations for 2018 Hall of Fame Induction**

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The Essex County Agricultural Hall of Fame is accepting nomination forms for the 2018 Induction Ceremony. We ask that you contact the secretary, Gerald Herdman, at 519-969-2641 to request the application and for any questions. *All forms must be typed and all questions answered as completely as possible.* The deadline for applications to be received is December 31, 2017. The information you submit will help determine who will be inducted at the 2018 ceremony held in the spring.

Please note that the secretary must receive the completed nomination form, accompanied by a cheque for \$150.00 by December 31, 2017. The cheque will be cashed only if your nominee is chosen this year.

Thank you for your interest in recognizing persons who have made an outstanding and significant contribution to the development and betterment of Essex County agriculture.



Earlier this fall, the Premier and Minister of Education announced a review of Ontario's student assessment practices. Led by the Minister's Education Advisors, the independent review aims to ensure that Ontario's student assessments are culturally relevant, able to measure a wider range of learning, and better reflect student well-being and equity.

Over the next several weeks, the Advisors will be holding public engagement sessions across the province to seek input on how to improve student assessment.

We request that your organization share the below invitation with your members and networks to support us in inclusive outreach to parents/caregivers, youth, teachers/educators, and community members that may wish to participate from the diverse communities across Ontario.

All members of the community are welcome to attend a public engagement session, at the below times:

- 6:00 – 6:30 p.m. – Open House
- 6:30 – 8:30 p.m. – Roundtable Meeting

Meeting locations, dates and links to register for the public session are below. Child minding will also be provided.

- Ottawa, November 22 – [Register Here](#)
- Ottawa French Session, November 22 – [Register Here](#)
- Barrie, November 27 – [Register Here](#)
- Sudbury, November 30 – [Register Here](#)
- Sudbury French session, November 30 – [Register Here](#)
- Windsor, December 4 – [Register Here](#)

- Hamilton, December 5 – [Register Here](#)
- Toronto, December 8 – [Register Here](#)
- Toronto French Session, December 8 – [Register Here](#)
- Thunder Bay, December 12 – [Register Here](#)

*Note: Advance registration is not required, but does help us with planning and preparations.*

*During registration, there will be an opportunity to advise of any accommodation needs that will support your ability to fully participate in the engagement session in your region.*

The input gathered directly from parents/caregivers, students, teachers/educators, officials, business leaders and the broader community will be used to help develop recommendations for improving Ontario's assessment practices.

**More information on the engagement program and other ways to give input can be found:** [OntarioALearningProvince.ca](https://OntarioALearningProvince.ca)

Dr. Carol Campbell

And on behalf of

Dr. Jean Clinton, Dr. Michael Fullan, Dr. Andy Hargreaves, Dr. Carl James and Kahontakwas Diane Longboat



.



**From:** Michael Powell  
**Sent:** November-08-17 4:05 PM  
**Cc:** Laura Moy  
**Subject:** Contraband Tobacco in Ontario

Please find an email below on behalf of Gary Grant, Spokesperson for the National Coalition Against Contraband Tobacco:

Dear Mayor and Councillors,

Contraband tobacco is a major problem in Ontario, where over 1 in 3 cigarettes consumed is an illegal, untaxed, and unregulated product.

These illegal sales are depriving the governments and taxpayers from collecting their fair share of tax revenue and instead often fund organized crime in the province.

Policing is a priority of all local governments in Ontario, and contraband tobacco puts additional stress on police services across the province.

A 2014 change to the *Provincial Offenses Act* (POA) allows municipal governments to partake in the fines collected on contraband tobacco charges through their local *Provincial Offenses Transfer Agreement*.

Please find attached a draft motion that I, on behalf of the National Coalition Against Contraband Tobacco, am requesting to be brought forward to council for consideration to ensure that the POA Transfer Agreement is setup to allow Tecumseh to collect these often significant fines.

Sincerely,  
Gary Grant  
Spokesperson  
National Coalition Against Contraband Tobacco

DRAFT MOTION - Contraband Tobacco

WHEREAS Federal and provincial governments have invested a great deal of time and money over the last fifty years, in cooperation with stakeholders and industry, to regulate tobacco sales to promote public health and limit the exposure of teenagers and young people to tobacco products;

WHEREAS a campaign promoted by Ontario retailers and police-affiliated organizations has identified the growing threat posed by increased production and sale of contraband cigarettes operating outside of these rules, making it easier for young people to access cigarettes and tobacco products in this province;

AND WHEREAS Local municipalities and authorities in Quebec believe they have succeeded in dramatically cutting contraband sales in that province through action taken under new provincial legislation adopted in 2009, while there is no comparable local strategy to enforce contraband tobacco laws here in Ontario;

THEREFORE BE IT RESOLVED THAT (1) Council request that the Police Services Board consider identifying specific measures to enhance enforcement against the contraband tobacco trade, to estimate the level of contraband activity in the Region, and to report on their findings;

AND THAT (2) By circulation of this resolution if adopted, Council advise local municipalities of the opportunity to address this issue through aggressive enforcement of local license by-laws regulating tobacco sales, and invite municipalities to cooperate in developing a strategy to increase enforcement with a particular focus on schools and retail areas near schools;

AND THAT (3) through correspondence with the Ministry of Finance and other provincial authorities, Staff

(i) confirm that tobacco tax fines, if collected, flow back to the Municipality or; and

(ii) confirm what discretion is available to local authorities to enforce *Tobacco Act* statutes and regulations, either independently or in cooperation with provincial officials.



County of  
Essex

**Office of the Manager, Planning Services**

William J. King, AMCT, MCIP, RPP  
Manager, Planning Services

November 22, 2017

**VIA EMAIL ONLY**

Town of Tecumseh  
Attention: Ms. Laura Moy, Clerk  
917 Lesperance Road  
Tecumseh, ON N8N 1W9

**Re: Official Plan Amendment No. 14 – Village of St. Clair Beach Official Plan  
116 St. Mark's Road  
Town of Tecumseh  
File No.: 37-OP-2017-005**

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Dear Ms. Moy:

Please find attached a Notice of Decision regarding the above noted application.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

**WILLIAM J. KING, AMCT, MCIP, RPP**  
Manager, Planning Services

Enclosure

c.c. Brian Hillman  
MMAH

File No.: 37-OP-2017-005  
Municipality: Town of Tecumseh  
Subject Lands: 116 St. Mark's Road

Date of Decision: November 23, 2017  
Date of Notice: November 23, 2017  
Last Date of Appeal: December 12, 2017

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## NOTICE OF DECISION

With respect to an Official Plan Amendment  
Subsection 17(35) and 21 of the Planning Act

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A decision was made on the date noted above to approve Amendment No. 14 to the Official Plan for the Village of St. Clair Beach, as adopted by By-law 2017-71. The approval authority considered all submissions received on this application, the effect of which helped the approval authority make an informed decision.

### Purpose and Effect of the Official Plan Amendment

The purpose of Official Plan Amendment No. 14 is to change the land use designation on a 1000 square metre parcel of land located on the east side of St. Mark's Road (116 St. Mark's Road), approximately 60 metres south of the intersection with Riverside Drive, from "Single Family Residential" to "Commercial", with a site specific land use policy. The re-designation facilitates the construction of an addition to the existing Lakeview Montessori private school consisting of a gymnasium/auditorium. A copy of the decision is attached.

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### When and How to File An Appeal

Any appeal to the Ontario Municipal Board must be filed with the County of Essex no later than 20 days from the date of this notice as shown above as the last date of appeal.

The appeal should be sent to the attention of the Manager, Planning Services at the address shown below and it must,

- (1) Include a completed **Appellant Form (A1) Planning Act** available from the OMB website [www.elto.gov.on.ca/omb/forms](http://www.elto.gov.on.ca/omb/forms), and
- (2) be accompanied by the fee prescribed under the Ontario Municipal Board Act in the amount of \$300.00, payable by certified cheque or money order to the Minister of Finance.

### Who Can File An Appeal

Only individuals, corporations or public bodies may appeal the decision of the County of Essex to the Ontario Municipal Board. An appeal may not be filed by an unincorporated association or group. However, an appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

### When the Decision is Final

The decision of the County of Essex is final if a Notice of Appeal is not received on or before the last date of appeal noted above.

### Getting Additional Information

Additional information about the amendment, including a complete version of the amendment, is available for public inspection during regular office hours at the County of Essex at the address noted below or from the Town of Tecumseh.

### Mailing Address for Filing a Notice of Appeal:

County of Essex  
360 Fairview Avenue West  
Essex, ON N8M 1Y6

### Submit notice of appeal to the attention of:

William King, Manager – Planning Services  
Tel: (519) 776-6441, Ext. 1329  
Fax: (519) 776-4455

# DECISION

**With respect to Official Plan Amendment # 14  
Official Plan for the Town of Tecumseh  
Subsection 17(34) of the Planning Act**

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I hereby approve Amendment # 14 to the Official Plan for the Town of Tecumseh, as adopted by By-Law 2017-71.

Dated at Essex, Ontario this 23rd of November, 2017

**ORIGINAL SIGNED**

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William J. King, MA, MCIP, RPP  
Manager, Planning Services  
County of Essex



*The Corporation of the*  
**Township of Ignace**

34 Highway 17 West P.O. Box 248 Ignace, ON P0T 1T0

November 13, 2017

<b>RESOLUTION #</b> 718/2017	
<b>Moved By:</b> <i>Chicki Pesola</i>	<b>Seconded By:</b> <i>John Taddeo</i>

**WHEREAS** Weather patterns seem to have changed, in that excessive and prolonged rains are now becoming more frequent and regular,

**WHEREAS** There is an increased chance of flooding, as a result of excessive and prolonged rains;

**WHEREAS** Property owners in areas that are at an increased risk of flooding are often unable to purchase flood insurance to protect their properties;

**WHEREAS** The cost of property repairs after a flood cause financial hardship for individuals, families and businesses.

**NOW THEREFORE IT BE RESOLVED** That the government of Ontario be urged to create a Provincial Flood Insurance Program, to cover those individuals, families and businesses who are unable to secure flood insurance for their properties;

**BE IT FURTHER RESOLVED** That a copy of this motion be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Patrick Brown, Leader of the Progressive Conservative party, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

**BE IT FURTHER RESOLVED THAT** a copy of this motion be send to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

**MAYOR** *[Signature]*

Resolution Results	Recorded Vote (Signatures Required)		
<input checked="" type="checkbox"/> <b>CARRIED</b>	<b>MAYOR AND COUNCIL</b>	<b>YES</b>	<b>NO</b>
<input type="checkbox"/> <b>DEFEATED</b>	<b>John Taddeo</b>		
<input type="checkbox"/> <b>TABLED</b>	<b>Shaun Defeo</b>		
<input type="checkbox"/> <b>RECORDED VOTE</b>	<b>Alan Graver</b>		
<input type="checkbox"/> <b>PECUNIARY INTEREST DECLARED</b>	<b>Lee Kennard</b>		
<input type="checkbox"/> <b>WITHDRAWN</b>	<b>Chicki Pesola</b>		

-----Original Message-----

From: Simona Baggio

Sent: November-21-17

To: Laura Moy

Cc: Dina Salinitri; Jen Kepran

Subject: Exemption from bylaw

Dear Ms. Moy,

As per my conversation with Donna, under the direction of Mike Voegli in the Bylaw Enforcement Department, I am formally requesting an exemption from the sign bylaw for Tecumseh Vista Academy Secondary School signage. We will be placing signs throughout the community to advertise our upcoming Grade 8 Information Night on Wednesday, December 13th. Signs will be removed in the days following our event.

If you have any questions please do not hesitate to contact me via email or at

Best regards,

Simona Baggio

Tecumseh Vista Secondary

Head of Guidance

"> "> "> ----- This email and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return email, delete this email and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal. Unless otherwise stated, opinions expressed in this email are those of the author and are not endorsed by the author's employer. Greater Essex County District School Board -----



## THE CORPORATION OF THE TOWN OF TECUMSEH

Corporate Services & Clerk  
Report No. 36/17

**TO:** Mayor and Members of Council

**FROM:** Christina Hebert, Manager Committee & Community Services

**DATE OF REPORT:** October 12, 2017

**DATE TO COUNCIL:** November 28, 2017

**SUBJECT:** 2018 Cat Spay & Neuter Voucher Program

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### **RECOMMENDATIONS**

It is recommended that:

1. The 2018 Cat Spay & Neuter Voucher Program, as outlined in Corporate Services & Clerk Report No. 36/17, be approved.

### **BACKGROUND**

In 2014, the Town launched the Cat Spay and Neuter Voucher Program. The vouchers, valued at \$50 each, are allocated for the spay or neuter of feral cats to a maximum of five (5) vouchers per caregiver of feral cats and owned cats, to a maximum of three (3) vouchers per household for low income families.

**“Feral Cat”** means the offspring of lost or abandoned pet cats or other feral cats that are not spayed or neutered. Feral cats are not accustomed to contact with people and are typically too fearful and wild to be handled. They do not easily adapt or may never adapt to living as pets in close contact with people.

**“Owned Cat”** means cats that are owned by a household and receive food, shelter and care from the members of a household.

Statistics provided by the Windsor/Essex County Humane Society (WECHS), prior to commencement of the Program, illustrated that the cat overpopulation in Windsor and Essex County is a significant problem. The Town entered into an Agreement with the WECHS to provide a subsidy for the intake of stray cats. While the implementation of the Cat Intake Program was certainly effective, there were still many complaints being received about stray and feral cats in the Town.

For low income families, the cost of spaying and neutering is prohibitive and cannot be accommodated in their monthly budget.

As such, the Program provides an additional opportunity to alleviate the cat overpopulation in Tecumseh.



The initial budget for the Program was \$3,750. In 2016, funding for the Cat Intake Program was reduced and reallocated to the Program, increasing the budget to \$4,750 due to the high demand for vouchers. The funding allocation for the Program was maintained in the Corporate Services & Clerks Department 2017 Budget for Animal Control.

## **COMMENTS**

Caregivers and families of feral cats and owned cats are required to complete an application form and provide proof that they are at least 18 years of age and their primary residence, for at least one year, is in the Town.

Application forms and eligibility for low income vouchers require proof that a family household's before-tax income cannot exceed the Statistics Canada Low Income Cut-Offs.

The Statistics Canada Low Income Cut-Off Table has been slightly revised since 2017 and is as follows:

**Statistics Canada Before-Tax Low Income Cut-Offs**

Size of Family Unit	Maximum Family Income Level (2017)	Maximum Family Income Level (Revised)
1	<b>\$18,520</b>	<b>\$19,266</b>
2	<b>\$23,055</b>	<b>\$23,983</b>
3	<b>\$28,343</b>	<b>\$29,484</b>
4	<b>\$34,414</b>	<b>\$35,799</b>
5	<b>\$39,031</b>	<b>\$40,602</b>
6	<b>\$44,021</b>	<b>\$45,793</b>
7 or more persons	<b>\$49,010</b>	<b>\$50,984</b>

*Source: Statistics Canada Table 2: Low Income Cut-Offs (1992 base) before tax for economic families and persons not in economic families (2015).*

Proof related to family income requires that the applicant provide copies of their Canada Revenue Agency Notice of Assessment, proof of income support under the Ontario Disability Support Program, Ontario Works Income Support, or any other income support program for each family member in a household.

The College of Veterinarians of Ontario (CVO) requires that vouchers not be restricted for use at veterinarians within a particular boundary and as such, the vouchers can be used anywhere in Essex County.

All costs and fees for surgeries over and above the \$50 voucher value are the responsibility of the individual seeking service. Veterinarians are responsible for discussing services required and reaching an agreement with the voucher recipient on the fee and a payment schedule prior to providing service. The Town provides reimbursement of the \$50 (inclusive of HST) per surgery to participating veterinary hospitals, upon receipt of an invoice and the signed voucher.

Correspondence is sent annually to all veterinary hospitals in Windsor and Essex County, as required by the CVO, to inquire of their interest to participate in the current year's Program.

As noted under Corporate Services & Clerks Report No. 20/17, for the 2017 Program, Feral Cat vouchers not redeemed following the initial 120-day expiry period were voided and new Feral Cat vouchers were issued and made available to residents under Phase II. The six (6) low income vouchers for the spay or neuter of Owned Cats were re-allocated to the Feral Cat Vouchers, due to the higher interest in vouchers for Feral Cats.

In Phase II of the Program, 27 vouchers were made available for feral cats, 19 vouchers were issued to date and 8 currently remain available.

Although not all vouchers currently have been redeemed for the 2017 Program, it is anticipated the 2017 Program will be well-utilized. All vouchers issued for the 2014 and 2015 Program were fully utilized and had persons on a waiting list. Following Phase II of the 2016 Program, 7 vouchers remained. The continued positive participation in the Cat Spay & Neuter Voucher Program, along with the Town's Cat Intake Program, demonstrates their successful nature and a reduction in the feral cat population in the Town.

The Cat Spay & Neuter Voucher Program will be continued for 2018 with 95 Vouchers made available, at a continued value of \$50 each. The vouchers will be available in early February 2018 and issued on a first come, first serve basis, with a 120-day expiry period.

Due to the historical low interest in vouchers for Low Income Owned Cats, 92 vouchers will be made available for Feral Cats, to a maximum of five (5) vouchers per caregiver of feral cats and three (3) vouchers allocated for Low Income Owned Cats, to a maximum of three (3) vouchers per household for low income families.

A Media Release will be prepared advising of the Program being offered again in 2018, along with a notice placed in the Shoreline Week and Essex Free Press, as well as on the Town's website, Tecumseh App and Social Media pages [Facebook and Twitter] and displayed on the Town's LED signs.

It has come to the Town's attention that some vouchers may be redeemed for cats that do not meet the program requirement of being feral and, instead, appear to be resident owned pets. The veterinary clinics have assumed that a screening process has been implemented by the Town and therefore the clinics are reluctant to decline service. Melanie Coulter, the Executive Director of the WECHS, has been consulted about this matter and suggests ear tipping as a solution.

Ear tipping is an effective and universally accepted method to identify a spayed or neutered feral cat. The procedure is completed during the spay or neutering surgery while the cat is under anesthesia; where one quarter of the cat's left ear (3/8 inch) is removed. The benefits of ear tipping include:

- identification that feral cats are being cared for within our community,
- reduction of stress on the cat in being recaptured; and
- financial control and accountability of the Program.

There is no additional cost to add ear tipping. The WECHS already has implemented this practice. For the above reasons, and to ensure that the Program is being used as intended, ear tipping will be implemented as a requirement for the 2018 Vouchers.

## **CONSULTATIONS**

Windsor/Essex County Humane Society  
Area Veterinary Hospitals

## **FINANCIAL IMPLICATIONS**

Funding for the Cat Spay and Neuter Voucher Program in the amount of \$4,750 is provided in the 2018 Budget.

## **LINK TO STRATEGIC PRIORITIES**

No.	2017-18 Strategic Priorities	Applicable
1.	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.	✓
2.	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.	
3.	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.	
4.	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.	✓
5.	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.	✓

## **COMMUNICATIONS**

Not applicable ☐

Website ☒ Social Media ☒ News Release ☒ Local Newspaper ☒

This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

Prepared by:

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Christina Hebert, BA (Hons), MA, Dipl.M.A  
Manager Committee & Community Services

Reviewed by:

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Laura Moy, Dipl. M.M, CMM III HR Professional  
Director Corporate Services & Clerk

Recommended by:

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Tony Haddad, MSA, CMO, CPFA  
Chief Administrative Officer

Attachment(s): None

CH/



## THE CORPORATION OF THE TOWN OF TECUMSEH

Corporate Services/Clerk  
Report No. 44/17

**TO:** Mayor and Members of Council

**FROM:** Laura Moy, Director Corporate Services/Clerk

**DATE:** November 17, 2017

**DATE TO COUNCIL:** November 28, 2017

**SUBJECT:** Farm Lease Agreement – John Nostadt  
2018 Crop Year

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### **RECOMMENDATIONS**

It is recommended that:

1. The Corporation of the Town of Tecumseh (Town) enter into a one year term Lease Agreement with John Nostadt, of Nostadt Stock Farms (Nostadt), to farm the Town's 18 acres of farmland located on the south side of Baseline Road at a rate of \$233.00 per acre **be approved**; and that
2. The Mayor and the Clerk **be authorized** to execute a Farm Lease Agreement between the Town and Nostadt for the 2018 Crop Year.

### **BACKGROUND**

The Town is the owner of approximately 18 acres of farmable lands located on the south side of Baseline Road, west of Manning Road (Farmlands).

The Farmlands, along with Fairplay Woods, were retained by the Town following the settlement of the litigation with 424805 Ontario Limited/Ice Track Corporation (424). All of the lands retained by the Town are legally known as Part 2 on Plan 12R-25526. [Appendix A](#) is a map of the Town's Lands.

Following the settlement, 424 entered into a Farm Lease Agreement with Nostadt to farm the lands which it acquired from the Town (424 Lands). The 424 Lands are shown as Part 1 on Appendix A. The lease payment to 424 in 2017 was \$229.50 per acre, plus HST.

The Town also entered into a lease agreement with Nostadt with respect to its Farmlands.

### **COMMENTS**

In the past, and prior to the settlement with 424, the Town received Request for Proposals (RFP) to farm its lands in accordance with the Town's Purchasing Policy No. 17 (Policy).

The Farmlands are located on the south side of Baseline Road with no direct access from the road. The Farmlands may be accessed from the 424 Lands which are currently being leased to Nostadt for

farming purposes. As Nostadt can only access the Farmlands from the 424 Lands, the Town is unable to use the regular RFP process.

The Policy provides the following in Section 3.9 a) ii) and iii):

### **3.9 NON-COMPETITIVE PURCHASES**

- a) *The requirement for competitive bid solicitation for goods, services and construction may be waived under joint authority of the appropriate Department Director and the Purchasing Coordinator and replaced with negotiations by the Department Director under the following circumstances:*
- i. ...
  - ii. *where only one source of supply would be acceptable and cost effective;*
  - iii. *where there is an absence of competition for technical or other reasons and the goods, services or construction can only be supplied by a particular supplier and no alternative exists;...*

Section 3.9 b) of the Purchasing Policy further states that:

*When a Department Director intends to select a supplier to provide goods, services or construction pursuant to subsection 3.9 a), a written report indicating the compelling rationale that warrants a non-competitive selection will be submitted by the Department Director to Town Council for approval.*

This report has been prepared in accordance with Section 3.9 b) of the Policy to recommend the Town enter into a Farm Lease Agreement with Nostadt for the 2018 Crop Year at the rate of \$233.00 per acre, plus HST.

The rate of \$233.00 is in keeping with the rate to be paid by Nostadt to 424 in 2018. It is greater than the 2017 per acre lease payment received by the Town of \$229.50 per acre plus HST, based on a 1.5% increase in the Consumer Price Index.

The Farm Lease Agreement for the 2018 Crop Year has been prepared in keeping with the same provisions of previous agreements. The payment installments have been split 50/50 effective June 1, 2018 and October 1, 2018. In brief summary, Nostadt will be responsible for:

- growing crops and such ancillary tasks necessary to grow the crops;
- all labour, materials and equipment, including the cost of same, for the purpose of the Lease;
- providing to the Ontario Ministry of Agriculture, Food & Rural Affairs a valid Farm Business Registration number to maintain the farm property class rate for the 2018 taxation year;
- giving evidence of public liability and property damage insurance of not less than Two Million Dollars (\$2,000,000) naming the Town as an additional insured on the Farmer's policy of insurance;
- leaving the Farm in good condition in accordance with proper farm husbandry and ready for the next farm crop year; and
- payment of rent in the annual amount of \$4,194 plus HST, as applicable.

The Farm Lease Agreement cannot be assigned or sublet without the prior written approval of the Town and the Town may reduce or eliminate acreage of the Farmlands upon notice to the Farmer.

## **CONSULTATIONS**

Financial Services

## **FINANCIAL IMPLICATIONS**

The lease payment to the Town for the 2018 Crop Year under the Farm Lease Agreement is due in two (2) instalments:

June 1, 2018                \$2,097 plus HST  
October 1, 2018        \$2,097 plus HST

The total lease payment for the 2018 Crop Year is \$4,194 plus HST, as applicable.

## **LINK TO STRATEGIC PRIORITIES**

No.	2017-18 Strategic Priorities	Applicable
1.	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.	
2.	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.	✓
3.	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.	
4.	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.	
5.	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.	

## **COMMUNICATIONS**

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

Prepared by:

Reviewed by:

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Laura Moy, Dipl. M.M, CMM III HR Professional  
Director Corporate Services & Clerk

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Luc Gagnon, CPA, CA, BMath  
Director Financial Services & Treasurer

Recommended by:

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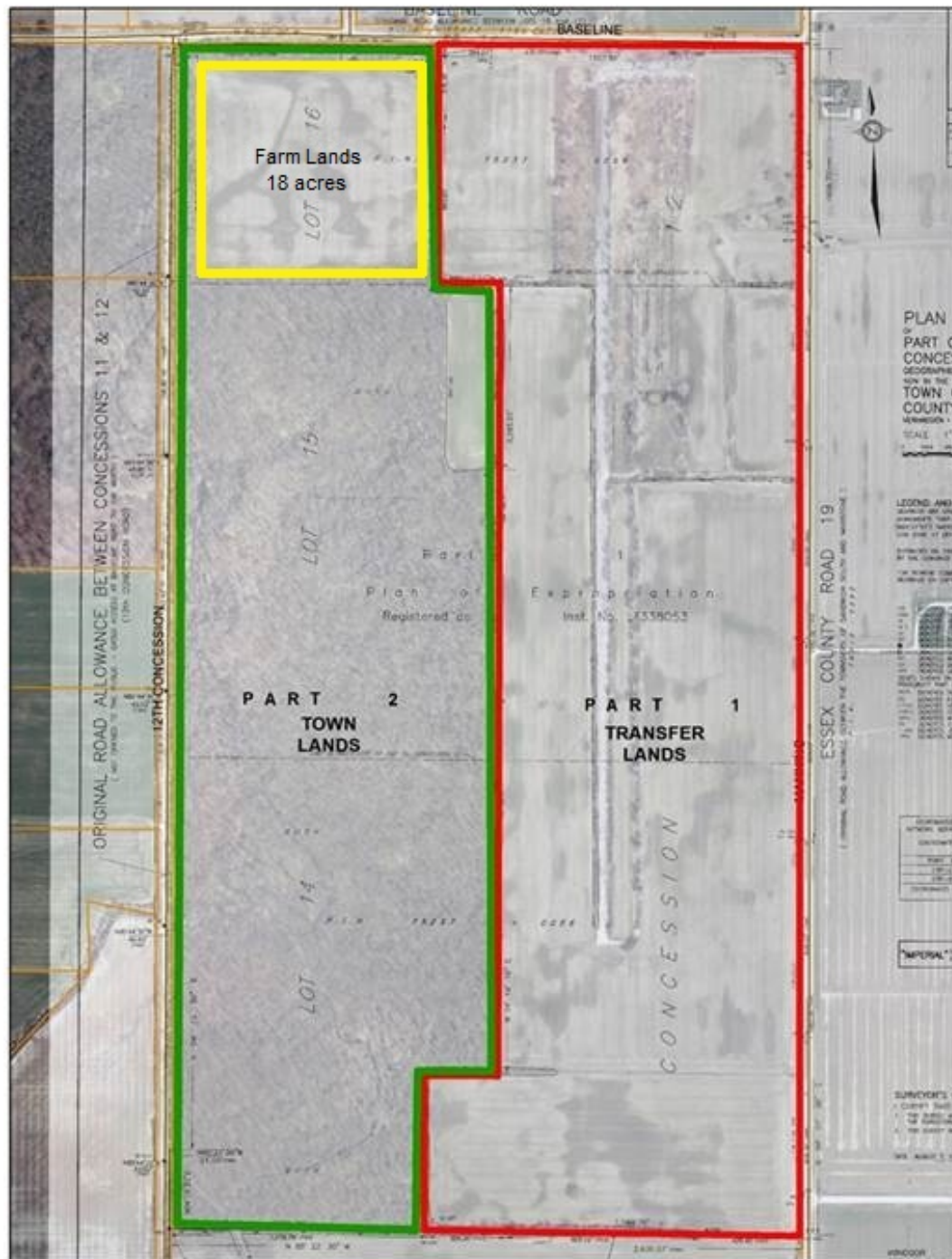
Tony Haddad, MSA, CMO, CPFA  
Chief Administrative Officer

Attachment(s): 1. Appendix A – Map of Town Lands

LM



## Appendix A





## THE CORPORATION OF THE TOWN OF TECUMSEH

Corporate Services & Clerk  
Report No. 45/17

**TO:** Mayor and Members of Council

**FROM:** Laura Moy, Director Corporate Services & Clerk

**DATE OF REPORT:** November 17, 2017

**DATE TO COUNCIL:** November 28, 2017

**SUBJECT:** Skate Pro Lease Agreement Renewal  
Tecumseh Arena

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### **RECOMMENDATIONS**

It is recommended that:

1. The new five year Lease Agreement with The Skate Pro and its owner, Chuck Gravelle commencing May 1, 2018 and ending April 30, 2023, at a monthly fee of \$330 plus HST, with an option to renew for one additional five (5) year term upon providing 120 days' written notice to the Town **be approved**; and that
2. The Mayor and the Clerk **be authorized** to execute the renewed Lease Agreement between the Town and The Skate Pro.

### **BACKGROUND**

The Town entered into a five (5) year Lease Agreement with The Skate Pro, owned and operated by Derek Mercer, commencing May 1, 2013, to provide skate shop services including ice skate sharpening and sporting goods concession at the Tecumseh Arena (Lease Agreement).

The Lease Agreement provided for a monthly fee of \$330 plus HST for the years 2016, 2017 and from January 1, 2018 through April 30, 2018.

An option to negotiate a one-time additional five (5) year lease agreement was also provided for in the Lease Agreement, however, Mr. Mercer provided the Town with written notice in May 2017 of his intent to terminate the Lease Agreement as he was transferring the business, The Skate Pro, to Chuck Gravelle effective June 1, 2017.

Mr. Gravelle provided the Town with written confirmation of his intention to purchase The Skate Pro business and all of the business' assets, and expressed his desire to continue the operation of the skate shop services, including ice skate sharpening and sporting goods concession, at the Tecumseh Arena under the same terms and conditions of the Lease Agreement.

The Town entered into a new one year lease agreement with The Skate Pro and its new owner, for the remaining term of the original Lease Agreement, commencing June 1, 2017 and ending April 30, 2018, at a monthly fee of \$330 plus HST (New Lease Agreement). The New Lease Agreement also contained an option to renew for one additional five (5) year term upon providing 120 days' written notice to the Town.

## **COMMENTS**

Skate sharpening and sporting goods concessions are an essential service at the Tecumseh Arena. The Tecumseh Arena is one of a few local arena facilities to offer in-house skate sharpening. The majority of local arenas has lost their skate shop tenants and is not able to offer on-site skate sharpening.

When prior lease agreements have expired, The Skate Pro was the only business to submit an interest in providing skate sharpening services.

Mr. Gravelle is well known to the Parks & Recreation Department through his involvement in both Tecumseh Minor Baseball and Tecumseh Minor Hockey. His purchase of The Skate Pro business was contingent on being able to enter into a Lease Agreement with the Town for a one year term (remainder of the term of the Lease Agreement), in addition to the option to negotiate terms for a further five (5) years, upon providing the Town with 120 days' notice.

Mr. Gravelle has provided notice and expressed interest in renewing the New Lease Agreement for a further five (5) year period.

It is recommended that the Town enter into a further lease agreement with The Skate Pro for a five year term commencing May 1, 2018, and ending April 30, 2023, with all other terms and conditions of the current agreement.

## **CONSULTATIONS**

Parks & Recreation Services  
Financial Services

## **FINANCIAL IMPLICATIONS**

The Lease Agreement with The Skate Pro provides financial support annually to the Town and offers services to patrons of the Tecumseh Arena which the Town cannot. Revenues from the Lease Agreement are included in the annual operating budget for the Tecumseh Arena.

Renewal of the Lease Agreement will maintain the monthly revenue/fee of \$330, plus HST.

## **LINK TO STRATEGIC PRIORITIES**

<b>No.</b>	<b>2017-18 Strategic Priorities</b>	<b>Applicable</b>
1.	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.	✓
2.	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.	✓
3.	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.	
4.	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.	✓
5.	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.	✓

## **COMMUNICATIONS**

Not applicable ☒

Website ☐

Social Media ☐

News Release ☐

Local Newspaper ☐

This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

Prepared by:

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Laura Moy, Dipl. M.M, CMM III HR Professional  
Director Corporate Services & Clerk

Reviewed by:

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Paul Anthony, RRFA  
Director Parks & Recreation

Recommended by:

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Tony Haddad, MSA, CMO, CPFA  
Chief Administrative Officer

Attachment(s):  
1. Lease Agreement

LM

**THIS AGREEMENT** made this 1st day of May, 2018.

BETWEEN:

**THE CORPORATION OF THE TOWN OF TECUMSEH**  
hereinafter called the "Corporation"

**OF THE FIRST PART**

-and-

**THE SKATE PRO**  
hereinafter called the "Concessionaire"

**OF THE SECOND PART**

**WHEREAS** the Corporation is the owner of the lands and premises known as the Tecumseh Arena, located at 12021 McNorton Street, in the Town of Tecumseh (hereinafter "Tecumseh Arena");

**AND WHEREAS** the Concessionaire has applied to the Corporation for permission to operate a skate shop including ice skate sharpening and sporting goods concession in the Tecumseh Arena;

**WITNESSETH** that in consideration of the mutual covenants, terms and agreements hereinafter expressed, the parties hereto agree as follows:

**THE OWNER COVENANTS AND AGREES:**

1. The Corporation hereby grants permission to the Concessionaire to operate a skate shop, skate sharpening and sporting goods concession in the Tecumseh Arena, located in the lobby and in the area adjacent to the player's hallway, with an area of 210 square feet, for the period from the 1st day of May, 2018, to the 30th day of April, 2023.
2. To provide the required utilities and pay for the same.

**THE TENANT COVENANTS AND AGREES:**

1. The Concessionaire hereby covenants and agrees to pay to the Corporation, rent as follows:
  - a) On the first day of each month commencing the 1st day of May, 2018 through to and including April 30th, 2023, the sum of \$330.00 plus HST.
2. The Lessee shall pay to the Owner all monies owed by the first (1st) day of the month following the month that such charges were incurred. Interest at the rate of one and one-half percent (1.5%) shall be charged on all accounts that are thirty (30) days overdue from the date that the month statements are issued.
3. The Concessionaire further covenants and agrees to supply, install and provide the following:
  - a) Ice skate sharpening machines;
  - b) A blower system for skate sharpening machines in order to keep the skate shop free of grindings, filings and dust.
4. That all shelving and cupboards contained in the room are the property of the Concessionaire.
5. That no re-modeling or structural changes will be made to the room without the prior consent of the Director Parks & Recreation Services.

6. To be responsible for the maintenance of the room and all related equipment.
7. The Concessionaire further covenants and agrees to keep the premises used by them in a clean and sanitary condition at all times and to pick up and remove all waste paper or other materials resulting from the operation of the skate shop.
8. To indemnify and save harmless the Corporation, absolutely from all liabilities however arising, caused or having to do in any way with Concessionaire's rental of the Corporation's facilities.
9. To provide the Corporation with proof of liability insurance from the Concessionaire's insurance carrier of not less than two million (\$2,000,000.00) with the Corporation named as an additional named insured for the duration of this agreement.
10. This agreement may not be transferred or assigned by the Concessionaire. The Concessionaire shall not sublet any portion of the sports/skate shop areas without written approval from the Corporation.
11. Upon termination of this agreement the Concessionaire shall at its own expense remove all of its chattels from the premises and leave the skate shop area in a clean and well maintained state of repair. The Concessionaire shall not be entitled to be compensated for any of the improvements which the Concessionaire may have made to the skate shop area.
12. It is further understood and agreed that at the commencement of each season, the parties hereto shall meet to review and agree upon hours of operation of the Concessionaire's business to ensure such business is open during peak hours of operation.
13. The Concessionaire shall comply with all requirements of the *Workplace Safety & Insurance Act*, the *Occupational Health and Safety Act*, *Environmental Protection Act* and all other applicable law, regulations and by-laws. The Concessionaire shall provide proof from time to time upon request from the Corporation and forthwith upon execution of this document a valid clearance certificate issued by the Workplace Safety and Insurance Board. The Contractor represents to the Corporation and shall ensure that all its employees, agents, volunteers, or others for whom the Concessionaire is legally responsible receive training regarding the provisions of the goods and services contemplated herein to persons with disabilities in accordance with Section 6 of Ontario Regulation 429/07 (the "Regulation") made under the *Accessibility for Ontarians with Disabilities Act*, 2005 as amended (the "Act").
14. It is further understood and agreed that upon the failure of the Concessionaire to carry out any of the provisions of this agreement or any renewal thereof or upon the failure of the parties to agree on minimum hours of operation, this Agreement may be cancelled by either party upon ninety (90) days' written notice.
15. Notwithstanding paragraph 1, the Corporation may terminate this agreement at any time if the Concessionaire fails to perform any of its covenants and obligations provided that the Corporation provides at least thirty (30) days notice in writing of termination. If within the thirty (30) day period the Concessionaire complies with all covenants and obligations contained in this agreement then the notice of termination will become null and void.

16. It is further understood and agreed by and between the parties hereto that all notices, demands and requests which may be or are required to be given by the Corporation to the Concessionaire or by the Concessionaire to the Corporation under the provisions of this agreement, shall be in writing and may be mailed or delivered, and shall be addressed:

in the case of the Concessionaire, to:      The Skate Pro  
647 Gauthier Drive.  
Tecumseh, ON N8N 3K8  
Attention: Chuck Gravelle

or in the case of the Corporation, to:      Town of Tecumseh  
917 Lesperance Road  
Tecumseh, ON N8N 1W9  
Attention: Clerk

or to such other address as either party may from time to time designate by written notice to the other.

17. The Concessionaire has the option to negotiate renewal terms for an additional five (5) year term, upon providing 120 days' notice in writing to the Corporation. If the parties are unable to agree to terms of renewal by April 1, 2023, then this agreement will terminate on April 30, 2023.

18. The parties agree that any disputes pursuant to this agreement will be determined pursuant to the *Arbitrations Act*, R.S.O. 1990, Chapter A-24.

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

<b>SIGNED, SEALED &amp; DELIVERED</b>	)	<b>THE CORPORATION OF THE</b>
In the Presence of:	)	<b>TOWN OF TECUMSEH</b>
	)	
	)	
_____	)	_____
Date	)	Mayor Gary McNamara
	)	
	)	
_____	)	_____
Date	)	Laura Moy, Clerk
	)	We have authority to bind the Corporation
	)	
	)	<b>THE SKATE PRO</b>
	)	
	)	
_____	)	_____
Date	)	Chuck Gravelle
	)	I have authority to bind the Corporation





## THE CORPORATION OF THE TOWN OF TECUMSEH

Planning and Building Services  
Report No. 33/17

**TO:** Mayor and Members of Council

**FROM:** Chad Jeffery, MA, MCIP, RPP  
Manager Planning

**DATE OF REPORT:** November 20, 2017

**DATE TO COUNCIL:** November 28, 2017

**SUBJECT:** Site Plan Control  
Home Hardware Stores Limited  
1613 Lesperance Road  
OUR FILE: D11 HO

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### **RECOMMENDATIONS**

It is recommended that:

1. A by-law authorizing the execution of the *Home Hardware Stores Limited* site plan control amending agreement, satisfactory in form to the Town's Solicitor, which allows for the demolition of a 729 square metre (7,846 square foot) accessory storage building, the construction of a new 2095 square metre (22,550 square foot) addition to the existing Home Hardware commercial establishment and associated on-site services/works on a 1.3 hectare (3.3 acre) property located at the southwest corner of the Lesperance Road/County Road 22 intersection (1613 Lesperance Road), **be adopted**, subject to the following occurring prior to the Town's execution of the Agreement:
  - i) the Owner executing the site plan control amending agreement; and
  - ii) the Owner posting security for performance pursuant to paragraph 5.1 of the amending agreement.
2. The Mayor and Clerk **be authorized** to execute the site plan amending agreement, as attached hereto and/or in such modified version as may be approved by the Town's solicitor prior to execution and such further documents as are called for by the site plan amending agreement approved above including, but not limited to, the execution of the acknowledgement/direction required to register the site plan amending agreement on title to the lands and such other acknowledgement/directions for any related transfers or real property registrations contemplated by the site plan amending agreement.

### **BACKGROUND**

The 1.3 hectare (3.3 acre) subject property is located at the southwest corner of the Lesperance Road/County Road 22 intersection (1613 Lesperance Road) (see Attachment 1). The property is occupied by multiple structures, parking areas and outdoor storage areas associated with the Home

Hardware Building Centre commercial establishment. The property is subject to an existing site plan control agreement, in accordance with Section 41 of the *Planning Act, R.S.O. 1990*.

In early 2017, Town Administration met with the Owner to review a proposal for an addition to the existing commercial building, along with other on-site works. Through the review process, Administration identified that, in order to accommodate the proposed redevelopment of the site, the development would require relief from the Sandwich South Zoning By-law 85-18 in order to allow for:

- i) A reduction in the minimum number of parking spaces required from 214 to 98;
- ii) An increase in the maximum allowable lot coverage from 30% to 31%;
- iii) A reduction in the minimum required landscaped open space from 20% to 8.5%;
- iv) The waiving of the provision requiring a 3.0 metre landscaped buffer strip abutting residential zones and instead permitting a proposed 2.2 metre high wood privacy fence; and
- v) The waiving of the provision that prohibited the placement of outdoor storage within the required minimum yard setbacks where abutting residential zones, in order to permit outdoor storage within these areas.

Accordingly, the owner applied for, and was granted, a minor variance from the Committee of Adjustment at its April 24, 2017 meeting (Application A-10/17). With the support of Administration and the Essex Region Conservation Authority (ERCA), the Committee of Adjustment determined that the relief requested met the four tests of a minor variance application in that: the intent of the Official Plan was maintained, the intent of the Zoning By-law was maintained, the variances resulted in appropriate development for the area, and the variances requested were minor in nature. The decision of the Committee of Adjustment was not appealed and is therefore in full force and effect.

With the exception relief granted by the Committee of Adjustment, the proposed site plan complies with the regulations of the Sandwich South Zoning By-law 85-18.

Based on the foregoing, the owner has filed an application for site plan control amendment in order to facilitate the demolition of the existing 729 square metre (7,846 square foot) accessory storage building located to the rear of the main commercial building and its replacement with a new 2095 square metre (22,550 square foot) addition to the main building. The majority of the proposed addition (1416 square metres/15,241 square feet) will be used for warehousing, with the balance (679 square metres/7,308 square feet) being used for retail floor area. In addition, associated on-site works such as revisions to the existing 72 space parking lot, the introduction of 26 new parking areas along the northern side of the building and additional stormwater management measures are proposed.

Specifically, the proposed site plan drawing (see Attachment 2) depicts:

- The aforementioned addition along the westerly end of the building;
- Revisions to the existing parking area at the front of the building and the introduction of new parking areas along the northern side of the proposed building/building addition. As noted

above, the parking area will accommodate 98 vehicles, will be asphalted and will have infrastructure installed in order to provide proper stormwater drainage; and

- The construction of a new wood privacy fence along the western and southern boundaries of the property where it abuts the rear yards of the abutting residential properties.

## **COMMENTS**

### **Zoning**

The subject property is zoned "General Commercial Zone (C1-2)" and "General Commercial Zone (C1-7)" in the Sandwich South Zoning By-law 85-18 (see Attachment 3). The C1-2 zone applies to the majority of the property and permits the commercial uses/structures that are located on the property. The C1-7 zone applies to the south-eastern portion of the property where it abuts the Lesperance Road/Westlake Drive intersection. The C1-7 zone limits the permitted uses of this portion of the property to a parking lot associated with the Home Hardware commercial development and associated landscaped areas. As noted above, with the relief granted by the Committee of Adjustment, the proposed site plan complies with all the regulations established in the C1-2 and C1-7 zones.

### **County of Essex Setback**

In addition, the owner was advised that approval from the County of Essex would be required for the proposed addition, as the property abuts County Road 22 to the immediate north. The County of Essex establishes building setbacks from County Roads which may be greater than the setbacks established by the municipal zoning by-law. The applicant has advised that approval to construct the proposed addition at the already established setback from County Road 22 for the main building has been provided by the County of Essex.

### **Servicing**

The proposed development will be on full municipal services (sanitary, water and stormwater drainage). All municipal connections will continue to be from Lesperance Road. Stormwater management, which includes appropriate quantity and quality control measures, has been reviewed and approved by the Town.

Public Works and Environmental Services has advised that it has no concerns with the proposed development. The Owner has also been advised that additional approvals from ERCA may be required as a result of the proposed development, prior to the issuance of a building permit.

### **Summary**

In summary, it is the opinion of the writer, along with Town Administration, that the proposed site plan control amending agreement will result in appropriate development that is compatible with the surrounding land uses and is based on sound land use planning principles. Although this development necessitated a number of variances from the Zoning By-law, it is Administration's opinion that the resulting built form and organization on the site (i.e. removal of the open-sided

Planning and Building Services Report No. 33/17  
 Site Plan Control  
 Home Hardware Stores Limited  
 1613 Lesperance Road  
 OUR FILE: D11 HO  
 November 28, 2017

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storage structures with an addition to the main building) along with other site improvements results in a superior commercial development.

Town Administration has reviewed the proposed site plan amending agreement and is prepared to recommend approval of the document and the attached drawing. Wolf Hooker Law Firm (Town Solicitor) has drafted the attached amending agreement (see Attachment 4, with site plan drawing attached thereto as Schedule B) which facilitates the aforementioned redevelopment on the property. As has been the practice of the Town to date, the agreement establishes that a security deposit in the amount of \$20,000 (cash or letter of credit) is required as a condition of approval to ensure all performance obligations of the Owner are fulfilled.

### **CONSULTATIONS**

The application was reviewed at recent Planning Staff Review meeting(s) by:

Manager, Building Services/Chief Building Official  
 Director, Public Works and Environmental Services  
 Manager, Engineering Services  
 Fire Prevention Officer

### **FINANCIAL IMPLICATIONS**

There are no financial implications.

### **LINK TO STRATEGIC PRIORITIES**

No.	2017-18 Strategic Priorities	Applicable
1.	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.	✓
2.	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.	✓
3.	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.	
4.	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.	
5.	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.	

Planning and Building Services Report No. 33/17  
Site Plan Control  
Home Hardware Stores Limited  
1613 Lesperance Road  
OUR FILE: D11 HO  
November 28, 2017

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## **COMMUNICATIONS**

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

Planning and Building Services Report No. 33/17  
Site Plan Control  
Home Hardware Stores Limited  
1613 Lesperance Road  
OUR FILE: D11 HO  
November 28, 2017

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This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

Prepared by:

Prepared by:

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Enrico De Cecco, BA (Hons.), MCIP, RPP  
Junior Planner

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Chad Jeffery, MA, MCIP, RPP  
Manager Planning

Reviewed by:

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Brian Hillman, MA, MCIP, RPP  
Director of Planning and Building Services

Recommended by:

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Tony Haddad, MSA, CMO, CPFA  
Chief Administrative Officer

Attachment(s):

1. Property Location Map
2. Proposed Site Plan, Detail View
3. Zoning Map
4. Proposed Site Plan Control Amending Agreement

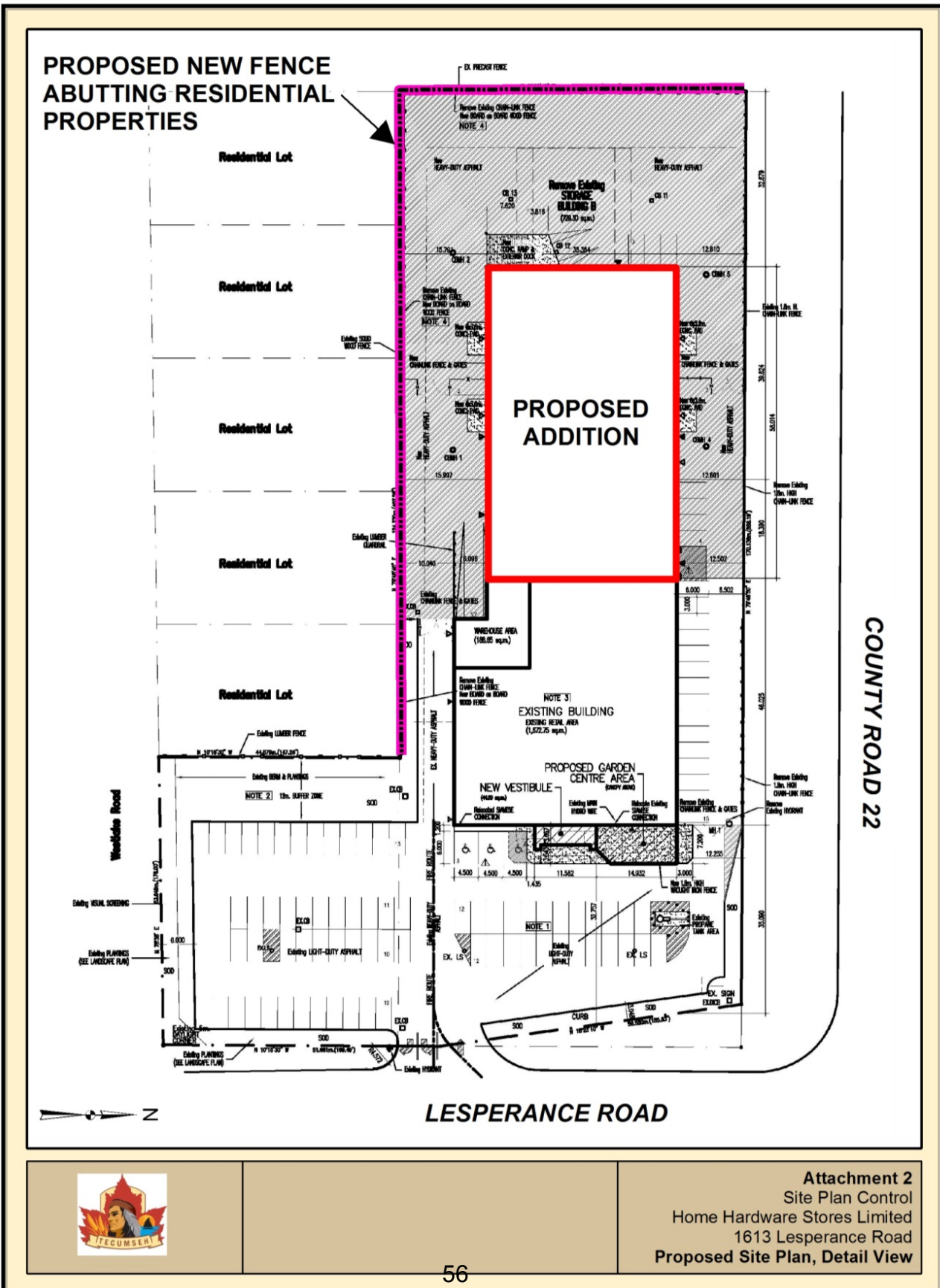
File Name (R:\SITE PLAN CONTROL APPLICATIONS\Site Plan Control Reports to Council\Planning Report 33-17 - D11HO - Home Hardware Amending Agreement.docx)



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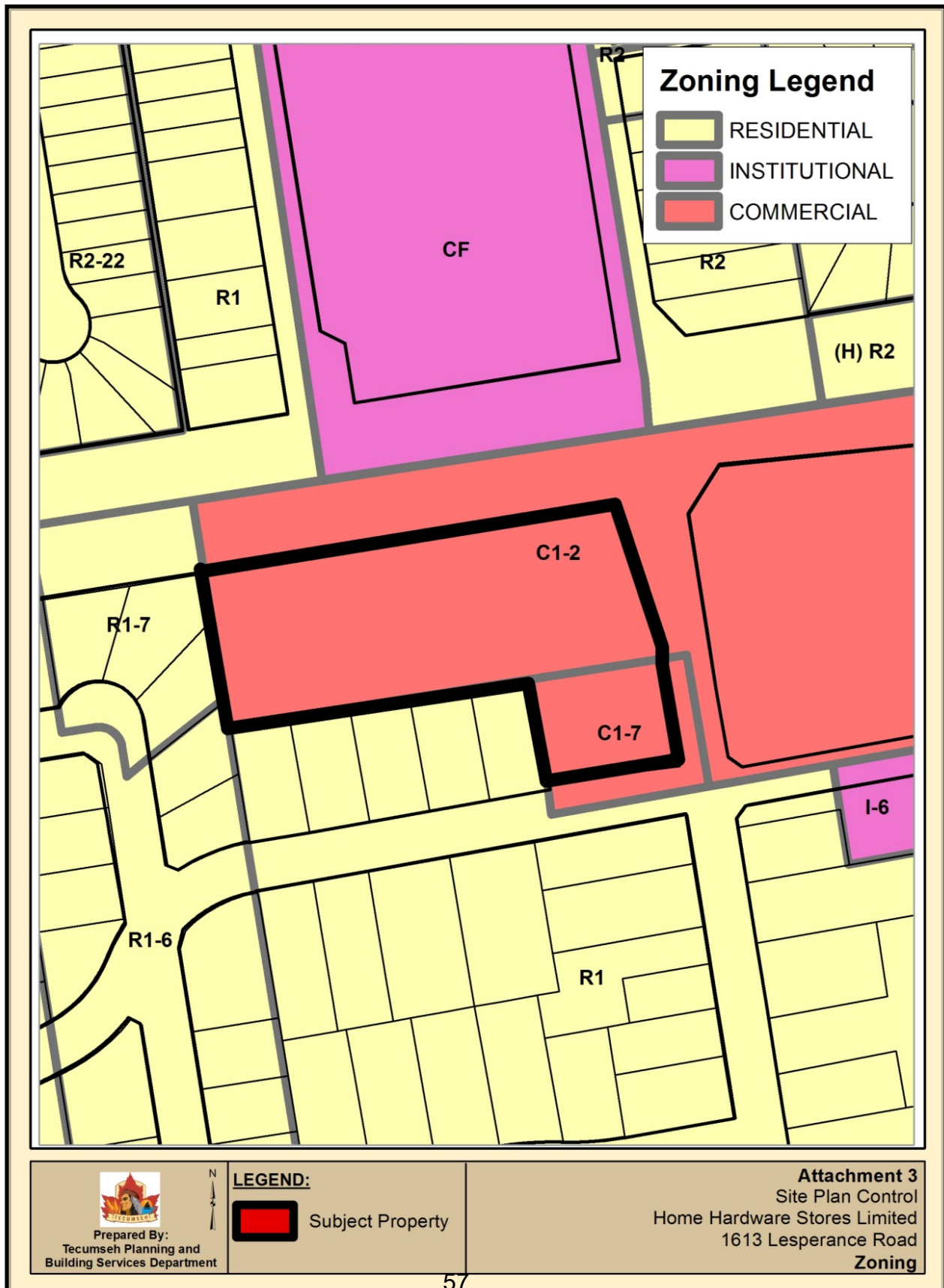


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**Attachment 4**  
Site Plan Control - Home Hardware Stores Limited  
1613 Lesperance Road  
**Draft Site Plan Control Agreement**

**THE CORPORATION OF THE TOWN OF TECUMSEH**

**SITE PLAN CONTROL AMENDING AGREEMENT**

**THIS AGREEMENT** made in triplicate this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**B E T W E E N :**

**THE CORPORATION OF THE TOWN OF TECUMSEH,**  
hereinafter called the “Town”

Of the First Part,

-and-

**HOME HARDWARE STORES LIMITED**  
hereinafter called the “Owner”

Of the Second Part.

**WHEREAS:**

- 1) The Owner owns and has developed that certain parcel or tract of lands and premises, situate, lying and being in the Town of Tecumseh, and being more particularly described in Schedule “A” attached;
- 2) A site plan control agreement (the “Original Site Plan Control Agreement” “Original Agreement”) between the Owner and the former Corporation of the Township of Sandwich South (subsequently amalgamated by Order of the Ministry of Municipal Affairs dated November 18, 1997 as amended December 17, 1998 to form The Corporation of the Town of Tecumseh has been entered into, an execution copy of which was registered in the Land Registry Office for the Registry Division of Essex (No. 12) as instrument No. R1061517 on September 23, 1988, respecting said development;
- 3) The Original Agreement was as amended by an amendment (“Site Plan Control Amending Agreement #1”) registered as R1482217 on January 4, 2000 and further amended by an amendment (Site Plan Control Agreement #2) registered on March 23, 2004 as instrument No. CE65771 and further amended by an amendment (Site Plan Control Amending Agreement #3) registered on July 12, 2004 as instrument No. CE88518;
- 4) The Town has enacted by-laws designating the subject lands as a site plan control area in pursuance of the Planning Act of Ontario and as a condition to the approval of the plans and drawings referred to in subsection 41(4) of the Planning Act, required that this agreement be entered into by virtue of subsection 41(7)(c) of the Planning Act;
- 5) The Original Site Plan Control Agreement, amended by Site Plan Control Amending Agreement #1, Site Plan Control Amending Agreement #2 and Site Plan Control Agreement #3 is hereby further amended as set out herein, all of which is hereinafter referred to as “the Site Plan Control Agreement” and the amendment affects all of the lands described in Schedule A”.
- 6) The Owner has amended the site plan and drawings for the subject lands, and the Town has approved the amendments, together with certain amendments to the text of the Original Agreement;

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the premises, other good and valuable consideration, and the sum of Five dollars (\$5.00) now paid

by the Owner to the Town (the receipt and sufficiency of which is hereby acknowledged), the parties agree as follows:

1) The Site Plan attached as Schedule “B” to the Site Plan Control Agreement, is hereby deleted and repealed, and is hereby replaced by the Site Plan , the original of which has been signed by the parties and is on file with the town and a reduced copy of which is annexed hereto as Schedule “B” hereinafter “the Site Plan”;

2) The Landscape Plan attached as Schedule “C” to the Site Plan Control Agreement, is hereby deleted and repealed, and is hereby replaced by the Landscape Plan, the original of which has been signed by the parties and is on file with the town and a reduced copy of which is annexed hereto as Schedule “C” hereinafter “the Landscape Plan”.

3) The Site Plan Control Agreement is hereby amended to add a Site Services Plan , the original of which has been signed by the parties and is on file with the town and a reduced copy of which is annexed hereto as Schedule “D” hereinafter “the Site Services Plan”

4) The Owner shall, at its own expense, develop the Lands with the amenities, facilities, works, services and in accordance with each and every of the obligations described and set out in this Site Plan Control Agreement, and in accordance with the Site Plan, Landscape Plan and Site Services Plan (all of which are hereinafter collectively called the “Services”).

## 5) SECURITY

5.1 The Owner agrees to provide contemporaneously with the execution hereof, a cash security deposit or irrevocable letter of credit (in form satisfactory to the Town) in the amount of \$20,000.00 to ensure that all of its obligations herein contained are completed to the satisfaction of the Town. The cash security deposit shall be returned to the Owner on completion to the satisfaction of the Town, and final inspection of the obligations of the Owner hereunder.

5.2 The Owner acknowledges that it is the Owner’s sole responsibility to ensure it has rights of access over abutting lands, as may be necessary, for the construction and/or maintenance of the structures placed on the Owner’s lands and that neither execution of this Agreement or issuance of a Building Permit under the Building Code Act does not afford the Owner a right of access over abutting lands.

## 6) CONDITIONS

### 6.1 Conditions Precedent

It is a condition precedent to the coming into force of this Agreement that the Owner complete the following simultaneously with the execution of this Agreement:

- a) Security for performance is posted pursuant to Paragraph 5.1;
- b) Construction lien deposit pursuant to Paragraph 5.2;

### 6.2 Conditions Subsequent

It is a condition subsequent of this Agreement that the Owner complete the following as soon as is reasonably possible subsequent to the execution of this Agreement failing which, the Town may at it’s option elect to terminate this Agreement:

- a) Due registration against the title of the land of this Agreement;
- b) Postponement to this Agreement by all encumbrances;

7) The Owners agree to fulfil all of the covenants set out herein to the satisfaction of the Municipality within ONE (1) year of the date of execution of this Agreement.

8) The Owner shall reimburse the Municipality for all the Municipality costs with respect to the development, including without limiting the generality of the foregoing, the fees and disbursements of its Engineer, and Solicitor. The Municipality shall deliver invoices to the owner in a timely fashion payment for which shall be due immediately.

9) In the event of any default by the Owner in the performance of any of the terms and conditions of this Agreement, the Municipality at its discretion shall, in addition to other remedies available to the Municipality, be entitled to refuse building permits with respect to the development and/or shall be entitled to refuse building and/or occupancy permits with respect to any buildings, and/or shall be entitled to issue stop work orders with respect to any matters in respect of which a building permit has been issued and/or may refuse to grant to the Owner any permissions, permits, certificates, approvals or authorities of any kind or nature which the Owner would have been entitled to receive had the Owner otherwise complied with the Municipality's requirements in this agreement, and/or shall be entitled to refuse to issue releases, all of which may be done until such time as the default has been cured in a manner satisfactory to the Municipality.

10) The owner acknowledges that this agreement is entered into pursuant to section 41(11) of the Planning Act, R.S.O. 1990 c.P.13 and amendments thereto, and that a bylaw has been passed by the Municipality approving the entering into of this Agreement by the Municipality and incorporating the terms of this Agreement into that bylaw, and further that sections 444, 445 and 446 of The Municipal Act, S.O. 2001, c.25 and amendments thereto, applies to all requirements of this Agreement. If the Owner neglects to undertake any matter or thing required to be done by this Agreement and such default continues after SEVEN (7) days of the Owner being given written notice by the Municipality of such default, in addition to other remedies available to the Municipality, the Municipality may direct that such matter or thing shall be done at the expense of the Owner, and the Municipality may recover the costs incurred in doing it, by action or by adding such costs to the tax role and collecting them in the same manner as taxes; the Owner hereby authorizes the Municipality (including, without limiting the generality of the foregoing, its employees, agents and servants) to enter upon the Lands to do any such matter or thing.

11) Pursuant to Section 41(10) of the said Planning Act, R.S.O. 1990, c.P.13 and amendments thereto, this Agreement shall be registered against the Lands to which it applies, as a first charge, at the Owner's expense, and the Municipality is entitled to enforce the provisions hereof against the Owners, who shall be jointly and severally liable for the Owners' covenants and obligations outlined herein, and, subject to the provisions of The Registry Act, R.S.O. 1990, c.R.20 and amendments thereto, and the Land Titles Act, R.S.O. 1990, c.L.5 and amendments thereto, against any and all subsequent owners of the Lands.

12) The Owners hereby consent to the registration of this Agreement on the title of the Lands, said registration (as well as the preparation of this Agreement) to be at the Owners' expense.

13) The owners agree to obtain a postponement of any mortgages or other encumbrances which may affect the Lands.

14) The parties otherwise agree that in all other respects, each and every of the provisions, terms, conditions and covenants contained in the Original Agreement, be and they are hereby ratified and confirmed, to be fully enforced in accordance with their provisions.

15) In the event of conflict between this amending agreement and the Site Plan Agreement, the terms of this Agreement shall govern.

16) This agreement shall enure to the benefit of and be binding upon the parties hereto, their respective successors and assigns.

*See next page for signing.....*

a) prepared this agreement or any part of it; or  
b) seeks to rely on this agreement or any part of it.

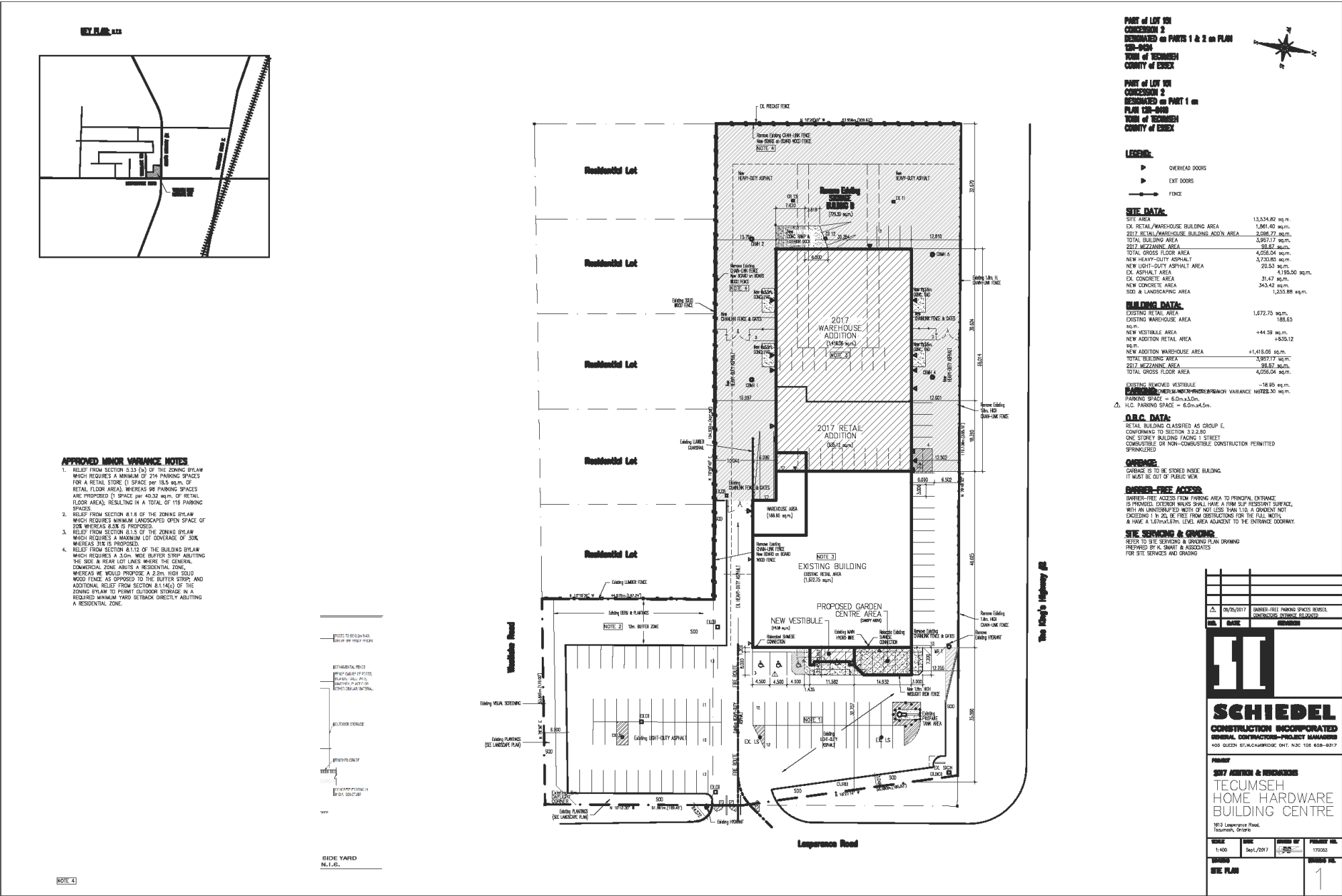
Signed, sealed and delivered  
in the presence of:

)  
)  
)  
) Per:  
) Name: Gary McNamara  
) Title: Mayor  
) c/s  
) Per:  
) Name: Laura Moy  
) Title: Clerk  
) "We have authority to bind the Corporation"  
)  
) **HOME HARDWARE STORES LIMITED**  
)  
) Per:  
) Name: Terry Davis  
) Title: CEO  
) c/s  
)  
) Per:  
) Name: Dianne McTavish  
) Title: Vice President and Corporate Secretary  
) "We have authority to bind the Corporation"

Schedule “A”

Part Lot 151 Concession 2 Sandwich East, Part 1 on 12R-8419 and Part 1 on 12R-9424 except  
Part 1 on 12R-20974; Tecumseh being PIN: 75243-0466

## Schedule “B” Site Plan

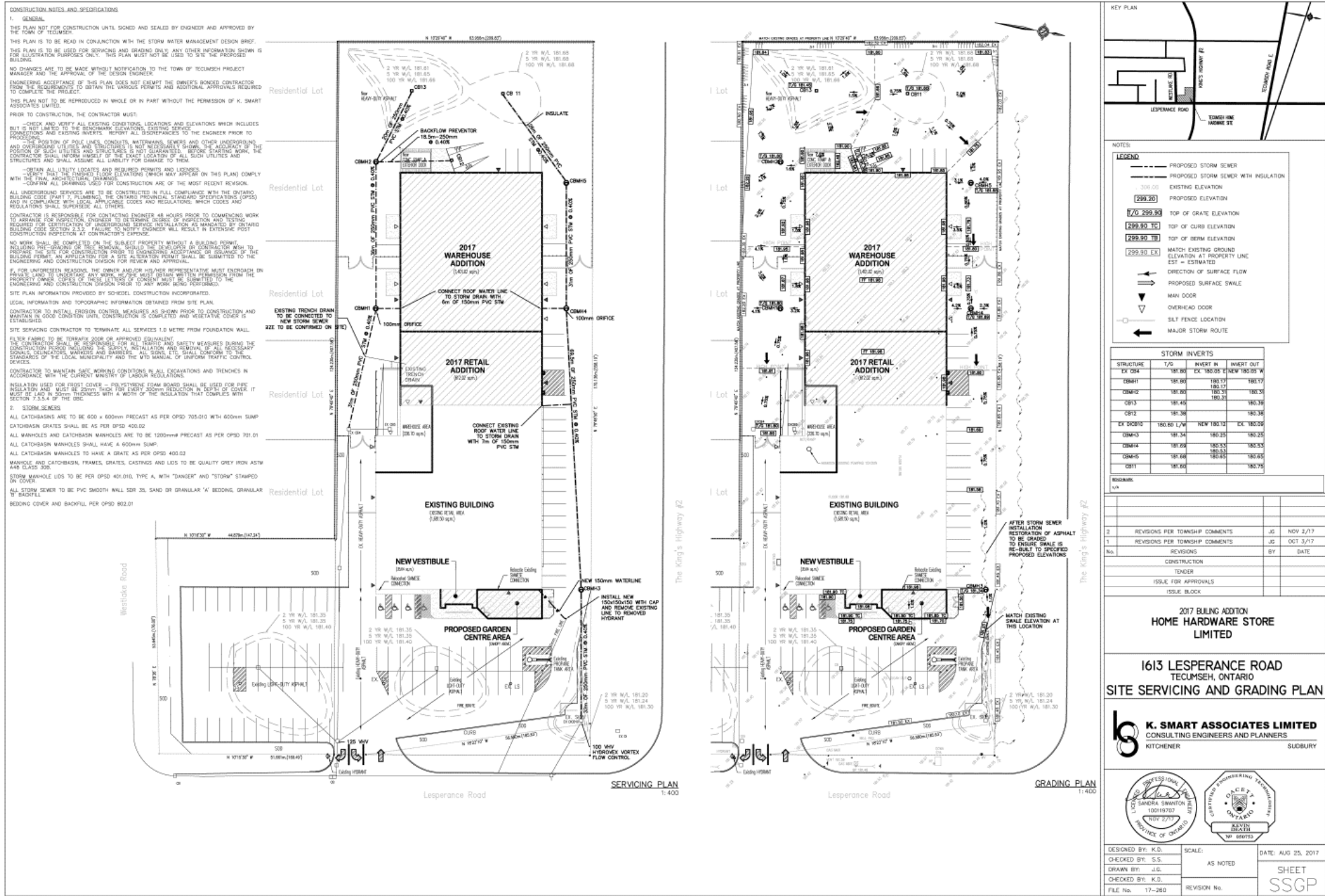


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## Schedule “D” Site Service Plans



## UNFINISHED REGULAR COUNCIL BUSINESS

	Meeting Date	Resolution	Subject	Action/Direction	Depart.	Status/Action Taken
20/14	Dec 9, 2014  Feb 14, 2017		County Rd 34 Hamlet	Administration is asked to look into property ownership and to work with the owners on opportunities for alternate service arrangements.  Administration is asked to provide an update to the affected property owners.	PWES/ Clerks	Update provided by Legal on March 14, 2017
3/17	Mar 14, 2017		Alley Closing Policy	An alley closing policy is requested to establish a uniformed process for closing alleys.	Clerks	Next Policies & Priorities Committee
4/17	Mar 28, 2017		Oldcastle Hamlet	The presentation and requests made by FOOD is referred to Administration for a report and recommendation.	Planning	
13/17	May 23, 2017		Signage on Manning Road	Administration is requested to approach the Town of Lakeshore and the County of Essex in regards to establishing a gateway policy with a common standard for regulating urbanized areas and signs for Manning Road.	CAO	Tecumseh and Lakeshore Administration have met and a response is pending from Lakeshore.
18/17	July 25, 2017		Urban Chickens	Zoning Order issued to Dan Beaulieu relating to the keeping of chickens at 2380 Lesperance Road, be deferred pending further discussion and decision-making by Council on the matter of the keeping of urban chickens based on further research and reporting by Administration.	Clerks/ Planning	
22/17	September 26, 2017		Jason Court	A concern regarding condo residents paying twice for their municipal services [i.e.: Property Tax / Condo Fees] was raised. Administration will provide information to the residents.	PW/ Finance	
23/17	October 10, 2017		Legislative Notices	Administration is asked to provide a report on the legislative requirements for public notices for developments and infrastructure improvements.	PW/Planning	
24/17	October 28, 2017		Riverside Drive Trail	Administration is asked to provide a report with a quantitative analysis on the location of the Riverside Drive Trail to be on the north or south side of the street.	PWES	
25/17	November 14, 2017		Tenanted Farm Tax Class	Administration is requested to provide comments regarding the tenanted farm tax properties being reclassified as a residential tax class (for non-tilled land), and not implementing this change. How this could action financially impact municipalities and property owners.	Finance	

# THE CORPORATION OF THE TOWN OF TECUMSEH

## BY-LAW NUMBER 2017-78

Being a by-law to confirm the proceedings of the  
**November 28, 2017** regular meeting of the Council  
of The Corporation of the Town of Tecumseh

**WHEREAS** pursuant to Section 5(1) of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, the powers of a municipality shall be exercised by its Council; and

**WHEREAS** pursuant to Section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8 of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

**WHEREAS** it is deemed expedient that the proceedings of the Council of The Corporation of the Town of Tecumseh at this Session be confirmed and adopted by by-law.

### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF TECUMSEH ENACTS AS FOLLOWS:**

1. **THAT** the actions of the Council of The Corporation of the Town of Tecumseh in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all other action passed and taken by the Council of The Corporation of the Town of Tecumseh, documents and transactions entered into during the **November 28, 2017**, meeting of Council, are hereby adopted and confirmed, as if the same were expressly embodied in this By-law.
2. **THAT** the Mayor and proper officials of The Corporation of the Town of Tecumseh are hereby authorized and directed to do all the things necessary to give effect to the action of the Council of The Corporation of the Town of Tecumseh during the said **November 28, 2017**, meeting referred to in paragraph 1 of this By-law.
3. **THAT** the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-law and to affix the Corporate Seal of The Corporation of the Town of Tecumseh to all documents referred to in said paragraph 1.

**Read** a first, second and third time and finally passed this 28th day of November, 2017.

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Gary McNamara, Mayor

"SEAL"

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Laura Moy, Clerk