

Regular Council Agenda
AGENDA

Tuesday, January 30, 2018, 7:00 PM
Tecumseh Town Hall
www.tecumseh.ca

	Pages
1. Call to Order - Mayor	
2. Moment of Silence	
3. National Anthem	
4. Roll Call and Disclosure of Pecuniary Interest	
5. Council Minutes	
a. Regular Council Meeting	5 - 20
December 12, 2017	
b. Public Council Meeting	21 - 22
December 12, 2017	
6. Supplementary Agenda Adoption	
7. Delegations	
a. Mary Agnes Welch, Probe Research Inc.	
Re: Citizen Satisfaction Survey	
b. Friends of Oldcastle Development	
Re: Del Duca OMB Decision	
8. Communications for Information	
a. Ministry of Natural Resources and Forestry	23 - 23
Re: Notification of Bill 139, <i>the Building Better Communities and Conserving Watersheds Act</i> , 2017 Receiving Royal Assent	
b. Ernie Hardeman, MPP, PC Critic for Municipal Affairs and Housing	24 - 25
Re: Ontario PC Platform - People's Guarantee	
c. Town of Amherstburg	26 - 27
Re: Support Correspondence from the Essex County Federation of Agriculture	
d. Town of Amherstburg	28 - 30
Re: Letter of Support for Windsor-Essex County Board of Health Resolution	
e. Ministry of Transportation	31 - 31
Re: Ontario's support for the County of Essex's application for consideration under the National Trade Fund Corridors Fund (NTCF)	
f. Ontario Municipal Board Decision	32 - 60
Re: Proposed Official Plan Amendment No. 14	

- g. **Essex County Federation of Agriculture** 61 - 63

Re: Proposed Tax Changes

That Essex County Federation of Agriculture letter dated December 5, 2017, regarding Proposed Tax Changes, **be received**.

9. **Communications Action Required**

- a. **National Trust for Canada Re: Heritage Day 2018** 64 - 71

Re: Heritage Day 2018

That February 19, 2018 **be proclaimed** as Heritage Day in the Town of Tecumseh.

- b. **Ontario Good Roads Association** 72 - 74

Re: OGRA Requests Support for MCEA Process Reform

That the resolution provided by OGRA calling on the Minister of the Environment and Climate Change to accelerate the Application for Review of the MCEA process **be adopted**.

- c. **Town of Lakeshore** 75 - 76

Re: Storm Water Management and Drainage Improvements

That the Town of Lakeshore's resolution that the Government of Canada and the Government of Ontario be urged to immediately allocate infrastructure funding dedicated to municipalities for storm water management and drainage improvements, **be supported**.

- d. **Community Heritage Ontario** 77 - 79

Re: Federal Role in Heritage Conservation

That the recommendations by the Federal House of Commons Standing Committee on Environment and Sustainable Development contained in report 10 regarding the preservation of Canada's heritage, **be supported**.

- e. **Letter to Minister Eric Hoskins from Windsor-Essex County Health Unit Board Chair** 80 - 81

Re: Proposed changes to the Cannabis Act, (Bill C-45)

That the October 19, 2017, resolution by the Windsor-Essex County Health Unit regarding the licensing, planning, and zoning regulations of cannabis retail outlets and the coordinated efforts of Windsor-Essex municipalities in preventing the harms associated with cannabis use, **be supported**.

- f. **National Coalition Against Contraband Tobacco** 82 - 83

Re: Contraband Tobacco in Ontario

That the National Coalition Against Contraband Tobacco request for municipal governments to partake in the fines collected on contraband tobacco charges through their local Provincial Offenses Transfer Agreement, **be supported**.

10. **Committee Minutes**

- a. **Police Services Board** 84 - 87

December 14, 2017

b.	Tecumseh Business Improvement Area	88 - 93
	December 13, 2017	
c.	Heritage Committee	94 - 96
	November 13, 2017	
d.	Heritage Committee	97 - 100
	January 15, 2018	
e.	Cultural & Arts Advisory Committee	101 - 102
	November 13, 2017	
f.	Cultural and Arts Advisory Committee	103 - 105
	January 15, 2018	
g.	Youth Advisory Committee	106 - 107
	November 13, 2017	
h.	Youth Advisory Committee	108 - 111
	January 15, 2018	
i.	Senior Advisory Committee	112 - 114
	November 30, 2017	
11.	Reports	
a.	Chief Administrative Officer	
	1. CAO-2018-02, Union Gas Kingsville Transmission Reinforcement Project	115 - 118
b.	Information & Communication Services	
	1. ICS-2018-01, 2018-2022 Lifecycle Work Plan	119 - 126
	2. ICS-2018-02, 2017 Citizen Satisfaction Survey	127 - 164
c.	Planning & Building Services	
	1. PBS-2018-01, Zoning By-law Amendment, 12334 Arbour Street, D19 12334ARB	165 - 184
d.	Public Works & Environmental Services	
	1. PWES-2018-02, Traffic Analysis – Radar Speed Surveys	185 - 189
	2. PWES-2018-03, 2018 Supply of Various Vehicles	190 - 208
	3. PWES-2018-04, Annual Summary Report for the Town of Tecumseh Distribution System (260004969) for the Year 2017	209 - 225
12.	By-Laws	
a.	By-Law 2018-01	226 - 230
	Being a by-law to authorize the execution of a Long Term Financing Agreement with Essex Powerlines Corporation and The Corporation of the Town of Tecumseh	

b.	By-Law 2018-02	231 - 300
	Being a by-law to authorize the execution of Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the Town of Tecumseh under the Ontario Municipal Commuter Cycling (OMCC) Program	
c.	By-Law 2017-03	301 - 308
	Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Congregation of the order Antonin Maronite in Ontario and AMICO Infrastructures Inc.	
d.	By-Law 2018-04	309 - 310
	A By-law to amend By-law No. 2003-14 being a By-law to regulate parking on private property for persons displaying Disabled Parking Permits	
e.	By-Law 2018-05	311 - 311
	Being a by-law to authorize the execution of a Letter of Agreement between The Corporation of the Town of Tecumseh and Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation for Ontario relating to funding under the Dedicated Gas Tax Funds for Public Transportation program	
f.	By-Law 2018-06	312 - 318
	Being a by-law to authorize the execution of a Site Plan Control Amending Agreement between The Corporation of the Town of Tecumseh and TRI-LIUNA Labourers' Local 625 Training Centre	
g.	By-law 2018-07	319 - 320
	Being a temporary use by-law pertaining to 7035 10th Concession Rd.	
13.	Unfinished Business	321 - 322
	January 30, 2018	
14.	New Business	
15.	Motions	
	a. By-law 2018-08	323 - 323
	Being a by-law to confirm the proceedings of the January 30, 2018 regular meeting of the Council of The Corporation of the Town of Tecumseh	
16.	Notices of Motion	
17.	Next Meeting	
18.	Adjournment	

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

Tecumseh Council meets in regular public session on Tuesday, December 12, 2017, in the Council Chambers, 917 Lesperance Road, Tecumseh, Ontario at 7:00 pm.

(RCM 20-1)

ORDER

The Mayor calls the meeting to order at 7:05 pm.

(RCM 20-2)

MOMENT OF SILENCE

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

(RCM 20-3)

NATIONAL ANTHEM

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

(RCM 20-4)

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 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 Fire Chief	- Chad Mactier
	Manager Building Services & Chief Building Official	- Mike Voegeli
	Manager Committee & Community Services	- Christina Hebert
	Manager Engineering Services	- Phil Bartnik
	Manager Facilities	- Ray Hammond
	Manager Parks & Horticulture	- Casey Colthurst
	Manager Planning Services	- Chad Jeffery
	Manager Water & Wastewater	- Denis Berthiaume

DISCLOSURE OF PECUNIARY INTEREST

Councillor Bill Altenhof declares an interest in By-law No. 2017-92 appointing members to the Youth Advisory Committee as his sons are members to be appointed.

(RCM 20-5)

MINUTES

Motion: (RCM-421/17) Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Brian Houston

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

Carried

(RCM 20-6)

SUPPLEMENTARY AGENDA ADOPTION

There are no supplementary agenda items.

(RCM 20-7)

DELEGATIONS

Local Government Week

The winners of the Local Government Week Poetry and Mascot Contest winners are presented with prize packages and are recognized for their achievements.

Ricardo Tonial Retirement

OPP Sergeant, Ricardo Tonial, is presented a certification and gift in recognition of his 30 years of police service to the community and wished well in his retirement.

Tecumseh Soccer

Tecumseh Soccer representative, Steve Grigorakis, requests that funds be allocated to retaining an architect to design a new Sportsplex.

The Tecumseh Soccer Club travel team has received a designation as an Ontario Player Development League (OPDL) Club which is the highest designation that can be achieved through Ontario Soccer. As a result, the Club will need additional playing fields both indoors and outdoors. He further asks that the hill at Green Acres Park be removed in order to allow for more sports fields.

Council directs Administration to provide a report on the history of the hill located at Green Acres Optimist Park and provide options for removal of the hill to accommodate an additional sports field.

Tecumseh Minor Baseball Association

Motion: (RCM-422/17) Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Tania Jobin

That Aaron Howell, President of Tecumseh Minor Baseball Association, be permitted to address Council.

Carried

Mr. Howell commends the Town for the park facilities offered. He explains they are at diamond capacity and has a fear of losing the fields they use in the Town. Tecumseh Minor Baseball Association supports a new Sportsplex that would further support their needs.

(RCM 20-8)

COMMUNICATIONS**Communications – For Information**

- A. Town of Lakeshore Re: Notice of Public Hearing
- B. Ontario Municipal Board Re: Decision regarding the appeal of the By-law to change the Town's Ward Boundaries
- C. Ontario Energy Board Re: Notice of Application for Rate Setting Framework

Motion: (RCM-423/17) Moved by Councillor Rita Ossington
 Seconded by Councillor Brian Houston

That Communications – *for Information* A through C as listed on the December 12, 2017 Regular Council Meeting Agenda are received.

Carried

Director Planning & Building Services explains that the Town has not been involved in Communication Item A. Town of Lakeshore, Re: Notice of Public Hearing, following a concern expressed that the Town of Lakeshore's planning process may not adequately address the traffic needs at the intersection of Lanoue and Manning Roads. It is recommended that Administration write to the Town of Lakeshore indicating an expression of Council on the specific works, alignments and signalization. In communication with the County, comments should be directed to them as they are the road authority in this area. Members suggest Administration should meet with the Town of Lakeshore to ensure in keeping with Tecumseh needs.

A member of Council discusses Communication Item B, Ontario Municipal Board Re: Decision regarding the appeal of the By-law to change the Town's Ward Boundaries. There is concern over the misinterpretation of the Ontario Municipal Board decision. There are divergent viewpoints. Appellants do not appear to believe that a resident west of Manning can represent their needs. The member suggests a public meeting on the decision may benefit residents.

Communications – Action Required

- A. Essex County Federation of Agriculture Re: Tax Changes proposed by the Federal Liberal government

Motion: (RCM-424/17) Moved by Councillor Tania Jobin
 Seconded by Deputy Mayor Joe Bachetti

That the Essex County Federation of Agriculture be requested to provide more information and clarity/definition of 'real tax fairness.'

Carried

(RCM 20-9)

COMMITTEE MINUTES

Motion: (RCM-425/17) Moved by Councillor Brian Houston
 Seconded by Deputy Mayor Joe Bachetti

That the November 28, 2017 minutes of the Policies and Priorities Committee, as was duplicated and delivered to the Members of Council, are accepted.

Carried

Motion: (RCM-426/17) Moved by Councillor Tania Jobin
 Seconded by Councillor Bill Altenhof

That the November 21, 2017 minutes of the Tecumseh Accessibility Advisory Committee, as was duplicated and delivered to the Members of Council, are accepted.

Carried

Motion: (RCM-427/17) Moved by Councillor Brian Houston
 Seconded by Councillor Bill Altenhof

That the November 8, 2017 minutes of the Town of Tecumseh Business Improvement Area, as was duplicated and delivered to the Members of Council, are accepted.

Carried

(RCM 20-10)

REPORTS

Director Corporate Services & Clerk Report No. 42/17 Re: Closed Meeting Investigator Appointment - 2018

Motion: (RCM-428/17) Moved by Deputy Mayor Joe Bachetti
 Seconded by Councillor Brian Houston

That LAS be re-appointed as the Closed Meeting Investigator for The Corporation of the Town of Tecumseh (Town) pursuant to Section 239.2 of The Municipal Act, 2001, S.O. 2001, c.25 at an annual retainer cost of \$330 and an hourly investigation rate of \$225 for a one year term commencing January 1, 2018;

And that By-law No. 2017-79 be adopted to authorize the Mayor and Clerk to execute an Agreement between the Town and Local Authority Services (LAS).

As recommended by the Director Corporate Services & Clerk under Report No. 42/17.

Carried

Director Corporate Services & Clerk Report No. 49/17 Re: 2018 Municipal and School Board Elections, Nominations and Third Party Advertisers

Motion: (RCM-429/17) Moved by Councillor Bill Altenhof
 Seconded by Councillor Rita Ossington

That Corporate Services & Clerk Report No. 49/17 respecting the 2018 Municipal and School Board Elections be received.

As recommended by the Director Corporate Services & Clerk under Report No. 49/17.

Carried

Director Financial Services & Treasurer Report No. 18/17 Re: Administrative Fees & Charges 2018

Motion: (RCM-430/17) Moved by Deputy Mayor Joe Bachetti
 Seconded by Councillor Bill Altenhof

That By-law 2017-86, being a by-law prescribing a tariff of administrative fees and charges for 2018, be approved.

As recommended by the Director Financial Services & Treasurer under Report No. 18/17.

Carried

Director Fire Services & Fire Chief Report No. 09/17 Re: 2018 Fire Five (5) Year Capital Projects Plan 2018 - 2022

Motion: (RCM-431/17) Moved by Councillor Brian Houston
 Seconded by Councillor Bill Altenhof

That the following equipment purchases and capital project be approved for 2018:

Equipment purchases:

a) 4 Swiss Phone pagers	\$ 3,000
b) 5 firefighter helmets	\$ 2,100
c) 4 pair leather boots	\$ 2,100
d) 5 sets of firefighter bunker gear	\$ 13,000
Total	\$ 20,200;

And that funding for the aforementioned equipment purchases and capital project be funded as follows:

Fire Equipment Lifecycle Reserve	\$ 20,200
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And further that Appendix A: Town of Tecumseh 2018-2022 Fire Five (5) Year Capital Project Expenditure Forecast be approved;
As recommended by the Director Fire Services & Fire Chief under Report No. 09/17.

Carried

Manager Parks & Horticulture Report No. 25/17 Re: Parks Five (5) Year Capital Projects

Motion: (RCM-432/17) Moved by Councillor Bill Altenhof
Seconded by Councillor Brian Houston

That the following park development, reforestation and trail development projects for 2018, with associated funding, be approved:

	Previously Approved	Requested for 2018	Total Costs
Park Development			
1 Lakewood North Board Replacement		\$ 25,000	\$ 25,000
2 Various - Park Bench Replacement and Installation		\$ 15,000	\$ 15,000
3 Sports Fields Top Dressing Overseeding		\$ 15,000	\$ 15,000
4 Basketball Post Replacement - various parks		\$ 10,000	\$ 10,000
5 In Ground Garbage Containers	\$ 20,000	\$ 20,000	\$ 40,000
6 Install Manufactured Wood Chips under Play Sets		\$ 15,000	\$ 15,000
7 Annual Project Allocations TBD		\$ 10,000	\$ 10,000
8 Splash Pad - St. Mary's Park		\$ 200,000	\$ 200,000
9 Carling Backstop Replacement		\$ 15,000	\$ 15,000
10 St. Mary's Park - Bleachers for Ball Diamond		\$ 4,000	\$ 4,000
11 Weston Park Basketball Court Replacement		\$ 15,000	\$ 15,000
12 Drainage Improvements Little River & Weston Park		\$ 20,000	\$ 20,000
13 Electronic Washroom Doors - McAuliffe Park		\$ 6,000	\$ 6,000
14 Fence Replacement - Parks Maintenance Yard		\$ 12,000	\$ 12,000
15 Parks, Recreation & Trails Master Plan CFW	\$ 60,000		\$ 60,000
16 Lakewood North - Historical Storyboard Installation CFW	\$ 10,000		\$ 10,000
17 Park Sign Replacements - various parks CFW	\$ 15,000		\$ 15,000
Sub-total	\$ 105,000	\$ 382,000	\$ 487,000
Fund raising – Splash Pad		\$ 25,000	\$ 25,000
Park Development Lifecycle Reserve	\$ 105,000	\$ 357,000	\$ 462,000
	Previously Approved	Requested for 2018	Total Costs
Reforestation			
1 Tree Planting	\$ 10,000	\$ 30,000	\$ 40,000
Reforestation Lifecycle Reserve	\$ 10,000	\$ 30,000	\$ 40,000
	Previously Approved	Requested for 2018	Total Costs
Trails			
1	\$ -	\$ -	\$ -
Trails Lifecycle Reserve	\$ -	\$ -	\$ -
Grand Total Costs	\$ 115,000	\$ 412,000	\$ 527,000

And that the following appendices be adopted:

- Appendix A Town of Tecumseh 2018 – 2022 Park Development Five (5) Year Capital Project Expenditure Forecast
 - Appendix B Town of Tecumseh 2018 – 2022 Reforestation Five (5) Year Capital Project Expenditure Forecast
 - Appendix C Town of Tecumseh 2018 – 2022 Trails Five (5) Year Capital Project Expenditure Forecast;
- As recommended by the Manager Parks & Horticulture under Report No. 25/17.

Carried

Manager Town Facilities Report No. 26/17 Re: Arena and Pool 5 Year Capital Plan

Motion: (RCM-433/17) Moved by Councillor Brian Houston
Seconded by Councillor Andrew Dowie
That the following renovations and repairs to Municipal Facilities be approved for 2018:

	Previously Approved	Requested for 2018	Total Costs
Arena			
1 Hot Water Pre-Heater (De-Super Heater)	\$ 58,000		\$ 58,000
2 Building Environment Control System	\$ 35,000	\$ 10,000	\$ 45,000
3 Horwood Room HVAC Replacement		\$ 14,000	\$ 14,000
4 Front Entrance Lobby Wall Repairs		\$ 30,000	\$ 30,000
5 Back Dressing Room HVAC Replacement		\$ 45,000	\$ 45,000
6 1/2 Ice Rink Removable Board System		\$ 16,000	\$ 16,000
7 Ammonia Detection System		\$ 4,000	\$ 4,000
8 Sportsplex Study	\$ 44,800		
9 Sportsplex Architect & Detailed Design		\$ 400,000	\$ 400,000
Sub-total	\$ 137,800	\$ 519,000	\$ 612,000
Tax Rate Stabilization Reserve		\$ 400,000	\$ 400,000
Infrastructure Reserve	\$ 44,800		
Arena Lifecycle Reserve	\$ 93,000	\$ 119,000	\$ 212,000
	Previously Approved	Requested for 2018	Total Costs
Pool			
1 Tankless Water Heater for Showers		\$ 6,500	\$ 6,500
2 High Pressure Wash & Paint Lap Pool		\$ 25,000	\$ 25,000
Pool Lifecycle Reserve	\$ -	\$ 31,500	\$ 31,500
Grand Total Costs	\$ 137,800	\$ 550,500	\$ 643,500

As recommended by the Manager Town Facilities under Report No. 26/17.

Carried

Manager Town Facilities Report No. 27/17 Re: Building Five (5) Year Capital Plan

Motion: (RCM-434/17) Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Bill Altenhof

That the following renovations and repairs to Municipal Facilities be approved for 2018:

	Previously Approved	Requested for 2018	Total Costs
Buildings			
1 Water Building Windows		\$ 6,500	\$ 6,500
2 Fire Hall #2 Emergency Generator		\$ 50,000	\$ 50,000
3 Fire Hall #2 Garage Doors		\$ 30,000	\$ 30,000
4 Electronic Door Locks for Out Buildings		\$ 6,000	\$ 6,000
5 Public Works Garage Upgrades		\$ 18,000	\$ 18,000
6 Cultural Resource Center Expansion Fire Hall # 2		\$ 200,000	\$ 200,000
			\$ -
Sub-total	\$ -	\$ 310,500	\$ 310,500
Infrastructure Reserve		\$ 150,000	\$ 150,000
One-Time Strategic Issues LC Reserve		\$ 50,000	\$ 50,000
Buildings Lifecycle Reserve	\$ -	\$ 110,500	\$ 110,500

And that the following be adopted:

a) Appendix A Town of Tecumseh 2018-2022 Building (5) year Capital Project Expenditure Forecast;

As recommended by the Manager Town Facilities under Report No. 27/17.

Carried

Director Planning & Building Services Report No. 34/17 Re: Site Plan Control Agreement Pangeo Holdings Inc. and Del Duca Industrial Park Ltd. Northeast Corner of North Talbot Road/8th Concession Road Intersection

Motion: (RCM-435/17) Moved by Councillor Rita Ossington
Seconded by Councillor Brian Houston

That a by-law authorizing the execution of the Del Duca Industrial Park Ltd. and Pangeo Holdings Inc. Site Plan Control Agreement, satisfactory in form to the Town's Solicitor, which establishes the terms and requirements related to the development of a 2.23 hectare portion of a 21.6 hectare land holding, located on the north-east corner of the North Talbot Road / 8th Concession intersection, be adopted, subject to the following occurring prior to the Town's execution of the Agreement:

i. the Owners executing the Site Plan Control Agreement;

And that the Mayor and Clerk be authorized to execute the Site Plan Control 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 Control Agreement approved above including, but not limited to, the execution of the acknowledgement/direction required to register the Site Plan Control Agreement on title to the lands and such other acknowledgement/directions for any related transfers or real property registrations contemplated by the Site Plan Control Agreement.

As recommended by the Director Planning & Building Services under Report No. 34/17.

Carried

The Director of Planning and Building Services explains to members that the Pangeo severance is approved through a public process in accordance with the *Planning Act*. Site plans are not required to be negotiated with members of the community. Community concerns are addressed in the conditions of approval of the severance by the Committee. There is further explanation on the application

process for Plan of Subdivision and individual site plan approvals within the subdivision.

Manager Planning Services Report No. 35/17 Re: Site Plan Control Inspect X Inc. 5575 Roscon Industrial Drive

Motion: (RCM-436/17) Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Brian Houston

That “*Overall Site Plan Layout - SPC1*” and “*Drainage, Grading and Pavement Plan - C1*” as prepared by Aleo Associates Inc., attached to Planning and Building Services Report No. 35/17 as Attachments 2 and 3, which depict a 891 square metre (9,600 square foot) industrial addition, along with associated on-site works on a 0.48 hectare (1.1 acre) property located on the west side of the Roscon Industrial Drive (5575 Roscon Industrial Drive), be approved, subject to:

- a) the Owner depositing with the Town security in the form of cash or letter of credit in the amount of ten thousand dollars (\$10,000) to ensure that all of the services and other obligations of the Owner are completed to the satisfaction of the Town, which cash or letter of credit security deposit shall be returned to the Owner upon completion and final inspection of all obligations of the Owner as shown on the aforementioned plans all of which is in accordance with Section 41 of the *Planning Act, R.S.O. 1990*.

As recommended by the Manager Planning Services under Report No. 35/17.

Carried

Director Planning & Building Services Report No. 36/17 Re: Site Plan Control, TRI-LIUNA Labourers' Local 625 Training Centre 2155 Fasan Drive

Motion: (RCM-437/17) Moved by Councillor Bill Altenhof
Seconded by Councillor Tania Jobin

That a by-law authorizing the execution of the *TRI-LIUNA Labourers' Local 625 Training Centre* Site Plan Control Agreement amendment, satisfactory in form to the Town's Solicitor, which allows for the construction of a 386 square metre (4,160 square foot) addition to an existing industrial building having an approximate area of 826 square metres (8,900 square feet), along with associated on-site works, on a 1.7 hectare (4.4 acre) property located on the south side of Fasan Drive (2155 Fasan Drive), be adopted, subject to the following occurring prior to the Town's execution of the Agreement:

- i. The Owner executing the Site Plan Control Agreement amendment; and
- ii. The Owner posting security for performance pursuant, as established in the Site Plan Control Agreement amendment;

And that the Mayor and Clerk be authorized to execute the Site Plan Control Agreement amendment, 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 Control Agreement amendment approved above including, but not limited to, the execution of the acknowledgement/direction required to register the Site Plan Control Agreement amendment on title to the lands and such other acknowledgement/directions for any related transfers or real property registrations contemplated by the Site Plan Control Agreement amendment.

As recommended by the Director Planning & Building Services under Report No. 36/17.

Carried

Manager Building Services & Chief Building Official Report No. 37/17 Re: 2017 Nine Month Permit Report

Motion: (RCM-438/17) Moved by Councillor Rita Ossington

Seconded by Councillor Bill Altenhof

That Planning and Building Services Report No. 37/17, "2017 Nine Month Permit Report", be received.

As recommended by the Manager Building Services & Chief Building Official under Report No. 37/17.

Carried

Director Planning & Building Services Report No. 38/17 Re: New Building By-law and Permit Fee Report

Motion: (RCM-439/17) Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Brian Houston

That Planning and Building Services Report No. 38/17 "New Building By-law and Permit Fee Report", be received;

And that the scheduling of a public meeting, to be held on Tuesday, January 30, 2018 at 6:00 pm, in accordance with the requirements of *The Building Code*, to receive comments from the public regarding the proposed building permit fee rates, be authorized.

As recommended by the Director Planning & Building Services under Report No. 38/17.

Carried

Drainage Superintendent/Engineering Technologist Report No. 51/17 Re: Request for Approval by Resolution for Drainage Apportionment Agreements

Motion: (RCM-440/17) Moved by Councillor Brian Houston

Seconded by Councillor Andrew Dowie

That the Public Works & Environmental Services Report No. 51/17 titled "Request for Approval by Resolution for Drainage Apportionment Agreement" be received;

And that the Drainage Apportionment Agreements for the parcels listed in Appendix A be approved by resolution.

As recommended by the Drainage Superintendent/Engineering Technologist under Report No. 51/17.

Carried

Manager Engineering Services Report No. 57/17 Re: 2018-2022 Public Works & Environmental Services Capital Works Plan

Motion: (RCM-441/17) Moved by Councillor Rita Ossington
Seconded by Councillor Andrew Dowie
That the following Public Works and Environmental Services Projects for the 2018 year, and the Capital Project List 2018-2022, be approved:

		Previously Approved	Requested for 2018	Future Costs	Total Costs
Road Projects					
1.	Road Paving - Tar & Chip	\$ -	\$ 250,000	\$ -	\$ 250,000
2.	Road Paving - Asphaltting	\$ -	\$ 1,450,000	\$ -	\$ 1,450,000
3.	Road Paving - Crack Sealing	\$ -	\$ 75,000	\$ -	\$ 75,000
4.	Lesperance Road Bike Lane Pavement Markings	\$ -	\$ 110,000	\$ -	\$ 110,000
5.	Tecumseh Rd/Lacasse Blvd Intersection Improvements	\$ -	\$ 40,000	\$ 439,000	\$ 479,000
6.	Tecumseh Road CIP - Streetscape Plan & Final Design	\$ 812,850	\$ 609,790	\$ 27,908,927	\$ 29,331,567
7.	Rossi Drive Sanitary Sewer Extension	\$ 77,500	\$ 1,075,000	\$ -	\$ 1,152,500
8.	Sylvestre Drive Sanitary Sewer Extension	\$ -	\$ 74,000	\$ 1,155,500	\$ 1,229,500
	Sub-Total:	\$ 890,350	\$ 3,683,790	\$ 29,503,427	\$ 34,077,567
	Grants:	\$ -	\$ -	\$ -	\$ -
	Recoveries:	\$ -	\$ -	\$ 885,000	\$ 885,000
	Road Lifecycle Reserve:	\$ 890,350	\$ 3,683,790	\$ 28,618,427	\$ 33,192,567
Sidewalk Projects					
1.	Sidewalk Repair Program - Various Locations	-----	\$ 69,000	-----	\$ 69,000
	Sub-Total:	\$ -	\$ 69,000	\$ -	\$ 69,000
	Grants:	\$ -	\$ -	\$ -	\$ -
	Recoveries:	\$ -	\$ -	\$ -	\$ -
	Sidewalk Lifecycle Reserve:	\$ -	\$ 69,000	\$ -	\$ 69,000

		Previously Approved	Requested for 2018	Future Costs	Total Costs
New Infrastructure					
1.	Riverside Drive Trail	\$ 68,000	\$ 782,000	\$ -	\$ 850,000
2.	CR11: Hwy401 to NTR (CWATS Multi-Use Trail)	\$ 5,650	\$ 136,000	\$ 232,650	\$ 374,300
	Sub-Total:	\$ 73,650	\$ 918,000	\$ 232,650	\$ 1,224,300
	Grants:	\$ -	\$ -	\$ -	\$ -
	Recoveries:	\$ -	\$ -	\$ 150,000	\$ 150,000
	Infrastructure Reserve:	\$ 73,650	\$ 918,000	\$ 82,650	\$ 1,074,300
Bridge Projects					
1.	Bridge & Culvert Needs Study (Spans >3m)	\$ -	\$ 32,000	\$ -	\$ 32,000
2.	Culvert #35 - Rossi Drive	\$ -	\$ 36,000	\$ -	\$ 36,000
3.	Bridge #1004 - Sullivan Creek at 12th Concession	\$ -	\$ 43,000	\$ 284,000	\$ 327,000
4.	Bridge #1013 - Merrick Creek at 8th Concession	\$ -	\$ 43,000	\$ 283,500	\$ 326,500
5.	Bridge #1014 - Townline Road Drain at 6th Concession	\$ -	\$ 43,000	\$ 304,500	\$ 347,500
	Sub-Total:	\$ -	\$ 197,000	\$ 872,000	\$ 1,069,000
	Grants:	\$ -	\$ -	\$ -	\$ -
	Recoveries:	\$ -	\$ -	\$ -	\$ -
	Bridge Lifecycle Reserve:	\$ -	\$ 197,000	\$ 872,000	\$ 1,069,000
Water Projects					
1.	Water & Wastewater Master Plan Update	\$ 100,000	\$ -	\$ -	\$ 100,000
2.	Tecumseh Road CIP - Streetscape Plan & Final Design	\$ 50,250	\$ -	\$ 1,292,686	\$ 1,342,936
3.	Mack Court Watermain Replacement	\$ 70,000	\$ 184,790	\$ -	\$ 254,790
4.	Lacasse Park Watermain Replacement	\$ 110,000	\$ 255,190	\$ -	\$ 365,190
5.	Tecumseh Road Watermain Abandonment	\$ 72,000	\$ 165,360	\$ -	\$ 237,360
6.	Alden Crescent Watermain Replacement	\$ 15,000	\$ 154,120	\$ -	\$ 169,120
7.	Hwy#3/Roscon Industrial Drive Watermian	\$ 15,000	\$ 155,430	\$ -	\$ 170,430
8.	Rossi Drive Sanitary Sewer Extension	\$ 25,000	\$ 35,000	\$ -	\$ 60,000
9.	CR11 (North) Sanitary Sewer Extension	\$ 6,000	\$ -	\$ -	\$ 6,000
10.	Hwy#3/County Road 11 Watermain Replacement	\$ -	\$ 134,600	\$ 1,809,400	\$ 1,944,000
11.	Anode Protection Program (2018)	\$ -	\$ 375,000	\$ -	\$ 375,000
	Sub-Total:	\$ 463,250	\$ 1,459,490	\$ 3,102,086	\$ 5,024,826
	Grants:	\$ -	\$ -	\$ -	\$ -
	Recoveries:	\$ -	\$ -	\$ -	\$ -
	Watermain Reserve Fund:	\$ 463,250	\$ 1,459,490	\$ 3,102,086	\$ 5,024,826
Water Facility Projects					
1.	SCADA Software/Server/Nodes Update (2018)	\$ -	\$ 73,500	\$ -	\$ 73,500
2.	Water Meter Reading System Update (2018)	\$ -	\$ 15,000	\$ -	\$ 15,000
	Sub-Total:	\$ -	\$ 88,500	\$ -	\$ 88,500
	Grants:	\$ -	\$ -	\$ -	\$ -
	Recoveries:	\$ -	\$ -	\$ -	\$ -
	Water Facilities Reserve Fund:	\$ -	\$ 88,500	\$ -	\$ 88,500

		Previously Approved	Requested for 2018	Future Costs	Total Costs
Wastewater Projects					
1. Tecumseh Road CIP - Streetscape Plan & Final Design		\$ 63,500	\$ -	\$ 1,246,436	\$ 1,309,936
2. Rossi Drive Sanitary Sewer Extension		\$ 42,500	\$ 515,000	\$ -	\$ 557,500
3. CR11 (North) Sanitary Sewer Extension		\$ 125,000	\$ 75,000	\$ 952,000	\$ 1,152,000
4. Sanitary Sewer Rehabilitation (I&I Removal)		\$ 3,637,824	\$ -	\$ -	\$ 3,637,824
5. Sylvestre Drive Sanitary Sewer Extension		\$ -	\$ 109,200	\$ 682,200	\$ 791,400
	Sub-Total:	\$ 3,868,824	\$ 699,200	\$ 2,880,636	\$ 7,448,660
	Grants:	\$ 2,978,459	\$ -	\$ -	\$ 2,978,459
	Recoveries:	\$ -	\$ 292,965	\$ 1,901,580	\$ 2,194,545
	Wastewater Sewers Reserve Fund:	\$ 890,365	\$ 406,235	\$ 979,056	\$ 2,275,656
Wastewater Facility Projects					
1. Pump Station Emergency Response Plan		\$ -	\$ 35,000	\$ -	\$ 35,000
2. SCADA Software/Server/Nodes Update (2018)		\$ -	\$ 26,250	\$ -	\$ 26,250
	Sub-Total:	\$ -	\$ 61,250	\$ -	\$ 61,250
	Grants:	\$ -	\$ -	\$ -	\$ -
	Recoveries:	\$ -	\$ -	\$ -	\$ -
	Wastewater Facilities Reserve Fund:	\$ -	\$ 61,250	\$ -	\$ 61,250
Stormwater Projects					
1. Tecumseh Road CIP - Streetscape Plan & Final Design		\$ 40,900	\$ 27,410	\$ 701,690	\$ 770,000
2. Storm Drainage Master Plan		\$ 600,000	\$ -	\$ -	\$ 600,000
3. Oldcastle Storm Drainage Master Plan		\$ -	\$ 120,000	\$ 230,000	\$ 350,000
4. Rossi Drive Sanitary Sewer Extension		\$ 35,000	\$ 440,800	\$ -	\$ 475,800
5. Sylvestre Drive Sanitary Sewer Extension		\$ -	\$ 4,200	\$ 74,050	\$ 78,250
6. Lesperance Road Storm PS - Repairs		\$ -	\$ 100,000	\$ -	\$ 100,000
7. Pump Station Emergency Response Plan		\$ -	\$ 35,000	\$ -	\$ 35,000
8. SCADA Software/Server/Nodes Update (2018)		\$ -	\$ 5,250	\$ -	\$ 5,250
	Sub-Total:	\$ 675,900	\$ 732,660	\$ 1,005,740	\$ 2,414,300
	Grants:	\$ 175,000	\$ -	\$ -	\$ 175,000
	Recoveries:	\$ -	\$ -	\$ -	\$ -
	Storm Sewer Lifecycle Reserve:	\$ 500,900	\$ 732,660	\$ 1,005,740	\$ 2,239,300

As recommended by the Manager Engineering Services under Report No. 57/17.

Carried

DWQMS Representative Report No. 58/17 Re: Drinking Water Quality Management Standard Internal Audit and External Audit Corrective Action Reports 2017

Motion: (RCM-442/17) Moved by Councillor Brian Houston
Seconded by Councillor Rita Ossington

That the 2017 Internal Audit and External Audit Corrective Action Reports for the Town of Tecumseh's Drinking Water Quality Management Standard be received.

As recommended by the DWQMS Representative under Report No. 58/17.

Carried

Manager Water & Wastewater Report No. 59/17 Re: 2018 Water & Wastewater Rates By-Law

Motion: (RCM-443/17) Moved by Councillor Brian Houston
Seconded by Councillor Andrew Dowie

That a By-law be prepared, for consideration at the December 12, 2017 Regular Meeting of Council, to establish water and wastewater rates for the year 2018, based on the recommendations of the 2015 Town of Tecumseh Water and Wastewater Rate Study (Rate Study) and the discussions in this report, as follows:

- a) metered water consumption charge with usage under 10,200 cubic meters per month at \$1.1547 per cubic meter;
- b) metered water consumption charge with usage over 10,200 cubic meters per month at \$0.8347 per cubic meter;
- c) metered wastewater collection and treatment charges at \$1.2095 per cubic meter;
- d) wastewater collection and treatment charges for Bonduelle North America at \$0.8063 per cubic meter;
- e) fixed charge for water and wastewater service connections at:

Meter Size	2018
5/8" & 3/4"	\$14.19
1"	\$24.61
1.5"	\$48.31
2"	\$71.97
3"	\$120.84
4"	\$195.05
6"	\$346.86

- f) flat rate water un-metered consumption charge at \$45.94 per month;
- g) flat rate un-metered wastewater collection and treatment charge at \$47.45 per month;
- h) meter connection charge at \$520.00 per meter;
- i) meter reconnection charge at \$87.00 per meter;
- j) hydrant rental at \$87.00 per day;
- k) Oasis Water Filling Station at \$2.05 per cubic meter; and
- l) Miscellaneous charge at \$15.00;

And that notice of Council's intent to consider a by-law to establish the water and wastewater rates for the year 2018, at their Regular meeting of December 12, 2017, be advertised in the Shoreline, Essex Free Press, Town's website, Facebook page and Twitter.

As recommended by the Manager Water & Wastewater under Report No. 59/17.

Carried

(RCM 20-11)

BY-LAWS

Councillor Bill Altenhof having declared a conflict of interest refrains from any voting and discussion on the by-laws.

Motion: (RCM-444/17) Moved by Councillor Rita Ossington
Seconded by Councillor Brian Houston

That By-Law 2017-77 being a by-law to authorize the execution of a Farm Lease Agreement between The Corporation of the Town of Tecumseh and John Nostadt;

And that By-Law 2017-79 being a bylaw of to appoint Local Authority Services (LAS) as the Meeting Investigator pursuant to Sections 8,9,10 and 239.1 of *The Municipal Act, 2001*, as amended;

And that By-Law 2017-80 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and The Community Support Centre for public transportation to the physically disabled and the frail elderly persons for the years 2018 and 2019;

And that By-Law 2017-81 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and The Skate Pro;

And that By-Law 2017-82 being a by-law to establish the water and waste water rates for the year 2018;

And that By-Law 2017-83 being a By-law to provide for the adoption of the estimates of all sums required (budget) for general municipal purposes for the Year 2018;

And that By-Law 2017-84 being a by-law to impose late payment charges for non-payment of taxes or any installment of taxes by due date;

And that By-Law 2017-85 being a by-law to provide for an Interim Tax Rate for the Year 2018;

And that By-Law 2017-86 being a by-law to prescribe a tariff of administrative fees and charges for the Town of Tecumseh;

And that By-Law 2017-87 being a by-law to authorize the execution of a Site Plan Control Agreement between The Corporation of the Town of Tecumseh (Municipality) and Del Duca Industrial Park Ltd. (Owner) and Pangeo Holdings Inc. (Future Owner);

And that By-Law 2017-88 being a by-law to authorize the execution of a Site Plan Control Agreement between The Corporation of the Town of Tecumseh (Municipality) and Home Hardware Stores Limited (Owner);

And that By-Law 2017-89 being a by-law delegating the authority for the giving of consents for the term of Council ending in 2018;

And that By-Law 2017-90 being a by-law constituting and appointing a Committee of Adjustment and empowering the granting of Minor Variances for the term of Council ending in 2018;

And that By-Law 2017-91 being a by-law to appoint members to the Tecumseh Senior Advisory Committee for the term of Council ending 2018;

And that By-Law 2017-92 being a by-law to appoint members to the Tecumseh Youth Advisory Committee for the term of Council ending 2018;

And further that By-Law 2017-93 being a by-law to appoint members to the Tecumseh Heritage Committee for the term of Council 2015-2018;

And furthermore that By-Law 2017-94 being a by-law to appoint members to the Cultural and Arts Advisory Committee for the term of Council 2015-2018;

Be given first and second reading.

Carried

Motion: (RCM-445/17) Moved by Councillor Brian Houston
Seconded by Councillor Rita Ossington

That By-Law 2017-77 being a by-law to authorize the execution of a Farm Lease Agreement between The Corporation of the Town of Tecumseh and John Nostadt;

And that By-Law 2017-79 being a bylaw of to appoint Local Authority Services (LAS) as the Meeting Investigator pursuant to Sections 8,9,10 and 239.1 of *The Municipal Act, 2001*, as amended;

And that By-Law 2017-80 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and The Community Support Centre for public transportation to the physically disabled and the frail elderly persons for the years 2018 and 2019;

And that By-Law 2017-81 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and The Skate Pro;

And that By-Law 2017-82 being a by-law to establish the water and waste water rates for the year 2018;

And that By-Law 2017-83 being a By-law to provide for the adoption of the estimates of all sums required (budget) for general municipal purposes for the Year 2018;

And that By-Law 2017-84 being a by-law to impose late payment charges for non-payment of taxes or any installment of taxes by due date;

And that By-Law 2017-85 being a by-law to provide for an Interim Tax Rate for the Year 2018;

And that By-Law 2017-86 being a by-law to prescribe a tariff of administrative fees and charges for the Town of Tecumseh;

And that By-Law 2017-87 being a by-law to authorize the execution of a Site Plan Control Agreement between The Corporation of the Town of Tecumseh (Municipality) and Del Duca Industrial Park Ltd. (Owner) and Pangeo Holdings Inc. (Future Owner);

And that By-Law 2017-88 being a by-law to authorize the execution of a Site Plan Control Agreement between The Corporation of the Town of Tecumseh (Municipality) and Home Hardware Stores Limited (Owner);

And that By-Law 2017-89 being a by-law delegating the authority for the giving of consents for the term of Council ending in 2018;

And that By-Law 2017-90 being a by-law constituting and appointing a Committee of Adjustment and empowering the granting of Minor Variances for the term of Council ending in 2018;

And that By-Law 2017-91 being a by-law to appoint members to the Tecumseh Senior Advisory Committee for the term of Council ending 2018;

And that By-Law 2017-92 being a by-law to appoint members to the Tecumseh Youth Advisory Committee for the term of Council ending 2018;

And further that By-Law 2017-93 being a by-law to appoint members to the Tecumseh Heritage Committee for the term of Council 2015-2018;

And furthermore that By-Law 2017-94 being a by-law to appoint members to the Cultural and Arts Advisory Committee for the term of Council 2015-2018;

Be given third and final reading.

Carried

(RCM 20-12)

UNFINISHED BUSINESS

The Members receive the Unfinished Business listing.

(RCM 20-13)

NEW BUSINESS

Dress Code

A Dress Code is requested for Administration for health and safety initiatives.

OMB Decision

A request for Administration to report on the cost of the OMB Decision for the Ward Boundary and for other OMB appeals once a decision is issued.

(RCM 20-14)

MOTIONS

Motion: (RCM-446/17) Moved by Councillor Rita Ossington
Seconded by Councillor Brian Houston

That By-law 2017-95 being a by-law to confirm the proceedings of the December 12, 2017, regular meeting of the Council of The Corporation of the Town of Tecumseh be given first, second, third and final reading.

Carried

(RCM 20-15)

NOTICES OF MOTION

None.

(RCM 20-16)

NEXT MEETING

The next Regular Council meeting will be held at 7:00 pm on Tuesday, January 30, 2018.

(RCM 20-17)

ADJOURNMENT

Motion: (RCM-447/17) Moved by Councillor Brian Houston
Seconded by Deputy Mayor Joe Bachetti
That there being no further business the December 12, 2017 regular meeting of Council now adjourn at 8:44 pm.

Carried

Gary McNamara, Mayor

Laura Moy, Clerk

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

Tecumseh Council meets in Public Session on Tuesday, December 12, 2017, in the Council Chambers, 917 Lesperance Road, Tecumseh, Ontario at 6:30 pm.

(PCM 14-1)

ORDER

The Mayor calls the meeting to order at 6:42 pm.

(PCM 14-2)

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

Absent:

Also Present:	Chief Administrative Officer	- Tony Haddad
	Director Corporate Services & Clerk	- Laura Moy
	Director Financial Services & Treasurer	- Luc Gagnon
	Deputy Fire Chief	- Chad Mactier
	Deputy Clerk & Manager Legislative Services	- Jennifer Alexander
	Manager Planning Services	- Chad Jeffery

(PCM 14-3)

DISCLOSURE OF PECUNIARY INTEREST

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

(PCM 14-4)

DELEGATIONS

None.

(PCM 14-5)

COMMUNICATIONS

A. Town of Tecumseh Notice of Public Meeting Re: Proposed Extension to Temporary Use By-Law 2012-63

Motion: (PCM 35/17) Moved by Councillor Andrew Dowie

Seconded by Councillor Rita Ossington

That the Communications listed as items A on the December 12, 2017 Public Council Meeting Agenda, be received.

Carried

(PCM 14-6)

REPORTS

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

Motion: (PCM 36/17) Moved by Councillor Bill Altenhof
Seconded by Councillor Tania Jobin

That the Report No. 31/17 RE: Mr. William Leon 7035 10th Concession Road Extension of Temporary Use the December 12, 2017 Public Council Meeting Agenda, be received.

Carried

Manager of Planning Services discusses the report and reviews the approval criteria for the application in addition to three (3) year extension.

(PCM 14-7)

ADJOURNMENT

Motion: (PCM-37/17) Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Brian Houston

That there being no further business to discuss, the December 12, 2017 Public Meeting of the Council of the Town of Tecumseh adjourn at 6:49 pm.

Carried

Gary McNamara, Mayor

Laura Moy, Clerk

From: Great Lakes and Water Policy Section (MNRF)
Sent: December-21-17 2:47 PM
To: Great Lakes and Water Policy Section (MNRF)
Subject: Notification of Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017 Receiving Royal Assent

Ministry of Natural Resources and Forestry

Water Resources Section

Natural Resources Conservation Policy Branch
Policy Division
Ministry of Natural Resources and Forestry
300 Water Street,
Peterborough, ON K9J 8M5
Telephone: 705-755-1729
Fax: 705-755-1971

Ministère des Richesses naturelles et des Forêts

Section des ressources en eau

Direction des politiques de conservation des richesses naturelles
Division de l'élaboration des politiques
Ministère des Richesses naturelles et de la Foresterie
300, rue Water
Peterborough (Ontario) K9J 8M5
Téléphone: (705) 755-1729
Télécopie: (705) 755-1971



TO: All Stakeholders involved in the *Conservation Authorities Act* Review

RE: Notification of Bill 139, the *Building Better Communities and Conserving Watersheds Act*, 2017 Receiving Royal Assent

I am pleased to inform you that Bill 139, the *Building Better Communities and Conserving Watersheds Act*, 2017 that proposes amendments to the *Conservation Authorities Act* has been passed by the Ontario Legislature and has officially received Royal Assent. In addition to the amendments to the *Conservation Authorities Act*, the legislation also contains changes related to the Local Planning Appeals Tribunal.

The passing of this legislation highlights the completion of the multi-year review of the *Conservation Authorities Act* and is part of a comprehensive suite of proposed changes resulting from the review. The amendments modernize the Act to strengthen oversight and accountability in conservation authority decision making, increase clarity and consistency in conservation authority roles and responsibilities, improve collaboration and engagement, modernize funding mechanisms, and provide flexibility for conservation authorities to adapt to changing circumstances and challenges in the future.

The passing of this legislation is an important achievement that will provide ongoing benefits to Ontarians. While some updated provisions will come into force immediately, other provisions will be phased in over the coming years as supporting regulations and policy is developed. My ministry will continue to engage interested parties to assist in the development of these regulations, policies and guidelines.

If you have any questions regarding the legislative process or the implementation of the amendments, please contact the Water Resources Section at mnrwaterpolicy@ontario.ca.

Thank you again for your support and participation in the review.

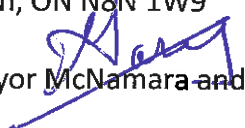
Jennifer Keyes
Manager, Water Resources Section
Policy Division
Ministry of Natural Resources and Forestry

Ernie Hardeman, MPP
PC Critic for Municipal Affairs and Housing

December 11, 2017

RECEIVED DEC 19 2017

Mayor Gary McNamara
Town of Tecumseh
917 Lesperance Rd
Tecumseh, ON N8N 1W9


Dear Mayor McNamara and members of Council,

As you know, PC Leader Patrick Brown recently released the Ontario PC Platform, called the People's Guarantee. I want to take this opportunity to provide more information on some of the policies that will impact municipalities. I also want to thank municipalities for their input. These policies are based on ideas, suggestions and concerns that we heard from municipal representatives both through our policy process and during the many meetings and conversations we've had.

Below I have outlined some of the most significant policies impacting municipalities.

Restore the Ontario Municipal Partnership Fund. We understand the importance of this unconditional grant that municipalities can use to fund their own local priorities so we will restore the \$70 million that has been cut from this fund since 2013.

Increase transparency by explaining infrastructure decisions. On numerous occasions, we heard from municipalities about the cost of preparing infrastructure applications that are turned down with no explanation, such as those for the Ontario Community Infrastructure Fund. We will provide feedback on these applications. We will also allow pooling of similar projects so smaller municipalities can benefit from P3 financing.

Fix the Joint and Several Liability issue. We know that municipalities are sometimes viewed as having deep pockets and therefore required to pay a far greater portion of settlements than they are responsible for leading to rapidly increasing insurance costs. As Patrick Brown announced at the AMO conference, an Ontario PC government would fix joint and several insurance issues while still ensuring adequate protection for victims.

Invest in Broadband and Cellular infrastructure. We understand that infrastructure is necessary to attract new businesses, improve quality of life, and even ensure that emergency calls can be completed. We will invest up to \$100 million into the Ontario Community Infrastructure Fund. The money will be tied specifically to broadband and cellular infrastructure to help rural and smaller municipalities build the necessary infrastructure.

Increased input into Growth Plans. Municipalities have told us that they need more input into their growth and intensification targets to ensure that they are appropriate and suit the municipality. We will ensure a planning process that provides proper input into future growth plans.

Investing \$124 million for recreational infrastructure. We heard from many municipalities that have aging recreational infrastructure that they cannot afford to upgrade or replace. As part of our commitment to healthy living and supporting municipalities, we will invest \$124 million to build and upgrade this infrastructure including arenas, swimming pools, sports fields, and other recreational infrastructure.

Restore local planning authority over renewable energy projects. The *Green Energy Act* started a dangerous precedent of removing local planning authority over renewable energy projects. We do not believe that these projects should be forced on unwilling hosts. An Ontario PC government will restore the local planning authority over renewable energy projects.

Red Tape. We understand the burden and costs that excess regulation creates for municipalities. We have committed to address red tape across the government by eliminating two regulations for each new regulation that is introduced. This will lead to smarter regulations that will allow businesses and municipalities to thrive.

If you would like to read the full plan it is available at: www.ontariopc.ca/peoplesguarantee.

I hope that these policies will help build a strong future for your community and help relieve some of the pressures facing your municipality.

Please let me know if you have any feedback. I would appreciate hearing your thoughts on how these proposals will impact municipalities. As always if you have any questions or if I can be of assistance please feel free to contact me.

Sincerely,



Ernie Hardeman, MPP
PC Critic for Municipal Affairs and Housing



The Corporation of The Town of Amherstburg

January 16, 2018

VIA EMAIL

Essex County Federation of Agriculture
360 Fairview Ave. West
Essex, ON
N8M-3G4

Dear President, Mr. Lyle Hall:

RE: Tax Changes Proposed by the Federal Liberal Government

At its meeting of December 11th, 2017, Amherstburg Town Council passed the following motion:

Resolution # 20171211-1000 - That the correspondence from the Essex County Federation of Agriculture regarding their concern over the proposed tax changes BE SUPPORTED.

Best Regards,

Tammy Fowkes
Deputy Clerk

cc: The Honourable Bill Morneau, Minister of Finance
Ontario Municipalities
Association of Municipalities of Ontario (AMO)

encl. Essex County Federation of Agriculture Letter

December 5, 2017

RE: Tax Changes proposed by the Federal Liberal government.

Dear Mayors and members of council,

We are writing to you today because we believe that the concerns of small business must be taken seriously by governments at every level, including the Municipal level. We are also concerned about the tax changes proposed by the federal Liberal government this past summer.

We are extremely concerned about the manner of the announcement, the short consultation period and the possible negative effects on Farmers, and Farm Families in our communities.

We are very aware of the unfairness of the current tax system, and we do encourage a system of tax fairness to address rising inequalities in Canada, however the decision by government to launch a consultation process in the middle of summer limited the capacity of Canadians, especially our local farmers, to fully participate.

Family farms represent a particular kind of small business, and differ from other small businesses. MP Guy Caron, tabled Bill C-274 during the 42nd parliament and the aim of this Bill was to facilitate the transfer of small businesses, or farm and fishing businesses, between family members by modifying the Income Tax Act. Sadly, this initiative was rejected by the Liberals during second reading.

Today's government announcement of a reduced small business tax is good news. However, we remain concerned and uncertain of what is coming next.

We are asking you to write to the Minister of Finance and to continue to pressure the government to honour its campaign promises and focus on real tax fairness.

Sincerely,

Lyle Hall

President, Essex County Federation of Agriculture



The Corporation of The Town of Amherstburg

January 16, 2018

VIA EMAIL

Windsor-Essex County Board of Health
360 Fairview Ave. West, Suite 215
Essex, ON
N8M-3G4

Dear Chair, Mr. Gary McNamara:

RE: Proposed Changes to the Cannabis Act (Bill C-45)

At its meeting of December 11th, 2017, Amherstburg Town Council passed the following motion:

Resolution # 20171211-1001 - That the correspondence from the Windsor-Essex County Board of Health regarding proposed changes to the Cannabis Act (Bill C-45) BE SUPPORTED and that a letter BE SENT to all municipalities and AMO.

Best Regards,

Tammy Fowkes
Deputy Clerk

cc: Ontario Municipalities
Association of Municipalities of Ontario (AMO)

encl. Windsor-Essex County Board of Health Resolution

November 27, 2017

The Honourable Dr. Eric Hoskins
Minister of Health and Long-Term Care
Hepburn Block, 10th Floor
80 Grosvenor Street
Toronto, ON M7A 2C4
ccu.moh@ontario.ca

Dear Minister Hoskins

Proposed Changes to the Cannabis Act (Bill C-45)

The Board of Health of the Windsor-Essex County Health Unit would like to commend the Ministry of Health and Long-Term Care, Ministry of the Attorney General's office, and the Ministry of Finance for the proposed changes to the *Cannabis Act (Bill C-45)*. The increase in minimum age of consumers, restriction of cannabis to youth under the age of 19, the government-run LCBO model for retail outlets and plans to regulate the location of cannabis retail outlets through zoning and licensing, will help to mitigate the unintended consequences of legalization to vulnerable populations.

Consuming cannabis, especially on a regular basis, is associated with many adverse health outcomes. Chronic diseases related to the carcinogens, toxins, and irritants similar to those found in tobacco smoke are also associated with cannabis use (SHAF, 2016). The effects of cannabis are particularly detrimental to adolescents and youth under the age of 25, as the developing brain is likely to be affected. In addition, individuals with mental illness are seven times more likely to use cannabis weekly, and are ten times more likely to have a cannabis use disorder (CAMH, 2013). Cannabis use can also make mental illness worse.

Another public health concern related to cannabis legalization is drug-impaired driving. The effects associated with cannabis use, such as slowed reaction time, the impacts on decision-making and divided attention, makes driving extremely dangerous after cannabis use. Cannabinoids are, in fact, among the most common psychoactive substances found in deceased and injured drivers in Canada (Wettlaufer et al., 2017).

On October 19, 2017, the Board of Health of the Windsor-Essex County Health Unit passed a Resolution with regard to the licensing, planning, and zoning regulations of cannabis retail outlets and the coordinated efforts of Windsor-Essex municipalities in preventing the harms associated with cannabis use, as outlined below:

Whereas the federal government has announced its intention to legalize recreational cannabis through the passing of the *Cannabis Act* prior to July 1st, 2018, and

Whereas cannabis smoke contains many of the same carcinogens, toxins, and irritants found in tobacco smoke with the added psychoactive properties of cannabinoids like THC, and

Whereas increased access to cannabis will result in increased risk for chronic disease, mental illness and injury, and

Whereas municipalities have control over the density and location of retail outlets through zoning, planning, and licensing regulations,

Now Therefore it be Resolved that the Windsor-Essex County Board of Health for the Windsor-Essex County Health Unit encourages all Windsor-Essex municipalities to develop strict licensing, planning, and zoning regulations related to the location and density of cannabis retail outlets, particularly in areas where vulnerable populations may be unfairly targeted.

Further that staff of the Windsor-Essex County Health Unit work with enforcement agencies and municipalities to provide a public health perspective into decision making related to the enforcement of cannabis smoking in prohibited areas, and

Further that staff of the Windsor-Essex County Health Unit utilize the Lower-risk Cannabis Use Guidelines set out by key national stakeholders, like the Centre for Addictions and Mental Health and the Canadian Public Health Association, in the development of a comprehensive public education and awareness campaign.

The Board of Health at the Windsor-Essex County Health Unit supports the efforts aimed at keeping recreational cannabis out of the hands of children and youth, as well as other vulnerable populations to which harm may result.

Determining the locations of cannabis retail outlets in Windsor-Essex based on licensing, planning, and zoning regulations through a coordinated effort of the municipalities in Windsor-Essex, will help to ensure these populations are better protected from the negative effects of cannabis use. Additionally, in order to ensure local enforcement and health promotion goals can be met, the local Board of Health requires supplementary funding which can be allocated to the training and hiring of enforcement officers, health promotion staff, and administrative supports.

[Resolution - Cannabis - October 2017 - AODA.pdf](#)

Sincerely,



Gary McNamara
Chair, Windsor-Essex County Board of Health

c: Windsor-Essex County Board of Health
Ms. Monika Turner, Director of Policy, AMO
Dr. Peter Donnelly, President and CEO, Public Health Ontario
Hon. Dipika Damerla, Associate Minister of Health and Long-Term Care
Association of Local Public Health Agencies

Local MPP's / City of Windsor – City Clerk / County of Essex – Municipal Clerks
Dr. David Mowat, Interim Chief Medical Officer of Health
Ms. Sue Makin, President, the Ontario Public Health Association
Mr. Gordon Fleming, Manager of Public Health Issues, alPHA
Ontario Boards of Health

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Ministry of
Transportation

Office of the Minister

Ferguson Block, 3rd Floor
77 Wellesley St. West
Toronto ON M7A 1Z8
416-327-9200
www.ontario.ca/transportation

Ministère des
Transports

Bureau du ministre

Édifice Ferguson, 3^e étage
77, rue Wellesley Ouest
Toronto (Ontario) M7A 1Z8
416-327-9200
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RECEIVED

JAN 22 2018

Town of Tecumseh



JAN 16 2018

M2017-4619

His Worship Gary McNamara
Mayor
Town of Tecumseh
917 Lesperance Road
Tecumseh ON N8N 1W9

Dear Mayor McNamara:

Thank you for your letter requesting support for the County of Essex's County Road 19 improvement project application to the Government of Canada's National Trade Corridors Fund (NTCF). I welcome the opportunity to respond.

The Windsor-Detroit border crossing is a key gateway for Ontario and the United States. The project would provide an alternative local and regional access route to the border crossings via E.C. Row Expressway, thereby alleviating pressure on Highway 401 access via Huron Church Road.

County Road 19 has a significant economic impact and is a critical link in the delivery of agricultural and other industrial products. The NTCF provides an opportunity to move the County Road 19 improvement project forward.

Please accept this letter as Ontario's support for the County of Essex's application for consideration under the NTCF.

Thank you again for writing.

Sincerely,

Steven Del Duca
Minister

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: January 17, 2018

CASE NO(S): PL160967

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Emile Nabbout
Subject:	By-law No. 2016-67
Municipality:	Town of Tecumseh
OMB Case No.:	PL160967
OMB File No.:	PL160967
OMB Case Name:	Nabbout v. Tecumseh (Town)

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Perry Burford
Subject:	Proposed Official Plan Amendment No. 14
Municipality:	Town of Tecumseh
OMB Case No.:	PL160967
OMB File No.:	PL161195

Heard: November 14 - 17, 2017 in Tecumseh, Ontario

APPEARANCES:

Parties

Perry Burford, Emile Nabbout, and
Judy Wellwood-Robson

Del Duca Industrial Park Ltd. ("Del
Duca")

Town of Tecumseh (the "Town")

Counsel

B. Langford

C. Riley
M.A. Keefner

E. Hooker

DECISION OF THE BOARD DELIVERED BY S. JACOBS

INTRODUCTION

[1] Del Duca wishes to develop an agricultural parcel of land into an industrial business park, to be subdivided into nine large parcels, ranging in size from 1.12 hectares (“ha”) to 6.03 ha. The land is located at the northeast corner of the 8th Concession Road and North Talbot Road in Oldcastle Hamlet (the “subject property”), which is located in the Town of Tecumseh (“Town”). Del Duca requires an amendment to the Town’s Sandwich South Official Plan (the “SSOP”) and Zoning By-law No. 85-18 (the “By-law”) to facilitate its desired development.

[2] The Town adopted the official plan amendment in the form of Amendment No. 14 (the “OPA”) to the SSOP, and the County of Essex (the “County”), the approval authority for the Town, approved the OPA on October 28, 2016. The Town passed the companion By-law amendment on September 13, 2016, in the form of By-Law No. 2016-67 (the “ZBA”).

[3] Perry Burford and Emile Nabbout, residents of Oldcastle Hamlet, appealed the OPA and ZBA to the Ontario Municipal Board (the “Board”), in accordance with s. 17(36) and 34(19), respectively, of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended (the “Act”). Messrs. Burford and Nabbout, along with Judy Wellwood-Robson, to whom the Board granted party status at the Prehearing Conference for this matter, represent an unincorporated group of residents known as the Friends of Oldcastle Development (“FOOD”). For ease of reference throughout this decision, the Board will refer to Messrs. Burford and Nabbout, and Ms. Wellwood-Robson collectively as FOOD, recognizing that Messrs. Burford and Nabbout are Appellants and Ms. Wellwood-Robson is a party. The Board notes that other residents who testified at the hearing consider themselves part of FOOD, but that they were granted participant status for the purpose of testifying at the hearing.

[4] The Board heard extensive evidence over the course of three hearing days, including an evening session to hear from participants who were not able to attend during the day. The Board heard expert evidence from Thomas Storey, a planner retained by FOOD, Tiziano Zaghi, a planner retained by Del Duca, and Brian Hillman, the Town's Director of Planning and Building Services; all three were qualified by the Board to provide opinion evidence in land use planning. John Tofflemire, qualified to provide opinion evidence in traffic matters, and Rick Spencer, qualified to provide opinion evidence in engineering, specifically regarding servicing matters, both testified briefly in support of the OPA and ZBA, as traffic and servicing matters were not in dispute.

[5] The Board also heard extensive evidence through presentations by Ms. Wellwood-Robson and Mr. Burford regarding the history and character of Oldcastle Hamlet. Mr. Nabbout also testified in support of the appeal, as did the following participants:

- Carl White
- R. Kerry Jones
- Sandy Hamilton
- Susanne Rau
- Marlene Dupuis
- Linda Shafer
- Sherri Lucier
- Wendy Pulleyblank-Cunningham
- Mara Conrad

Eleonore Zanette and Sandra Miesmer provided the Board with written participant statements in advance of the hearing, in accordance with the Procedural Order;

however, neither of them was able to attend the hearing to testify. The Board accepted their written statements for information, indicating that it could accord little weight to these statements, given that this evidence could not be tested through cross-examination as the evidence of all other participants had been during the course of the hearing.

[6] At the conclusion of the evidence, the Board directed the parties to provide written submissions regarding the issues in the hearing, as well as sub-issues that arose during the course of the hearing. These submissions were made on November 30, 2017, in accordance with the Board's direction. Based on the evidence at the hearing, both oral and documentary, and the submissions of counsel, the Board finds that the OPA and ZBA are not consistent with the Provincial Policy Statement, 2014 ("PPS"), for the reasons that follow.

The Subject Property and its Context

[7] The subject property is located in the Town of Tecumseh, a 94 square kilometer municipality that was created in 1999 through the amalgamation of the former Town of Tecumseh, the former Village of St. Clair Beach, and the former Township of Sandwich South. The shape of the Town has been described as a 'llama' or a 'camel' with the former Town of Tecumseh and Village of St. Clair Beach forming the 'head' at the north end, and the former Township of Sandwich South forming the 'body' at the south end.

[8] The former Township of Sandwich South is a vast, largely rural area, and consists of two settlement areas in the form of hamlets. Maidstone Hamlet is located at the eastern boundary of the Town, north of Highway 3, and has experienced limited development due to servicing constraints.

[9] Oldcastle Hamlet, where the subject property is situated, is located at the western edge of the Town, adjacent to the City of Windsor with Highway 401 at the hamlet's northern boundary, and adjacent to the Town of LaSalle at its western boundary. In contrast to Maidstone Hamlet, Oldcastle consists of a significant industrial

business park area. Oldcastle Hamlet also has clusters of residential development, mainly single detached dwellings on large lots ranging in size from 0.5 acre to 1 acre. The total number of residents in the hamlet was estimated at various points in the hearing to be between 300 and 400. The hamlet also enjoys community facilities, including the Ciociaro Club event facility with its substantial grounds, and its recreation areas include Weston Park at the eastern edge of the hamlet, as well as the Chrysler Greenway trail system, which bisects the hamlet. Oldcastle Hamlet is surrounded to the south and east by undeveloped agricultural areas.

[10] The Board heard extensive uncontested evidence from Ms. Wellwood-Robson about the history of Oldcastle, which the Board considers useful contextual information given the particular issues in this hearing. Ms. Wellwood-Robson has lived the majority of her life in Oldcastle, on farm land that has been in her family for 187 years. Mr. Burford's family is in its seventh generation living on their farm property in Oldcastle. Indeed, many of the residents who testified before the Board have a long family history residing in Oldcastle.

[11] By all accounts, Oldcastle Hamlet began as a rural hamlet, consisting of and surrounded by agricultural land and farm industries. Residential development in the hamlet largely took place through severances of farm properties. The hamlet continued this way until the late 1960s, when the Council of the Township of Sandwich South moved forward with a plan to focus on promoting industrial development in the hamlet, given its close proximity to the City of Windsor, Highway 401, and major transportation arteries leading to the United States. Oldcastle Hamlet proceeded to develop with a focus on industrial development and limited residential development, all on septic systems. It was not until very recently that a sanitary sewer system was installed to service the hamlet.

[12] The subject property is a 21.6 ha irregularly-shaped parcel located near the eastern edge of Oldcastle Hamlet, at the northeast corner of 8th Concession Road and North Talbot Road. It is bordered by 8th Concession Road on its western edge, with industrial lots across and fronting onto 8th Concession Road to the west. A residential

dwelling abuts the subject property at its northern edge, along with vacant agricultural land that is owned by Union Gas. The property angles at the northeast and this portion of the property abuts the former Canada Southern Railway, which is currently abandoned. Weston Park abuts the subject property at its eastern edge, and the property line angles again at the southeast, where it abuts two residential properties that front North Talbot Road.

[13] Beyond the subject property, to the east of Weston Park, is a cluster of residential development on both the north and south sides of North Talbot Road. Across from the subject property, on the south side of North Talbot Road, is vacant land that is designated as Hamlet Development in the SSOP. There is another residential cluster located to the southeast of the subject property, as well as the Ciociaro Club, a banquet and recreational facility with substantial grounds. There are residential strips along both Howard Avenue and Walker Road, and there is some commercial development also along these roads and Highway 3. The majority of the hamlet, to the north and west of the subject property, is industrial business park development. The County in its Official Plan (the "County OP") recently expanded the Oldcastle Hamlet settlement area to include an additional 57 ha of land to the northeast of the subject property for employment lands purposes.

The Proposed Development

[14] The subject property is designated Hamlet Development in the SSOP and is zoned Agricultural Zone in the By-law. Oldcastle Hamlet is designated as a Primary Settlement Area in the County OP. The OPA changes the subject property's designation to Business Park and the ZBA rezones it to Holding Industrial Zone (H) M1 and also designates it as being subject to site plan control.

[15] Del Duca's proposed development has evolved from its original application to the Town, which indicated a total of 29 industrial lots. Mr. Zaghi explained that market demand for larger industrial lots on the subject property resulted in changes to the original concept plan, such that the concept plan now indicates a total of nine industrial

lots, ranging in size from 1.12 ha to 6.03 ha. The concept plan shows an internal road being constructed from 8th Concession Road and extending through the property, curving downward to North Talbot Road. A stormwater management pond is planned at the eastern edge of the subject property, adjacent to Weston Park and a residential property.

[16] Del Duca has entered into conditional agreements of purchase and sale for four of the nine lots, with one more under negotiation at the time of the hearing. The Town has also given provisional consent to create one of the lots, conditional on a successful rezoning of the subject property. Given that the subject property is in the conceptual planning stage, the Board was not provided with specifics as to the exact types of industrial businesses to be located on the property. Mr. Zaghi indicated that the site will likely house a range of light industrial uses.

The Positions of the Parties

[17] It is clear to the Board that FOOD would prefer to see the subject property developed for residential, rather than industrial, use. The residents articulated concerns about the impact of industrial development on them, including health and safety concerns. They also spoke to the impact of the development more generally on their community, expressing a concern that the industrial development of the property would destroy the connectivity enjoyed between the residential clusters on either side of the subject property. Many residents indicated their understanding that when Town Council shifted to an industrial development focus for the hamlet in the 1960s, such development was not intended to cross the 8th Concession Road, as is now proposed. They also expressed the concern that the Town's approach to the proposed development is a piecemeal planning approach, taking the position that the Town should undertake more extensive public consultation through a planning process such as a secondary plan for the hamlet.

[18] The Board understood that FOOD is not opposed to development on the subject property, and that some residents would support a mixed-use type development that incorporates lighter employment uses with residential uses.

[19] The Town and Del Duca conveyed the significance of Oldcastle Hamlet as a centre for employment, manufacturing, and industry, not only within the Town, but within the Windsor-Essex County region, given its location adjacent to both Highway 3 and Highway 401. They submitted that industrial development is entirely appropriate for the subject property, and is even anticipated by the County OP. The planning witnesses for the Town and Del Duca share the opinion that the proposed development is consistent with the PPS, when considering the proposed development and Oldcastle Hamlet within the broader context of the Town as a whole.

ISSUES AND ANALYSIS

[20] In order to approve an OPA to a local official plan, the Board must be satisfied that it is consistent with the PPS and conforms to the upper-tier official plan. The same is true to approve a ZBA, which, in addition to being consistent with the PPS and in conformity with the upper-tier official plan, must also conform to the lower-tier official plan. The parties in this case presented an issues list to the Board, which addresses the issues of consistency and conformity, and included sub-issues that are particular to this application. Upon hearing the evidence and reviewing the submissions of the parties, the Board characterizes and groups the issues as follows:

1. Are the OPA and ZBA consistent with the PPS?
 - a. What is the appropriate 'community' to be considered for the purpose of determining consistency with the PPS?
 - b. How do both the community-based and more broadly applicable policies in the PPS apply to the OPA and ZBA?

2. Do the OPA and ZBA conform with the County OP?
3. Does the ZBA conform with the SSOP?
4. Are the OPA and ZBA premature?

[21] The Board notes that the parties included as an additional issue whether there is a 'prima facie' case for the expansion of the residential designation in Oldcastle Hamlet. This issue was included on the revised issues list at Mr. Storey's request. There was much debate during the hearing regarding the use of the term 'prima facie' in a planning context, as neither Mr. Hillman nor Mr. Zaghi were familiar with the term in that sense. The Board understood Mr. Storey's use and application of the term to be for his own purposes in accepting the retainer from FOOD. In other words, the Board understood that Mr. Storey needed to satisfy himself, before accepting the retainer, that the subject property could support residential development as FOOD suggests. Regardless, the Board does not find this to be a critical issue in its analysis of consistency with the PPS and conformity with the OPs.

I. Consistency with the PPS

[22] Messrs. Zaghi and Hillman share the opinion that the OPA and ZBA are consistent with the PPS. Mr. Storey, however, is of the opinion that Messrs. Zaghi and Hillman did not take into account relevant policies in the PPS, particularly those relating to healthy, liveable and safe communities, and that the applications are therefore premature. The Board found the evidence in this hearing relating to the PPS to be somewhat cursory. This was in part due to the position of the Town and Del Duca that many of the PPS policies raised by Mr. Storey and by the Board are to be more broadly applied to the Town as a whole and are not limited to Oldcastle Hamlet and the proposed development. Accordingly, the Board will first address the intended application of the PPS.

[23] Part III of the PPS provides guidance on how to read the document and contains particular guidance relating to the geographic scale of policies:

Geographic Scale of Policies

The Provincial Policy Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While the Provincial Policy Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. The Provincial Policy Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.

[24] The planning evidence tendered by Del Duca and the Town, as well as their submissions, urged the Board to adopt an interpretation of the PPS that applies to the Town as the whole, rather than to the subject property specifically. At the core of the dispute between Del Duca, the Town and FOOD is the meaning of ‘community’ in the PPS, and the application of policies which refer to communities. While Messrs. Hillman and Zaghi interpreted ‘community’ to mean the Town as a whole, FOOD’s witnesses identified Oldcastle Hamlet as their community, or as a significant component of their community. The Board will first address the meaning of ‘community’ in the PPS and will then analyze how both the community-based and broader policies of the PPS apply to the proposed development.

A. What does ‘Community’ mean in the PPS?

[25] The overwhelming evidence from planning witnesses and residents in this hearing was that the definition of ‘community’ is a subjective one. The PPS recognizes ‘community’ as an important concept, and the theme of healthy, liveable, and resilient communities runs throughout the document. Policy 1.0 speaks to the general goal of

“promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.”

Specific policies to achieve this goal are set out in s. 1.1:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;
- g) ensuring that necessary *infrastructure*, electricity generation facilities and transmission and distribution systems, and *public service facilities* are or will be available to meet current and projected needs; and
- h) promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.
[Emphasis in original]

[26] There is no question that the development of employment areas is a priority in the PPS, however, embedded in the policies specific to employment is the theme of supporting “liveable and resilient communities”:

1.3 Employment

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and
- d) ensuring the necessary *infrastructure* is provided to support current and projected needs. [Underlined emphasis added; italics in original]

[27] The subjectivity of the term ‘community’ is no doubt why a definition of the term is not included within the PPS’ multitude of defined terms. It is also not surprising that the Board heard different ideas of community from the planners’ perspective versus that of the residents. For instance, it was Mr. Hillman’s opinion that ‘community’ for the purpose of the Board’s analysis should be the Town as a whole. If this were the case, the Board could certainly understand how the proposed development would benefit the Town on the whole, and perhaps achieve the healthy community objectives of the PPS. However, the Board cannot reconcile such an interpretation with the language of the PPS.

[28] A different panel of the Board has, on a previous occasion, considered the meaning of ‘community’ in the PPS, finding that it does not have the same meaning as ‘municipality.’¹ This panel must agree for the same reasons articulated by Vice-Chair Schiller, that is, that the PPS uses the terms ‘community’ and ‘municipality’ throughout the document; if ‘community’ were meant to encompass an entire municipality, it would

¹ *Tribute (Unionville) Ltd. v. Markham (City)*, 2013 CarswellOnt 1242.

have made sense for the drafters to have used one term: 'municipality'. This panel further agrees that the term 'community' in the PPS is meant to convey something different from a municipality, something smaller.

[29] The definition of 'community' in a particular case is necessarily subjective and contextual. The residents who testified before the Board had a good understanding of what community means to them, describing the place that reflects their day-to-day experience of where they live, attend school, church or recreational activities, shop, and, perhaps, work. The residents who testified agreed that Oldcastle Hamlet is a significant component of their community.

[30] Many of the residents also consider Maidstone Hamlet to be part of their community, because they attend church there or their children attend school there, and they make daily or weekly trips to that area. None of the residents considered the Town as a whole as their community; many of them noted that, due to the geographic expanse of the Town, it can take 30 minutes to drive to the Town hall, and that they only venture into this part of the Town if they have business to conduct there. Many of the residents also noted that they shop in the large commercial area along Walker Road in the adjacent City of Windsor, as this is a short drive from Oldcastle Hamlet. Some therefore consider this area to be part of the community.

[31] Despite Mr. Hillman's planning opinion that 'community' should be taken to mean the Town as a whole, the Town and Del Duca agreed, in their written submissions, that the community in this case is Oldcastle Hamlet. While the residents must, out of necessity, venture out of the hamlet for work, shopping, church, and school, the Board understood their testimony to indicate that they consider the hamlet to be where they live and spend much of their time. The Board notes that the discussion of liveable and resilient communities in the PPS is consistent with this interpretation; that is, the PPS requires an analysis of impact of development on communities, and this must surely mean the immediate area one lives in and experiences on a daily basis. The emphasis in the PPS on liveable communities supports the Town and Del Duca's submission that Oldcastle Hamlet is the community the Board should consider in order to determine

consistency with the PPS. The Board finds that this accords with the testimony of the residents, who are most concerned with the impacts of the proposed development on the place in which they live and experience on a daily basis, which is the hamlet. The Board therefore agrees that the ‘community’ in this case, for the purpose of applying the relevant PPS policies, is Oldcastle Hamlet.

B. Application of Community-Based and Broader Policies of the PPS

[32] The PPS is meant to be read in its entirety; the document itself clearly states this in Part III. The Board agrees with the Town and Del Duca that the geographic scale of policies, cited earlier, is critical to properly interpreting and applying the PPS. All three planners cited policies as being relevant to this application, some of which are specific to communities, and others that are of broader application to settlement areas or to the Town.

[33] All three planning witnesses referred in some way to Policy 1.1.1, regarding sustaining healthy, liveable, and safe communities. Particularly relevant to this case is Policy 1.1.1(c), which seeks to achieve the healthy community goal by “avoiding development and land use patterns which may cause environmental or public health and safety concerns.”

[34] The Board heard very little evidence from Messrs. Hillman and Zaghi regarding Policy 1.1.1(c). While they share the opinion that the application is consistent with the PPS, the Board neither heard in their oral evidence, or read in their witness statements or reports, any sort of analysis to indicate that they had considered the community of Oldcastle Hamlet or its residents in the way anticipated by this policy. They both considered the benefit of the proposed development in the Town and the Windsor-Essex County region, given that Oldcastle Hamlet is recognized as a significant industrial area in the region. Their analysis of the PPS, however, overlooks the PPS’ overarching concern with sustaining healthy, liveable, safe, and resilient communities.

[35] The Board agrees with Mr. Storey that neither the Town nor Del Duca had appropriate regard for Policy 1.1.1(c) with respect to the proposed development. The Board questioned Mr. Zaghi as to his interpretation of “healthy, liveable and safe communities” within the context of this and other policies using this language within the PPS. Mr. Zaghi’s interpretation was contextual and takes into account the Town in its entirety, finding that in offering proper services, protecting natural heritage features, providing opportunities for shopping, living, working, and attending school, the Town satisfies the intent of this policy. Mr. Hillman agreed that the interpretation of this policy should be for the Town as a whole. The Board cannot agree, in light of its earlier finding that the use of ‘community’ in the PPS is not synonymous with ‘municipality’, and that the community to be considered in this case is Oldcastle Hamlet, as conceded by counsel for Del Duca and the Town.

[36] While the Board heard very little planning evidence regarding healthy, liveable, safe, and resilient communities, it heard extensive testimony from the residents of Oldcastle Hamlet about what their community means to them and how they perceive the proposed development will impact their community. The residents of Oldcastle view their residential clusters as connected; they all use and enjoy Weston Park, and in their view, the development of the subject property as industrial will disconnect these residential clusters and negatively change their daily experience. In addition to this general concern about the connectivity of the residential clusters, they raised specific concerns regarding the health, safety, and liveability of their community should the proposed development proceed.

[37] With regard to health concerns, the Board heard extensive uncontested evidence from Ms. Conrad about her two-year battle with a nearby industry that was not operating in accordance with Ministry of Environment and Climate Change (“MOECC”) standards, causing noxious fumes from painting. While the Board appreciates that industry is regulated by the MOECC, and trusts this will continue to be the case with any future development, Ms. Conrad’s testimony illustrates the potential for the negative impact of industry located adjacent to residential areas, even when that industry is regulated by the MOECC.

[38] Many residents spoke to safety concerns regarding the increase in traffic that will arise from the proposed development. The concern relates not only to the increased traffic from employees of the businesses to be located on the subject property, but also to the likely truck traffic associated with industry. Residents throughout the hamlet walk to Weston Park, and question the safety of walking along North Talbot Road with the increase in traffic from the proposed development. The Board understands that there are currently no sidewalks on North Talbot Road, and that this is something that could later be addressed in a draft plan of subdivision. The Board also accepts Mr. Tofflemire's uncontested evidence that the increased traffic volume from the proposed development can be supported based on the existing road network and proposed internal road. However, this does not address the issue of the increase of the particular type of traffic related to industry, and how this could impact the safety of pedestrians walking to their neighbourhood park, even if sidewalks are to be installed. The Board has previously recognized this as a valid concern of residents when assessing the compatibility between employment and residential uses.²

[39] The Board is not convinced, based on the planning evidence before it in this hearing, that the proposed development would sustain a healthy, liveable and safe community as envisioned by Policy 1.1.1(c).

[40] The question of impact is addressed elsewhere in the PPS, in Policy 1.2.6, which Mr. Zaghi cited and relied on his planning report:

1.2.6 Land Use Compatibility

- 1.2.6.1 *Major facilities and sensitive land uses* should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of *major facilities*

[41] In order to determine whether adverse impacts are mitigated in the proposed development, Mr. Zaghi relied on the MOECC Guideline D-6, a document that is

² *O'Shanter Development Co. v. Durham (Regional Municipality)*, [2006] O.M.B.D. No. 1010 ("O'Shanter").

referenced in the SSOP to be used in assessing impact of development. Guideline D-6 recommends separation distances between industry and sensitive land uses. Mr. Zaghi depicts the effect of Guideline D-6 in Figure 9 of his planning report. The result is that the recommended 70-metre (“m”) separation distance crosses North Talbot Road and covers a portion of the vacant agricultural land on the south side of the road. The 300 m “potential influence area” crosses the settlement area boundary and covers a larger portion of the agricultural land to the south.

[42] Mr. Zaghi explained that Figure 9 illustrates a worst-case scenario, presuming that all of the industries on the subject property will be Class II industries. While these are permitted by the proposed ZBA, Mr. Zaghi believes that in fact lighter industries will develop here, which could reduce the separation distances and minimize the impact on sensitive land uses. He acknowledges that the specific types of industries and their respective impacts cannot be assessed at this stage in the planning process. The Board notes that while it may be the case that this worst-case scenario does not materialize, it is a scenario that is permitted by the ZBA.

[43] The Board agrees with Mr. Zaghi that there is no issue of compatibility with other industrial lands in the surrounding area. Mr. Zaghi, however, acknowledges in his planning justification report that residences to the north, east, south, and west may be impacted and should be evaluated under the Guideline D-6. While the Board appreciates the importance of the guideline, it is but a piece of the puzzle in determining land use compatibility.

[44] There have been many cases before this Board where compatibility could not be found between residential and proposed industrial areas, including the *O’Shanter* case submitted by FOOD.³ Much like the panel in that case, this panel appreciates that while fine-tuning can be done through the draft plan of subdivision and site plan control processes, these processes do not address the larger question of compatibility of adjacent land uses. Former Member Rogers articulated the problem of locating these land uses together as a general land use planning principle:

³ *Ibid.*

While it may be that the impacts of employment uses on residential uses can be mitigated to a certain extent, it is not, as a matter of principle, good planning practice to locate sensitive residential uses adjacent to general industrial uses. It would also be difficult to mitigate impacts, when the actual uses to be located around the site are currently unknown.⁴

Similar to this case, the precise uses of the subject property and future uses of vacant surrounding properties are unknown, which poses greater difficulty for determining compatibility. This panel agrees that as a general principle of land use planning, it is not good planning practice to locate industrial uses adjacent to sensitive residential land uses, of which there are some existing adjacent to the subject property.

[45] The dangers of locating industrial land uses adjacent to residential uses were addressed by the residents who testified before the Board, and were discussed above with reference to Policy 1.1.1(c). It is also worth noting that the residents of Oldcastle Hamlet, while acknowledging that the majority of the hamlet has become industrial, have enjoyed a buffer from this industrial activity in the form of 8th Concession Road and the agricultural use of the subject property. If the subject property were to develop as proposed, the perception that these residents are surrounded by industry is inevitable. As noted above, many of them will be walking past this industrial area to use Weston Park or to visit friends in one of the residential clusters, or for residents at the eastern edge of the Hamlet to use the Ciociaro Club's recreational facilities. There is an anticipated increase in traffic related to these new industrial uses. Like the panel in *O'Shanter*, this panel cannot find compatibility between the proposed use and the adjacent residential uses.

[46] The Board also finds problematic the seeming disregard by Mr. Zaghi and Hillman of Policy 1.3.1(c), which speaks to the promotion of economic development and competitiveness by encouraging compact, mixed-use development with compatible employment uses, again to support liveable and resilient communities. Mr. Zaghi did not address this in his written or oral evidence, and when the Board questioned him about

⁴ *Ibid.* at para. 152.

this policy, he referred to the overall context of the Town in support of his opinion that the development is consistent with this policy.

[47] Mr. Hillman also referred to the Town in its entirety to demonstrate that the proposal is consistent with this policy, given that this policy speaks to the promotion of economic development on a broad scale. The Board agrees with Mr. Hillman that this policy is meant to apply broadly, in this case to the Town's promotion of economic development, however, it cannot ignore the direction of Policy 1.3.1(c) to encourage

compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

While the Board appreciates that the Town is working toward this objective on a Town-wide basis, it is troubling that the Town has not considered this objective in the context of the Oldcastle Hamlet community. There is no planning evidence before the Board to indicate that this policy was considered in the proposed development, and the Board has already addressed the issues relating to compatibility, as well as liveable communities, above.

[48] The theme of complete communities is carried through the PPS, including in the transportation policies, where it is envisioned that land use patterns should minimize the length and number of vehicle trips. While Messrs Zaghi and Hillman believe that Policy 1.6.7.4 is meant to address larger-scale developments, Mr. Storey believes that it must be considered for the proposed development, and that the provision for more employment lands in an area where there is little residential property available will not reduce vehicle trips. The Board understands, as both Mr. Zaghi and Mr. Hillman point out, that Oldcastle Hamlet is in close proximity to residential areas in the City of Windsor and the Town of LaSalle. However, the Board fails to understand how the proposed development would minimize the number and length of vehicle trips, rather than increasing both, in light of a traffic study that supports increased traffic volume from the proposed development. The Board does note the availability of public transportation and active transportation routes in or near Oldcastle Hamlet. However, it agrees with Mr. Storey that adding more industrial development to an area that is already designated

approximately 45% industrial versus approximately 9% residential may not be in line with the vision of the PPS that people can live near enough to their workplaces that modes of transportation other than a personal vehicle are viable options.

[49] Similarly, the Board has considered the more broadly applicable policies in Policy 1.1.3 of the PPS, which speaks to the vitality of settlement areas. In particular, the Board finds Policies 1.1.3.1 and 1.1.3.2 relevant to the proposed development, as Oldcastle Hamlet is a designated settlement area:

1.1.3.1 *Settlement areas* shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within *settlement areas* shall be based on:

a) densities and a mix of land uses which:

1. efficiently use land and resources;
2. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
4. support *active transportation*;
5. are *transit-supportive*, where transit is planned, exists or may be developed; and
6. are *freight-supportive*; and

b) a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated. [Emphasis in original]

These, and the other relevant PPS policies addressed above, speak to the balance the PPS envisions for communities, settlement areas and municipalities, and was discussed by the Board in *O'Shanter*, when describing the policy in the 1996 version of the PPS directing a sufficient land supply:

Furthermore, the Board finds that this provision of the PPS 1996 emphasizes the necessity to provide sufficient lands for all of the uses which comprise a community. Inherent in this concept is the idea of balance. There is to be a balance in the provision of lands for the various competing uses to ensure that a municipality can provide for all components of a healthy community.⁵

While the panel was addressing a provision of the 1996 PPS, it is clear from reading the current PPS that the idea of healthy, balanced communities remains a priority.

[50] The Board agrees with Messrs. Hillman and Zaghi that these settlement area policies are of broader application than to the proposed development. However, the proposed development comprises a significant land area within the settlement area of Oldcastle Hamlet, and there appears to have been little, if any, regard by the Town or Del Duca for the balancing components of these policies.

[51] The Board notes that there was also considerable discussion about the relevance of Policy 1.1.1(d), as Mr. Storey's opinion is that the proposed development could prevent the future efficient expansion of the settlement area. The Board agrees with the Town and Del Duca that the wording of this policy clearly indicates that it is meant to apply to development in areas "adjacent or close to settlement areas." Because the subject property is located within the settlement area of Oldcastle Hamlet, the Board finds that Policy 1.1.1(d) is not applicable in this case.

[52] Based on the evidence from the residents, all three planners, and the Board's own reading of the PPS, the Board finds that the OPA and ZBA are inconsistent with the PPS. The Board wishes to note, however, that it can envision an alternative proposal, as described by some of the residents that could be consistent with the PPS. A mixed-use type of development, incorporating employment uses that would have no adverse impact on surrounding uses, with a residential component could achieve the balancing anticipated by the PPS, and from a good planning perspective, could serve as an effective connecting link between the existing residential clusters. The Board of course

⁵ *Ibid.* at para. 38.

recognizes that this was not the proposal before it and will address this notion further in its disposition.

II. Conformity with the County OP

[53] Given the Board's finding that the OPA and ZBA are not consistent with the PPS, it is not necessary for the Board to determine whether the instruments conform with the County OP or SSOP. However, given the extensive evidence the Board heard regarding these policies, it will offer its findings in the hope that they may be of assistance to the parties moving forward.

[54] The County OP, adopted and approved in 2014, echoes many of the goals of the PPS regarding healthy, sustainable, and resilient communities. The goals for a healthy county, particularly s. 1.5(e) and (h) relate to settlement areas and are therefore relevant to Oldcastle Hamlet. These goals echo the balancing intent that was discussed earlier regarding the PPS:

1.5 Goals for a Healthy County

The long-term prosperity and social well-being of the County depends on maintaining strong, sustainable and resilient communities, a clean and healthy environment and a strong economy. To this end, the policies of this Plan have been developed to achieve the following goals for a healthy County of Essex:

...

- e) To create more mixed use, compact, pedestrian-oriented development within designated and fully serviced urban settlement areas.

...

- h) To create and maintain an improved balance between residential and employment growth in each of the Primary Settlement Areas, as detailed in Section 3.2 of this Plan, by increasing employment opportunities closer to where people live.

The planning witnesses disagreed as to the significance of these goals in determining the proposed development's conformity with the County OP. Messrs. Hillman and Zaghi

are of the view that it is necessary to look to the specific policies that implement the goals in order to determine the proposal's conformity with the OP, while Mr. Storey believes that the goals are also important in determining conformity.

[55] The Board agrees with the planning witnesses and submissions of the parties that a goal represents an aspiration, desire, or value, and that a policy may be considered a course of action to implement a goal. To that end, it stands to reason that a goal articulated in an official plan can be of assistance in interpreting a related policy. Put another way, an official plan policy should not be interpreted in such a way that would frustrate its related goal.

[56] Section 1.5(h) refers to s. 3.2 of the County OP for its detailed related policies. Section 3.2.1 provides more specific direction relating to settlement areas:

It is the vision and purpose of this Plan to direct the majority of future growth and development into the Primary Settlement Areas in order to strengthen the County's settlement structure, focus public and private investment in fewer areas and to preserve the lands designated "Agricultural" and "Natural Environment" for the purposes outlined in the policies of this Plan. Local Official Plans will detail where within the "Settlement Areas" designations various types of land uses will be located; however, healthy community principles shall be incorporated into the long-range planning and development review process.

Schedule A2 of the County OP designates Oldcastle Hamlet as a Primary Settlement Area. While s. 3.2.1 directs local official plans to designate specific land uses within Settlement Areas, it also mandates "healthy community" principles to be incorporated into both long-range planning and development review. Specific goals to that end are set out in s. 3.2.2; similar to the PPS, these goals describe settlement areas where residents can live, work, and enjoy recreation (s. 3.2.2(b)), attracting business and industry (s. 3.2.2(f)), and, in s. 3.2.2(c):

To promote development within Primary Settlement Areas that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.

[57] The companion policies for these Primary Settlement Area goals are set out in s. 3.2.4.1:

The following policies apply to Primary Settlement Areas:

- a) Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality.
- b) Primary Settlement Areas shall have full municipal sewage services and municipal water services and stormwater management services, a range of land uses and densities, a healthy mixture of housing types including affordable housing options and alternative housing forms for special needs groups, and be designed to be walkable communities with public transit options (or long-term plans for same).
- c) Local municipal Official Plans shall establish appropriate land uses in accordance with the policies of this Plan.
- ...
- h) All types of land use are permitted within the "Settlement Areas" designation subject to the specific land use policies of the local Official Plans.
- i) Cost effective development patterns and those which will minimize land consumption and reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.

[58] The planning witnesses focused on the more specific policy direction in s. 3.2.4, which identifies the County's Primary Settlement Areas. Section 3.2.4 lists all of the Primary Settlement Areas in the County, and, only in the case of Oldcastle Hamlet, provides a detailed description of the hamlet:

Primary Settlement Areas are the largest and traditional centres of settlement and commerce in the County. Protection of these communities by focusing growth and investment is a priority of the County. The locations and boundaries of the Primary Settlement Areas within the County have been identified on Schedule "A2", and include the following:

- i) Oldcastle Hamlet (Town of Tecumseh)

Oldcastle Hamlet has historically been the focus of manufacturing due in part to its proximity to the City of Windsor. The recent investment in sanitary services and the existing forms

of development make it an ideal location to focus employment growth subject to the following policies:

- i. Oldcastle Hamlet shall be primarily developed with employment uses, while recognizing that limited opportunities may exist to expand upon the few existing residential clusters that are situated in the area. The local Official Plan will more specifically designate the lands in appropriate land use designations.
- ii. A mixture of lot sizes shall be provided, including large lots that would be suitable to employment uses that may not be appropriately located within other nearby Primary Settlement Areas due to their size or impacts.
- iii. The local Official Plan shall contain policies to ensure orderly and appropriate development.
- iv. All new development shall be on full municipal sewage services and municipal water services.
- v. Cost effective development patterns and those which reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided. [Emphasis added]

[59] Messrs. Zaghi and Hillman share the opinion that s. 3.2.4(i), subparagraph (i), directs employment uses to be the primary form of development in Oldcastle. The Board agrees, and it is well-established through all of the planning evidence that this has already been achieved in Oldcastle. Industrial and business park development is the largest land use category in the hamlet, representing 36% of existing development, with an additional 9% of designated industrial land that is vacant. In fact, the vacant land category may now be significantly larger given the addition of lands to the settlement area through the County OP, which are intended for business park/industrial use, though not yet designated.

[60] The planners agree that 'primarily' refers to the largest of a number of categories, and not a majority; there is no question that industrial use/business park is the largest land use category in the hamlet. The Board does not interpret s. 3.2.4(i) subparagraph (i) to mean that all development in the hamlet must be for employment uses. The provision clearly recognizes that there are limited opportunities to expand on the

residential clusters in the area. Reading this policy together with the healthy community principles throughout the County OP, and the specific Primary Settlement Area policies in s. 3.2.4.1, the Board interprets this to mean that while employment will be the primary use, there should be a range of land uses in the hamlet, including a healthy mix of housing types (s. 3.2.4.1(b)). The recognition of the limited opportunities for residential expansion in Oldcastle Hamlet cannot be read to mean that there will be no residential growth in the hamlet, as this would be contrary to the goals that underlie this policy.

[61] The Board does not view the proposed development as essential to satisfying the policy direction of s. 3.2.4(i) subparagraph (i), as the development of primarily employment uses has already been achieved in Oldcastle Hamlet. The continued development of employment uses while overlooking other land uses may well frustrate the healthy community goals of the County OP, for the same reasons discussed by the Board in its analysis of the PPS.

[62] The Settlement Area policies of the County OP direct that local official plans shall specifically designate lands in Oldcastle Hamlet in appropriate land use designations. The SSOP, adopted in 1997, has not yet been updated in light of this County OP policy, which forms the basis for the next issue the Board was asked to consider.

III. Conformity with the SSOP

[63] A threshold issue regarding the SSOP is whether it should be applied, given that it is 20 years old, and has not been updated to reflect the latest PPS or the County's 2014 OP. From a legal standpoint, it is a well-established principle that the Board typically applies the policies in force and effect at the time of the application, unless there are compelling reasons to do otherwise.⁶ There is no question that the SSOP, while arguably outdated, is the local official plan in force and effect now and at the time of the application; there is no other local official plan policy that the Board could apply in this case.

⁶ See *Clergy Properties Ltd. v. Mississauga (City)* (1996), 34 O.M.B.R. 277; *James Dick Construction Ltd. v. Caledon (Town)*, [2003] O.M.B.D. No. 1195; and *Re Sunlife Assurance Co. of Canada*, [2007] O.M.B.D. No. 1277.

[64] Mr. Hillman explained that the Town currently has three separate official plans for each of its pre-amalgamation municipalities, and that it is in the process of preparing a new official plan for the Town. To do this, the Town has prepared a series of discussion papers on various topics, including an Employment Lands Discussion Paper (the “ELDP”). All planners acknowledged that, while useful for providing insight into the current policy thinking of the Town, the discussion papers, including the ELDP, have no bearing on the Board’s determination of conformity with either the County OP or SSOP. The Board notes, however, that Town Council relied on the ELDP in requesting that the County expand the Oldcastle Settlement Area in its 2014 Official Plan and that the County did so.

[65] In the Board’s view, it is also important to note that the County OP directs that specific and appropriate land uses for Oldcastle Hamlet are to be designated in the local official plan. This has not yet been done, and many properties, including the subject property, are designated as Hamlet Development, a type of holding designation that provides for a range of urban land uses, including residential, commercial, and industrial. While it is not necessary to make a determination on this, given the Board’s findings regarding the PPS, this lack of alignment of the SSOP with the County OP lends credence to Mr. Storey’s opinion that the proposed development is premature.

IV. Prematurity of the Proposal

[66] FOOD argued that the proposed development is premature given the badly dated SSOP and the limited public consultation by the Town. While FOOD agreed that the Town followed all statutory public meeting requirements, the consensus among the residents is that the Town’s approval of the OPA and ZBA is a piecemeal approach to planning, and that it would be desirable to have a more extensive planning process with consultation of the residents and other stakeholders, perhaps in the form of a secondary plan process or a local comprehensive review. The Board notes that a secondary plan process is not unprecedented in the Town, as there has been a secondary plan prepared for both Maidstone Hamlet and Tecumseh Hamlet. The Board also notes that the ELDP explores the possibility of a Community Improvement Plan (“CIP”) regarding

employment lands in the Town. While the ELDP indicates that further information on the CIP process is forthcoming, it indicates to the Board that there may be an appetite and opportunity for the Town to engage in a more in-depth planning process involving Oldcastle Hamlet.

[67] There is no requirement, policy, legal, or otherwise, to compel the Town to undertake any such exercise, nor is there jurisdiction for the Board to order one in these circumstances. Given the Board's findings regarding the relevant community in this case, it trusts that the Town is in a position to determine the most appropriate process for moving forward with this or any future development in Oldcastle Hamlet.

CONCLUSION AND DISPOSITION

[68] The Board appreciates that Oldcastle Hamlet is an important centre for industry within the Town and, indeed, within the Windsor-Essex County region. However, based on all of the evidence at the hearing, as well as the extensive documentary evidence reviewed during and after the hearing, the Board concludes that the proposed development is not consistent with the PPS mandate that development sustain healthy, liveable, and resilient communities.

[69] The Board is mindful that Ms. Wellwood-Robson and other residents took care to note that they are not opposed to development on the subject property, even suggesting a type of mixed commercial-residential development that could act as a better transition from the existing industrial area to the residential clusters and Weston Park. While the Board heard no evidence on such a proposal, it can, as described earlier, envision such a proposal that could be consistent with the PPS. The Board, having heard extensive evidence about Oldcastle Hamlet and the policies relevant to development there, is prepared to withhold its Order to allow the parties to explore such an alternative.

[70] The Board will therefore withhold its Order allowing the appeal for a period of one year from the date of issuance of this decision. This will allow the parties to explore an alternative proposal in accordance with this decision, should they desire, recognizing

that Town Council may choose the appropriate planning process to facilitate this. Should the parties find that they are moving toward resolution in one year's time and that they require additional time, they make request an extension. This panel will remain seized.

"S. Jacobs"

S. JACOBS
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

From: <[ecfa](#)>
Date: January 11, 2018 at 5:17:02 PM EST
To: Laura Moy
Subject: Re: Proposed Tax Changes

Dear Laura,

Thank you for your consideration of our letter. Since we sent the letter, there have been new developments on this issue. The government is re-evaluating some of their ideas and plans. We will be waiting for their new response. So at this time, we ask you to file this correspondence.

Thank you.
Sincerely,
Lyle Hall, President
Essex County Federation of Agriculture

From: [Laura Moy](#)
Sent: Wednesday, December 20, 2017 12:47 PM
To: [ecfa](#)
Cc: [Jennifer Alexander](#) ; [Sue White](#)
Subject: RE: Proposed Tax Changes

Good afternoon,

Tecumseh Council at their regular meeting held on December 12, 2017, received your correspondence of December 5 requesting that a letter be sent to the Minister of Finance *"to pressure the government to honour its campaign promises and focus on real tax fairness."*

At the direction of Council, I am writing to ask that you provide us clarification on *"real tax fairness"* and greater detail on the *"short consultation period and the possible negative effects on Farmers, and Farm Families in our community."*

Your assistance in providing clarification and additional information will better able the Town to consider your request. Council next meets on Tuesday, January 30, 2018. A response from you by January 16 would allow for this matter to be further considered at that meeting.

Should you have any questions, please feel free to contact me.

Best regards,
Laura Moy

From: [ecfa](#)

Sent: December-05-17 11:15 AM

To: Municipality of Leamington; Town of Amherstburg; Town of Essex; Town of Kingsville; Town of Lakeshore; Town of LaSalle; Laura Moy

Subject: Proposed Tax Changes

Dear Towns/Municipalities,

Please find attached a letter for review by your councils.

Thank you,

Anne Anger, Secretary

Essex County Federation of Agriculture



Laura Moy Dipl. M.M.

Director Corporate Services & Clerk

Town of Tecumseh - 917 Lesperance Rd. - Tecumseh, ON. - N8N 1W9

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December 5, 2017

RE: Tax Changes proposed by the Federal Liberal government.

Dear Mayors and members of council,

We are writing to you today because we believe that the concerns of small business must be taken seriously by governments at every level, including the Municipal level. We are also concerned about the tax changes proposed by the federal Liberal government this past summer.

We are extremely concerned about the manner of the announcement, the short consultation period and the possible negative effects on Farmers, and Farm Families in our communities.

We are very aware of the unfairness of the current tax system, and we do encourage a system of tax fairness to address rising inequalities in Canada, however the decision by government to launch a consultation process in the middle of summer limited the capacity of Canadians, especially our local farmers, to fully participate.

Family farms represent a particular kind of small business, and differ from other small businesses. MP Guy Caron, tabled Bill C-274 during the 42nd parliament and the aim of this Bill was to facilitate the transfer of small businesses, or farm and fishing businesses, between family members by modifying the Income Tax Act. Sadly, this initiative was rejected by the Liberals during second reading.

Today's government announcement of a reduced small business tax is good news. However, we remain concerned and uncertain of what is coming next.

We are asking you to write to the Minister of Finance and to continue to pressure the government to honour its campaign promises and focus on real tax fairness.

Sincerely,

Lyle Hall

President, Essex County Federation of Agriculture

From: National Trust for Canada <info@nationaltrustcanada.ca>

Date: January 11, 2018 at 2:06:21 PM EST

Subject: Young Canada Works deadline | Heritage Day 2018 | Prix du XXe Siècle nomination deadline

Reply-To: National Trust for Canada <info@nationaltrustcanada.ca>



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January 11 | Heritage Biweekly
Insider

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National Trust for Canada

Deadline is Monday to apply for summer student position funding through Young Canada Works!

Looking to hire a student or recent graduate? Every year, the National Trust helps employers hire Canadian youth through the Young Canada Works program. This year, funding is available for **four times the number of internships** and **more than double the number of summer jobs** to be funded!

Deadlines:

January 15: YCW in Heritage Organizations (summer students)

February 1: YCW at Building Careers in Heritage (internships)

Don't miss out on this great opportunity!

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Heritage Day 2018: Heritage Stands the Test of Time

During the week of **February 19** we encourage Canadians to celebrate Heritage Day and its theme: *Heritage Stands the Test of Time*.

Our stories endure! Some have been retold for thousands of years. Our traditional knowledge keepers, educators, parents, and grandparents have stories to share that help us understand the past.

You can see Heritage BC's interpretation of the theme [here](#)!
What do you have planned for Heritage Day? Let us know at info@nationaltrustcanada.ca!

[LEARN MORE](#)



Upcoming deadline: Call for nominations for the Prix du XXe Siècle 2018

The Prix du XXe Siècle, presented jointly by the National Trust and Architecture Canada/RAIC, recognizes buildings completed between 1966 and 1991 that have become landmarks of Canadian architecture.

Deadline for nominations is January 19.

[TO NOMINATE](#)

Get ready for a year of action to #Changethegame4heritage: The Webinar

This is the beginning of an important era for heritage practitioners and advocates: an essential opportunity to engage in a focused and productive relationship with Government with the goal of long-awaited federal action for historic places.

Learn more at a special webinar with National Trust staff and Government Relations expert Gil Barrows.

Pick the date that works for you, or attend both!

TUESDAY JANUARY 23, 2018 at 2pm ET: [Register Here](#)

Or

TUESDAY FEBRUARY 6 at 2 pm ET: [Register Here](#)

BACKGROUND

The House of Commons Environment and Sustainable Development Committee's November 28 recommendation not to proceed with Bill C-323 is deeply disappointing. However their report [Preserving Canada's Heritage: The Foundation for Tomorrow](#) released on December 4, 2017 signals a broader federal vision for historic places and includes 17 recommendations for a range of measures. The Minister of the Environment and Climate Change must respond within 120 days.

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In the spotlight: : [Montgomery's Inn Museum](#) (Toronto, ON)

Montgomery's Inn Museum highlights the historical role played by the Inn as a tavern, farm, local gathering place, and community hub in the development and history of Etobicoke. Visit Montgomery's Inn Museum for free as a National Trust for Canada member.

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Save these dates!



January 15 – Deadline: [Young Canada Works](#) in Heritage Organizations (summer students)

January 18 – Webinar: [Are you getting ready to raise funds for a heritage capital project?](#)

January 19 – Deadline: [Last day to nominate a building for the Prix du XXe Siècle](#)

January 23 – Webinar: [Get ready for a year of action to #Changethegame4heritage: The Webinar](#)

January 30 – Webinar: [How to reinvigorate and sustain your downtown](#)

February 1 – Deadline: [Young Canada Works](#) at Building Careers in

Heritage (internships)

February 6 – Webinar: [Get ready for a year of action to #Changethegame4heritage: The Webinar](#)

February 6 – Webinar: [Six steps to telling your heritage story](#)

February 19 – [Heritage Day 2018](#)

February 20 – Webinar: [How heritage organizations can gain a competitive edge in sponsorship](#)

March 6 – Webinar: [How to find your heritage supporters](#)

From Our Blog

On-site with Young Canada Works

For over 15 years, the National Trust, in partnership with the Department of Canadian Heritage, has funded organizations under Young Canada Works, leading to the creation of meaningful youth employment in the built heritage sector. YCW Coordinator Kevin Parker shares his experience seeing first-hand the YCW program in action on the East Coast.



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From: Scott Butler <

Date: January 17, 2018 at 4:09:16 PM EST

To: Imoy

Subject: OGRA Requests Support for MCEA Process Reform



**ONTARIO
GOOD ROADS
ASSOCIATION**
1525 Cornwall Road, Unit 22
Oakville, Ontario
L6J 0B2
Telephone 289-291-6472
Fax 289-291-6477

Wednesday, January 17, 2018

Laura Moy
Director of Corporate Services/Clerk
Town of Tecumseh

Good afternoon Laura:

The following correspondence was sent to your Head of Council earlier this afternoon. OGRA respectfully requests that you please it on your next Council agenda for information.

Regards,

Scott R. Butler
OGRA, Policy and Research
22 - 1525 Cornwall Road, Oakville, Ontario L6J 0B2
www.ogra.org

The Ontario Good Roads Association is seeking reforms to the Municipal Class Environmental Assessment (MCEA) process. In its current form the MCEA process has made municipal infrastructure projects longer in duration and more costly. The OGRA Board of Directors encourages all municipalities in Ontario to adopt the following resolution that calls on the Minister of the Environment and Climate Change to accelerate the Application for Review of the MCEA process.

Links to further background information about the Municipal Class Environmental Assessment process can be found below the resolution.

DRAFT RESOLUTION

Whereas a coalition of the Municipal Engineers Association (MEA) and the Residential and Civil Construction Alliance of Ontario have successfully applied to have a review of the Municipal Class Environmental Assessment process conducted under Part IV (Section 61) of the *Environmental Bill of Rights Act, 1993* (EBR Act);

And whereas impact studies and public meetings required by the MCEA process often take two years or more to complete before construction can commence;

And whereas the MCEA requirements to evaluate alternatives are often not well aligned with prior or municipal land use planning decisions;

And whereas analysis by the Residential and Civil Construction Alliance of Ontario (RCCAO) has demonstrated that the time to complete an EA rose from 19 months to 26.7 months and costs went from an average of \$113,300 to \$386,500;

And whereas the Auditor General of Ontario has tabled recommendations for modernizing the MCEA process;

And whereas in spite of written commitments made by the Ministry of the Environment between 2013-2015, no action has been taken;

And whereas local projects that do not have the necessary approvals could lose out on the next intake of Build Canada funding;

Therefore be it resolved that Town of Tecumseh requests that the Minister of the Environment and Climate Change take immediate steps to expedite the response process for Part II Orders or Bump-Up requests, as part of the s.61 review to improve MCEA process times and reduce study costs;

And further that the Minister of the Environment and Climate Change support changes to better integrate and harmonize the MCEA process with processes defined under the *Planning Act*;

And further that the Minister of the Environment and Climate Change amend the scope of MCEA reports and studies to reduce duplication with existing public processes and decisions made under municipal Official Plans and provincial legislation.

BACKGROUND INFORMATION

The following links provide a comprehensive background of the work that the Municipal Engineers Association and the Residential and Civil Construction Alliance of Ontario have done to advance this issue of MCEA reform.

- [October 2017 Correspondence from the Municipal Engineers Association and the Residential and Civil Construction Alliance of Ontario to the Hon. Chris Ballard, Minister of the Environment and Climate Change.](#)
- [ReNew Magazine editorial examining the need to review the Municipal Class Environmental Assessment process](#)
- [The Development Approval Roundtable Action Plan, November 2017](#)
- [Meeting Notes from the November 29, 2017 Evolution of the MCEA Workshop.](#)
- [The MEA Companion Guide for the Municipal Class Environmental Assessment Manual](#)
- [Are Ontario's Municipal Class Environmental Assessments Worth the Added Time and Costs? The 2014 Edition](#)

If you have any questions or concerns, please contact Scott Butler, OGRA's Manager of Policy and Research at 289-291-6472 ext. 24 or via email at scott@ogra.org.

Regards,



Scott R. Butler
OGRA, Policy and Research
www.ogra.org



TOWN OF LAKESHORE

419 Notre Dame St.
Belle River, ON N0R 1A0

January 16, 2018

All Ontario Municipalities

VIA EMAIL

To Whom It May Concern:

**RE: ALLOCATE INFRASTRUCTURE FUNDING DEDICATED TO
MUNICIPALITIES FOR STORM WATER MANAGEMENT AND
DRAINAGE IMPROVEMENTS**

At their meeting of November 7, 2017 the Council of the Town of Lakeshore duly passed the following resolution.

Councillor Wilder moved and Deputy Mayor Fazio seconded:

WHEREAS weather patterns seem to have changed, in that excessive and prolonged precipitation is now becoming more frequent and regular;

WHEREAS there is an increased chance of flooding, as result of excessive and prolonged precipitation;

WHEREAS municipalities are now faced with the reality that significant storm water management and drainage infrastructure improvements are required to mitigate against flooding, which will come at a significant cost;

WHEREAS it is not feasible for municipalities to pass along the costs of all storm water management and drainage improvements onto property owners through property tax increases or drainage assessments;

WHEREAS municipalities are almost entirely reliant upon property taxes for their funding needs; and

WHEREAS the Government of Canada and the Government of Ontario have recognized the need for infrastructure investments and have promised funding for these investments.

NOW THEREFORE BE IT RESOLVED that the Government of Canada and the Government of Ontario be urged to immediately allocate infrastructure funding dedicated to municipalities for storm water management and drainage improvements;

BE IT FURTHER RESOLVED that the Government of Canada and the Government of Ontario prioritize funding allocations according to the recent propensity of specific regions to flood, with a specific focus on regions that have flooded multiple times, within a 1 year period;

BE IT FURTHER RESOLVED that a copy of this motion be sent to the Right Honourable Justin Trudeau, Prime Minister of Canada, Mr. Andrew Scheer, Leader of the Conservative Party of Canada, Mr. Jagmeet Singh, Leader of the New Democratic Party of Canada, Ms. Elizabeth May, Leader of the Green Party of Canada, all Members of Parliament, the Honourable Kathleen Wynne, Premier of Ontario, Mr. Patrick Brown, Leader of the Progressive Conservative Party of Ontario, Ms. Andrea Horwath, Leader of the New Democratic Party of Ontario, and all Members of Provincial Parliament in Ontario; and

BE IT FURTHER RESOLVED THAT a copy of this Motion be sent to the Federation of Canadian Municipalities (FCM), the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Motion Carried Unanimously

Should you require any additional information with respect to the above matter, please contact the undersigned.

Yours truly,



Mary Masse
Clerk

/km

cc: Right Honourable Justin Trudeau, Prime Minister of Canada
cc: Honourable Kathleen Wynne, Premier
cc: Mr. Andrew Scheer, Leader of the Conservative Party of Canada
cc: Mr. Jagmeet Singh, Leader of the New Democratic Party of Canada
cc: Ms. Elizabeth May, Leader of the Green Party of Canada
cc: Hon. Patrick Brown, Leader of Progressive Conservative Party
cc: Hon. Andrea Horwath, Leader of New Democratic Party
cc: Members of Provincial Parliament in Ontario
cc: Federation of Canadian Municipalities (FCM)
cc: Association of Municipalities of Ontario (AMO)
cc: Via Email - All Ontario Municipalities

December 29, 2017

Tecumseh
Mr. Jerome Baillargeon
Chairperson
Tecumseh Heritage Committee
c/o Laura Moy, Clerk
917 Lesperance Road
Tecumseh, ON N8N 1W9

Dear Mr. Jerome Baillargeon,

Community Heritage Ontario (CHO) is writing to all Ontario municipal heritage committees seeking support for federal action on the conservation of heritage properties.

CHO seeks the support of both your Heritage Committee and your Municipal Council in each writing to the federal Minister of Environment with copies to the Minister of Finance and your member(s) of federal Parliament supporting the recommendations of the federal House of Commons Standing Committee on Environment and Sustainable Development contained in report 10 regarding the preservation of Canada's heritage. A copy of the seventeen Committee recommendations is attached. The full report is available for viewing at: <http://www.ourcommons.ca/DocumentViewer/en/42-1/ENVI/report-10>.

While all of the Committee's recommendations are worthy of support, it would be helpful if, in your letters, you emphasized recommendation number eleven, a proposed tax credit for restoration and preservation work on buildings listed in the Canadian Register of Historic Places. The tax credit program could be similar to one that has been utilized for years by the United States federal government. That tax credit program has achieved success in conserving America's heritage properties while at the same time generating substantial economic development.

Implementation of the Committee's recommendations will not only help conserve federally owned heritage properties but will also assist in the conservation of privately owned heritage properties.

It is essential that we demonstrate widespread support for a federal government role in conserving Canada's heritage and that this role should be pursued through the implementation of the Standing Committee's recommendations.

Input is being sought by the federal government on these recommendations over the next two months. It is important that letters of support be received by the federal Ministers no later than February 28, 2018.

Sincerely,

Wayne Morgan
President, Community Heritage Ontario

Recommendations Attached



Wayne Morgan
President, Community Heritage Ontario

RECOMMENDATIONS

of Report 10 of the House of Commons Standing Committee on Environment and Sustainable Development - Preserving Canada's Heritage: The Foundation for Tomorrow

The Committee Recommends that the federal government:

1. *Policy on Management of Real Property* be integrated in new legislation so that custodian departments of designated federal heritage buildings are required to protect the commemorative integrity of these buildings and prevent demolition-by-neglect.
2. introduce legislation to provide statutory protection for federal heritage buildings.
3. introduce legislation imposing on Crown corporations the same requirements imposed on federal departments and agencies by the *Policy on Management of Real Property* regarding the management of federal heritage buildings, in order to protect the commemorative integrity of buildings owned by these Crown corporations and prevent their demolition-by-neglect.
4. introduce legislation to establish a process to protect, conserve, document and exhibit archaeological resources on federal land and under waters of federal responsibility.
5. introduce legislation to provide a statutory obligation on federal departments, agencies and Crown corporations to protect the commemorative integrity of all national historic sites of Canada.
6. introduce legislation to provide a statutory obligation on federal departments, agencies and Crown corporations to protect the integrity of federal heritage buildings owned by the federal government or under its jurisdiction.
7. Treasury Board Secretariat work with federal departments and agencies to ensure that they invest 2% of the asset replacement value annually towards the maintenance and repair of federal heritage buildings, as recommended in the Treasury Board Secretariat's *Guide to the Management of Real Property*.
8. adopt a policy requiring federal departments and agencies to, when deemed appropriate, give preference to existing heritage buildings when considering leasing or purchasing space.
9. introduce legislation to:
 - a. ensure that federal actions do not adversely impact the commemorative integrity of national historic sites of Canada or the integrity of heritage sites and buildings designated by provinces and municipalities in Canada;
 - b. provide statutory protection for Canadian World Heritage sites;
 - c. ensure that federal actions take into consideration the heritage values of Canada's historic places; and
 - d. give statutory recognition of the Canadian Register of Historic Places and the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

10. restore the funding level for the National Cost-Sharing Program for Heritage Places to a minimum of \$10 million per year.
11. establish a tax credit for the restoration and preservation of buildings listed on the Canadian Register of Historic Places.
12. in co-operation with provincial and territorial governments, work to adapt future versions of Canada's *National Model Building Codes* in a manner that will facilitate the restoration and the rehabilitation of existing buildings and the preservation of their heritage characteristics.
13. Parks Canada review its National Cost-Sharing Program and, if it is determined that rural sites are under-represented in applications for funding or in the awarding of funding, steps should be taken to improve the program.
14. consider supporting an initiative modelled after the "Main Street America" model, to encourage public and private investment in commercial historic buildings in rural areas and small cities as a catalyst for community sustainability and economic development.
15. support an Indigenous-led initiative that will be responsible for:
 - a. determining how places that are important to Canada's Indigenous peoples should be protected and preserved;
 - b. enhancing the capacity of Indigenous communities to preserve places that are important to them; and
 - c. presenting the perspective of Indigenous communities regarding the protection of places that are important to them to the Historic Sites and Monuments Board of Canada and its Secretariat, Parks Canada and other federal government departments and agencies.
16. Parks Canada, in cooperation with Indigenous groups, include Indigenous registrars in the Canadian Register of Historic Places to improve the process by which Indigenous places that are important to Indigenous peoples are identified and designated.
17. in support of the Truth and Reconciliation Commission's calls to action 79 and 81, and in consultation with Indigenous groups:
 - a. introduce legislation amending the *Historic Sites and Monuments Act* to add First Nations, Inuit, and Métis representation on the Historic Sites and Monuments Board of Canada and its Secretariat.
 - b. The Historic Sites and Monuments Board of Canada revise the policies, criteria, and practices of the National Program of Historical Commemoration to integrate Indigenous history, heritage values, and memory practices into Canada's national heritage and history.
 - c. Parks Canada develop and implement a national heritage plan and strategy for commemorating and, where appropriate, conserving residential school sites, the history and legacy of residential schools, and the contributions of Indigenous peoples to Canada's history.
 - d. in collaboration with Residential School Survivors, commission and install a publicly accessible, highly visible, Residential Schools National Monument in the city of Ottawa to honour Survivors and all the children who were lost to their families and communities.

November 27, 2017

The Honourable Dr. Eric Hoskins
Minister of Health and Long-Term Care
Hepburn Block, 10th Floor
80 Grosvenor Street
Toronto, ON M7A 2C4
ccu.moh@ontario.ca

Dear Minister Hoskins

Proposed Changes to the Cannabis Act (Bill C-45)

The Board of Health of the Windsor-Essex County Health Unit would like to commend the Ministry of Health and Long-Term Care, Ministry of the Attorney General's office, and the Ministry of Finance for the proposed changes to the *Cannabis Act (Bill C-45)*. The increase in minimum age of consumers, restriction of cannabis to youth under the age of 19, the government-run LCBO model for retail outlets and plans to regulate the location of cannabis retail outlets through zoning and licensing, will help to mitigate the unintended consequences of legalization to vulnerable populations.

Consuming cannabis, especially on a regular basis, is associated with many adverse health outcomes. Chronic diseases related to the carcinogens, toxins, and irritants similar to those found in tobacco smoke are also associated with cannabis use (SHAF, 2016). The effects of cannabis are particularly detrimental to adolescents and youth under the age of 25, as the developing brain is likely to be affected. In addition, individuals with mental illness are seven times more likely to use cannabis weekly, and are ten times more likely to have a cannabis use disorder (CAMH, 2013). Cannabis use can also make mental illness worse.

Another public health concern related to cannabis legalization is drug-impaired driving. The effects associated with cannabis use, such as slowed reaction time, the impacts on decision-making and divided attention, makes driving extremely dangerous after cannabis use. Cannabinoids are, in fact, among the most common psychoactive substances found in deceased and injured drivers in Canada (Wettlaufer et al., 2017).

On October 19, 2017, the Board of Health of the Windsor-Essex County Health Unit passed a Resolution with regard to the licensing, planning, and zoning regulations of cannabis retail outlets and the coordinated efforts of Windsor-Essex municipalities in preventing the harms associated with cannabis use, as outlined below:

Whereas the federal government has announced its intention to legalize recreational cannabis through the passing of the *Cannabis Act* prior to July 1st, 2018, and

Whereas cannabis smoke contains many of the same carcinogens, toxins, and irritants found in tobacco smoke with the added psychoactive properties of cannabinoids like THC, and

Whereas increased access to cannabis will result in increased risk for chronic disease, mental illness and injury, and

Whereas municipalities have control over the density and location of retail outlets through zoning, planning, and licensing regulations,

Now Therefore it be Resolved that the Windsor-Essex County Board of Health for the Windsor-Essex County Health Unit encourages all Windsor-Essex municipalities to develop strict licensing, planning, and zoning regulations related to the location and density of cannabis retail outlets, particularly in areas where vulnerable populations may be unfairly targeted.

Further that staff of the Windsor-Essex County Health Unit work with enforcement agencies and municipalities to provide a public health perspective into decision making related to the enforcement of cannabis smoking in prohibited areas, and

Further that staff of the Windsor-Essex County Health Unit utilize the Lower-risk Cannabis Use Guidelines set out by key national stakeholders, like the Centre for Addictions and Mental Health and the Canadian Public Health Association, in the development of a comprehensive public education and awareness campaign.

The Board of Health at the Windsor-Essex County Health Unit supports the efforts aimed at keeping recreational cannabis out of the hands of children and youth, as well as other vulnerable populations to which harm may result.

Determining the locations of cannabis retail outlets in Windsor-Essex based on licensing, planning, and zoning regulations through a coordinated effort of the municipalities in Windsor-Essex, will help to ensure these populations are better protected from the negative effects of cannabis use. Additionally, in order to ensure local enforcement and health promotion goals can be met, the local Board of Health requires supplementary funding which can be allocated to the training and hiring of enforcement officers, health promotion staff, and administrative supports.

[Resolution - Cannabis - October 2017 - AODA.pdf](#)

Sincerely,



Gary McNamara
Chair, Windsor-Essex County Board of Health

c: Windsor-Essex County Board of Health
Ms. Monika Turner, Director of Policy, AMO
Dr. Peter Donnelly, President and CEO, Public Health Ontario
Hon. Dipika Damerla, Associate Minister of Health and Long-Term Care
Association of Local Public Health Agencies

Local MPP's / City of Windsor – City Clerk / County of Essex – Municipal Clerks
Dr. David Mowat, Interim Chief Medical Officer of Health
Ms. Sue Makin, President, the Ontario Public Health Association
Mr. Gordon Fleming, Manager of Public Health Issues, alPHA
Ontario Boards of Health

References:

Centre for Addiction and Mental Health. CAMH study shows mental illness associated with heavy cannabis use. [Report online]. April 2013. [Last accessed 2017 Nov 6]. Available from:

http://www.camh.ca/en/hospital/about_camh/newsroom/news_releases_media_advisories_and_backgrounders/current_year/Pages/CAMH-study-shows-mental-illness-associated-with-heavy-cannabis-use.aspx

Smoking and Health Action Foundation. Secondhand Marijuana Smoke: Health effects of exposure. [Report online]. September 2016 [Last accessed 2017 Jul 18]. Available from: http://smokefreehousingon.ca/wp-content/uploads/2015/11/health_effects_of_exposure_secondhand_mj_smoke_2016-finals.pdf

Wettlaufer A, Florica R O, Asbridge M, Beirness D, Brubacher J, Callaghan R, Fischer B, Gmel G, Imtiaz S. Estimating the harms and costs of cannabis-attributable collisions in the Canadian provinces. *Drug and Alcohol Dependence* [serial online]. 1 April 2017; 173:185-190 [Last accessed 2017/06/19]. Available from: <http://www.sciencedirect.com/science/article/pii/S0376871617300686>

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.

**MINUTES OF A MEETING OF THE POLICE SERVICES BOARD
FOR THE
TOWN OF TECUMSEH**

The Police Services Board of the Town of Tecumseh convened in regular session on Thursday, December 14, 2017 at 4:30 p.m. at the Tecumseh Town Hall, 917 Lesperance Road, Tecumseh, Ontario.

(PSB 6-1)

ORDER:

Chair Christopher Hales called the meeting to order at 4:03 p.m.

(PSB 6-2)

ROLL CALL:

Present:	Chair	- Christopher Hales
	Vice Chair	- Fred Stibbard
	Member	- Mayor Gary McNamara
	Member	- Deputy Mayor Joe Bachetti
	Member	- Eleanor Groh
Also Present:	OPP	- Inspector Glenn Miller
	OPP	- Acting Staff Sgt. Michael Gruszka
	Secretary	- CAO Tony Haddad
	Recording Secretary	- Ellen Preuschat

(PSB 6-3)

DISCLOSURE OF PECUNIARY INTEREST:

There was no pecuniary interest declared by a member of the Board.

(PSB 6-4)

APPROVAL OF THE AGENDA:

Chair Hales noted a correction in the meeting time and that the OPP's Monthly Overview for November had not been received.

<u>Motion:</u>	(PSB 43/2017)	Moved by Deputy Mayor Joe Bachetti Seconded by Member Eleanor Groh
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THAT the members of the Police Services Board for the Town of Tecumseh approve the Agenda dated December 14, 2017, as amended.

Carried.

(PSB 6-5)

APPROVAL OF THE PREVIOUS MINUTES:

<u>Motion:</u>	(PSB 44/2017)	Moved by Vice Chair Fred Stibbard Seconded by Member Eleanor Groh
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THAT the members of the Police Services Board for the Town of Tecumseh approve the Regular Minutes dated Thursday, October 12, 2017, as duplicated and delivered to the members thereof.

Carried.

(PSB 6-6)

DELEGATIONS:

None.

(PSB 6-7)

OPP MONTHLY REPORT:

Acting Staff Sgt. Gruszka provided highlights of the OPP Monthly Reports.

Motion: (PSB 45/2017)

Moved by Member Eleanor Groh
Seconded by Mayor Gary McNamara

THAT the OPP Report for the months of October and November 2017 be received.

Carried.

(PSB 6-8)

REPORTS

None.

(PSB 6-9)

COMMUNICATIONS:

A – Action Required

None.

B – For Information Purposes

1. Association of Municipalities of Ontario (AMO), Re: New Policing Legislation Introduced at Queen's Park, November 2, 2017
2. Gary Grant, Spokesperson, National Coalition Against Contraband Tobacco, Re: Contraband Tobacco in Ontario, November 8, 2017 (email)
3. Stephen Beckett, Assistant Deputy Minister, Public Safety Division, Ministry of Community Safety and Correctional Services, Re: Release of the Community Safety and Well-Being Planning Framework: A Shared Commitment in Ontario Booklet, November 10, 2017

With respect to Item 1, Chair Hales observed that the new mandatory community safety plans will be a significant and costly undertaking for all municipalities, as will be the expanded training requirements. The new legislation's proposal to consolidate existing boards into one board per OPP detachment was also noted. Mayor McNamara stated that much work remains to be finished in the form of regulations, and that next year's provincial election will be a factor in the ongoing development of this new legislation.

Motion: (PSB 46/2017)

Moved by Vice Chair Fred Stibbard
Seconded by Member Eleanor Groh

THAT the correspondence detailed as Items 1-3, B – For Information Purposes, be received.

Carried.

(PSB 6-10)

OLD BUSINESS:

1. 2018 Police and Police Services Board Budget
CAO Tony Haddad confirmed that Town Council approved the 2018 budget as submitted by the board.
2. Crime Prevention through Environmental Design (CPTED) Workshop – January 22, 2018
Chair Chris Hales and Member Eleanor Groh plan to attend this workshop, which is being offered to all Essex County OPP boards and communities.
3. Essex County OPP- 2017-2019 Action Plan and 2016 Progress Report
Essex County OPP Inspector Glenn Miller provided an overview and highlights of this document. He noted the following:
 - The Essex County OPP will continue to focus on the reduction of harms and victimization, specifically: violent crime, property crime, illicit drugs and cybercrime. Provincial targeted outcomes have been identified.
 - There will be an emphasis on the “Big Four” in addressing traffic safety on roads, waterways and trails – (1) impaired (alcohol/drugs), (2) speeding and

aggressive driving, (3) distracted driving, and (4) lack of restraints/safety equipment.

- Another important area of focus is Youth at Risk. The “Youth Diversion Program” provides an alternative to the traditional court system for young offenders .
- Drugs and Substance Abuse remain a local priority. Inspector Miller explained that these issues are rooted in organized crime and also that significant support is received from community members in identifying these criminals.
- Finally, Human Trafficking remains a top priority. Enhanced training has been provided to officers to quickly spot this issue and deal effectively with victimized individuals.

Mayor McNamara reported that the Town had recently participated in the Youth Diversion Program, following the incident of serious damage to the play equipment at Lacasse Park.

Mayor McNamara also noted there is a growing cost to municipalities of increasing opioid addiction, and inquired on the planned policing response. Inspector Miller responded that the OPP will be hiring a full time ‘proceeds of crime’ staff person and that grants based on proceeds of crime may increasingly become available to offset some of the costs of dealing with this crisis.

Deputy Mayor Bachetti reported that traditional methods of educating parents on opioids have not been successful and that better education strategies to engage families are needed. The Mayor stated that the regional task force on opioid addiction will release its recommendations early in 2018. Vice Chair Fred Stibbard suggested linking parental education as an element of the VIP and B-RAD community policing programs, which are already well established.

4. Policy Committee

It was agreed that Member Eleanor Groh will replace Vice Chair Fred Stibbard, whose term expires in 2018, on the Policy Committee. The Recording Secretary will arrange a suitable meeting date in January 2018.

Motion: (PSB 47/2017)

Moved by Mayor Gary McNamara
Seconded by Member Eleanor Groh

THAT a meeting of the Policy Committee of the Police Services Board for the Town of Tecumseh be held at a mutually convenient date and time in January 2018; and

THAT the Police Services Board approve the following meeting dates in 2018: February 8, April 12, June 14, September 13, October 11 and December 13.

Carried.

(PSB 6-11)

NEW BUSINESS:

1. Retirement of OPP Sgt. Ricardo Tonial

Chair Hales noted that Tecumseh OPP Sgt. Ricardo Tonial is retiring this month, following a 30 year career with the OPP and former St. Clair Beach Police. The board will formally recognize Sgt. Tonial at the annual holiday dinner.

2. 2018 Meeting Schedule

The meeting schedule for 2018 was addressed in conjunction with the date of the next Policy Committee meeting. Refer to Old Business Item 4 above.

(PSB 6-12)

NEXT MEETING

The next meeting of the Police Services Board will be held Thursday, February 8, 2018 at 4:30 p.m.

(PSB 6-13)

ADJOURNMENT

Motion:

(PSB 48/2017)

Moved by Vice Chair Fred Stibbard
Seconded by Member Eleanor Groh

THAT there being no further business to discuss, the December 14, 2017 meeting of the Tecumseh Police Services Board adjourn at 5:22 p.m.

Carried.

Christopher Hales, Chair

Tony Haddad, Secretary

Minutes of a Meeting of the Town of Tecumseh Business Improvement Area (TOTBIA) Board of Management Meeting

A meeting of the Town of Tecumseh BIA (TOTBIA) Board of Management meeting held as of Wednesday, *December 13, 2017* at Public Works Bldg., 1186 Lacasse Blvd., Tecumseh, ON, at the hour of 6:00 PM.

(TOTBBM-1-12)
CALL TO ORDER

**DRAFT OF TECUMSEH BIA
BOARD OF MANAGEMENT
MINUTES**

The meeting was called to order at 6:15 p.m. by Paul Bistany, Treasurer

(TOTBBM –2-12)
ROLL CALL

Present:	Chair	Candice Dennis
	Treasurer	Paul Bistany
	Director	Jules Champoux
	Director	Maureen Harris
	Director	Linda Proctor
	Director	Daniel Hofgartner
	Councillor	Brian Houston
Regrets:	Vice Chair	Tony Nehme
	Director	Joseph Fratangeli
	Councilor	Bill Altenhof
Guest:	Admin	Anne Rigo
Minute Taker:	Coordinator	Paula Rorai

(TOTBBM – 3-12)
DISCLOSURE OF PECUNIARY INTEREST - None Stated.

(TOTBBM – 4-12)
DELEGATIONS – None at this time.

(TOTBBM – 5-12)
COMMUNICATIONS

5.1 BIA BOARD OF MANAGEMENT MEETING MINUTES:

Motion: (BBM-47/17) Moved by: M. Harris
Second by: D. Hofgartner

THAT the minutes of the Town of Tecumseh BIA Board of Management Meeting held on November 8, 2017 show that in Motion: (BBM-45/17) under the UNFINISHED BUSINESS section be amended to include: “and no more than ‘a total of’ \$1,000 maximum purchases per month”; be approved as distributed and amended.

**APPROVED.
CARRIED.**

5.2 LETTERS FROM - P. Rorai reports on the following communication:

- 5.2.1 Thank you letters from:
- The Tecumseh Area Historical Society for the \$100 Tecumseh Dollar door prize for their 7th Annual Silent Auction Dinner.
 - Mayor Gary McNamara and Kerri Rice for sponsoring the Santa Parade and contribution to the Christmas in Tecumseh activities and asking if the BIA wants to be an entry in the 2018 parade.
- 5.2.2 OBIAA Meets With The Minister Responsible for Small Business and the Office of The Premier - On October 26, 2017 Sue Nicholson (OBIAA Board Member and Collingwood BIA General Manager) and Kay Matthews (OBIAA Executive Director) met with Minister Leal | Minister Responsible For Small Business and Minister of Agriculture, Food and Rural Affairs, Daniel Skilleter | Office of the Premier and Jason Easton | Chief of Staff for the Minister Responsible For Small Business. The goal of the meeting was to bring awareness of the needs and economic impact of Ontario's BIA's, both traditional and non-traditional BIAs.

Some key discussion points were:

- Vacant Units - The Vacant Unit Rebate and Property Standards
- Municipal Act - BIAs as a key Private-Public partnership
- Small Infrastructure Funding for BIAs
- Alignment with Government Ministries Provincially
- Support for a second ROI Project
- Creation of a Main Street 'Class' for BIAs

Motion: (BBM-48/17) Moved by: M. Harris
Second by: L. Proctor

THAT the OBIAA letter to the Minister Responsible for Small Business and the Minister of Agriculture, Food and Rural Affairs dated October 30, 2017 be approved as received.

**APPROVED.
CARRIED.**

(TOTBBM – 6-12)

REPORTS

6.1 CHAIR REPORT:

- C. Dennis asks the Board to be prepared for each meeting with the new meeting format by reading the reports and previous meeting minutes that are being forwarded a week before the Board meeting and reminds that there will still be a need for discussions on specific items/issues.

6.2 TREASURER REPORT: P. Bistany reports on the following month end financials:

6.2.1 Month End Financial Report as of November 30, 2017

BIA Operating Account (8111130)	Bank Balance stands at:	\$	40,997.30
Outstanding Payables	See Detail Page	\$	7,950.66
BIA Ledger Balance stands at:	See Detail Page	\$	33,046.64
BIA Reserve Account	Balance last month:	\$	13,168.11
	Transfer from Operating (see NOTE)	\$	
(Opened September 20, 2012)	Interest	\$	34.63
		\$	13,202.74
BIA Petty Cash stands at:		\$	275.18
BIA Liabilities and Equity at:	November 30, 2017	\$	47,789.02
Year To Date Levy Tax Requisition:	1st Quarter @ March 31, 2017	\$	27,472.00
	2nd Quarter @ June 30, 2017	\$	27,028.00
	3rd Quarter @ September 30, 2017	\$	27,250.00
	4th Quarter @ December 31, 2017	\$	
		Total to Date;	\$ 81,750.00

Instalments are due March 31, June 30, September 30, December 31

Total Tax Levy received for the **2016** fiscal year **\$107,125.54**

Total Tax Levy received for the 2015 fiscal year \$117,883.89

Total Tax Levy received for the 2014 fiscal year \$119,496.93

Total Tax Levy received for the 2013 fiscal year \$105,270.54

Motion: (BBM-49/17)

Moved by: M. Harris

Second by: J. Champoux

THAT the Month End Treasurer's Report as of November 30, 2017, be accepted as distributed and filed for audit.

APPROVED.

CARRIED.

6.3 CO-COORDINATOR REPORT – No report at this time.

6.4 COUNCIL REPORT - Councillor Altenhof reports on items from previous Council's meetings:

November 14, Council Meeting:

Public Meeting:

Santarossa Industrial Park

North-east corner of the 8th Concession Road/County Road 46 intersection within the Oldcastle Business Park

Creation of nine industrial lots/blocks

Purpose of meeting was to hear from any parties wishing to express their position on the requested

Plan of Subdivision and

By-law amendment

Appointment of Drainage Engineers

Administration required approval from Council on the appointment of drainage engineers for work to be completed on the following drains:

Antaya Drain

Gouin Drain

Desjardins Drain

Lachance Drain

Repair and improvements required on all above drains

Drainage Act requires Council to appoint a Professional Engineer to:

Examine and

Prepare a Drainage Report

Dillon Consulting appointed in all cases

Electric Truck Pilot Program

Council approved a supporting document for the implementation of electric (EVs) or hybrid electric vehicles (HEVs) over a six month period

Free and very good opportunity to test and examine EVs and HEVs within the fleet of Tecumseh vehicles.

Program will run for next 3 years

Town is responsible for providing insurance and basic maintenance

Backwater Valve Inspector

Public Works sought Council's approval for a backwater valve inspector (BVI)

Current Drainage Superintendent has been acting in this role, but significant demand has resulted in a negative impact in productivity

BVI position is for 9 months to help address significant backlog (6 weeks waiting period) of inspections

Position approved and budgeted for 2018

2018 Budget

Public Council Meeting occurred on Nov/21/2018 to deliberate proposed 2018 Budget as presented by Town Administration

Tax levy of \$22.3M for 2018

Representing 2.2% increase in the tax levy

Service level enhancements:

Water/Wastewater billing

Staffing resources to reduce backlog in drain and backflow valve work

Parks/Rec physical and staff resources

\$100k increase towards the New Infrastructure Levy
\$115k increase towards Lifecycle items
Generally well received by Council
Approved with only minor changes, by-law pending

Marriage Licenses and Civil Marriage Ceremonies

Council has approved:

Town issuance of marriage license
\$130/license
Available starting January/2018 during regular hours
Civil Marriage Ceremonies will be available
Commencing March/1/2018
Clerk/Deputy Clerk/local officiant
\$250+HST during regular hours, in Council Chambers
Evening/weekend service - \$350+HST, travel/mileage charges additional

Skate Pro Lease Agreement Renewal

Council approved:

Five year lease agreement with 'The Skate Pro'
The company provides ice skate sharpening and sporting goods at the Tecumseh Arena
Commencing May/1/2018, ending April/30/2023

Site Plan Control Home Hardware Stores Limited

Council approved:

By-law – site plan control amending agreement to:
Allow demolition of existing storage building
Allow construction of new 22,550 ft² addition

Number of parking spots will increase by 26
Will enhance a well known and contributing business of the Town

OMB Decision – Ward Boundaries

Council previously approved Ward Boundary changes for the 2018 election through passage of by-law 2017-22
An appeal to the OMB was considered on Oct/25/2017
A decision from the OMB was provided on Nov/30/2017 indicating the dismissal of the appeal, thus the By-Law and Ward Boundary changes, are in effect

6.5 COMMITTEE REPORTS

6.5.1 2017 Christmas Events

- 6.5.1.1** BIA Christmas Party – L. Proctor reports that the party was a success; attendance was 127, down due to two Members who on average purchase 20-30 tickets had conflicted schedules and could not attend the party this year.
- 6.5.1.2** Santa Parade Entry – Horse and Carriage entry was a great success; thank you to the Directors and volunteers who helped walk and distribute candy canes along the parade route.

6.5.2 2018 Proposed Budget – Chair asked for a motion to go in camera and both Coordinator and Administrative Assistant leave the conference room.

IN CAMERA DISCUSSION

The Chair asks for a motion to go *in-camera* to discuss a personnel matter asks for all non-Board members to please leave the room.

Motion: (BBM-50/17) Moved by: P. Bistany
Second by: J. Champoux

THAT the Board goes in-camera to discuss staff salary/wages for the 2018 TOTBIA Proposed Budget is approved at 6:45 PM.

**APPROVED.
CARRIED.**

Motion: (BBM-51/17)

Moved by: P. Bistany
Second by: J. Champoux

THAT the BIA Board go out of camera and resume the regular Board meeting at 7:00 PM.

**APPROVED.
CARRIED.**

- 6.5.3 Communication Committee** – J. Champoux requests that Survey Monkey be purchased by TOTBIA. Councillor B. Houston will inquire if the TOTBIA can use the Town's Survey Monkey.

Motion: (BBM-52/17)

Moved by: J. Champoux
Second by: M. Harris

THAT the BIA purchase Survey Monkey Advantage Plus at \$35/month or \$408 annually for future Members surveys, should the TOTBIA not be able to utilize the Town's Survey Monkey application, be approved.

**APPROVED.
CARRIED.**

- 6.5.4 BIA Sponsored 2018 Events** – Manager of Parks & Rec responded back with the following information regarding the Tecumseh Night Market events and the Fall Into Health Day event:

1. Tecumseh Night Markets -
 - a. Request for Noise & Sign By-Law Waivers for two TNM: – *If these events are taking place on private property, you will have to coordinate with the Clerks Department the requests related to the Noise & Sign Bylaws.*
 - i. Friday, June 22, 2018 – 8:00 am – Midnight
 - ii. Friday, July 27, 2018 – 8:00 am – Midnight
 - b. Request for pricing on security fencing for both events – *As these events are scheduled on private property, you will have to contact a supplier for this equipment (our equipment is for events scheduled in our parks/facilities)*
 - i. Will provide square footage once location and area is established
 - ii. Will provide copy of SOP for both events – *As this is taking place on private property, I do not require a copy of the SOP. You just need to complete the requirements outlined in the AGCO application.*
2. Fall Into Health Day (FIHD) – *I've made note of the event date and will forward you the rental agreement in the New Year and will prepare the corresponding reports for council's consideration related to the noise and sign bylaw waivers*
 - a. Request to reserve Lakewood Park, picnic tables, garbage bins, hydro, and water, key to park building
 - i. Event will be on Sunday, September 23, 2018
 - ii. Will need to install tents on Saturday, September 22, 2018
 - b. Request for Noise & Sign By-Law Waiver

(TOTBBM – 7-12)

UNFINISHED BUSINESS

7.1 BIA Parkette Landscaping

- 7.1.1 Contractor agrees the 2016 quote of \$4,500 plus tax, will still be honored and the work will start in the spring of 2018.

- 7.2 TOTBIA Constitution Draft** – Three areas required the Board's consent on verbiage and have been forwarded to the Clerk for inclusion in the first draft of the constitution. The goal is to have the first draft completed and available for the Members to read and review at the next AGM along with the 2018 Budget.

(TOTBBM – 8-12)

NEW BUSINESS

- 8.1 CPTED Workshop for Business Owners** - Crime Prevention Through Environmental Design Workshop - On May 26, 2017 the police services boards of all OPP policed municipalities in Essex County held their annual joint meeting, where a presentation on CPTED was given by the OPP. The boards were impressed by the potential of this approach to assist all business owners in protecting their properties and assets from criminal activity, for relatively little cost in most cases. It

was proposed that a regional workshop be offered to area BIAs and their members to promote the principles of CPTED, with the ultimate goal of decreasing property crimes at businesses in our communities. A workshop has been scheduled for Monday, January 22, 2018 at 8:00 a.m. to noon at the Ciociaro Club. The cost of \$40 would include breakfast and a workshop to be presented by CPTED Ontario (cptedontario.ca/) and the OPP.

Motion: (BBM-53/17) Moved by: D. Hofgartner
Second by: M. Harris

THAT the TOTBIA offers to pay half of the \$40.00 CPTED Workshop registration fee to Members who are interested in attending; the first 25 Members who send a copy of their registration to the BIA Coordinator for validation will be reimbursed, be approved.

**APPROVED.
CARRIED.**

8.2 **2018 AGM** – Date for the TOTBIA Annual General Meeting will be held on Wednesday, February 14, 2018 in Town Chambers at 6:00 pm.

(TOTBBM – 9-12)
NEXT MEETING

The next regular BIA Board meeting is scheduled on Wednesday, January 10, 2018 at 6:00 PM in the Lacasse Conference Room

(TOTBBM – 10-12)
ADJOURNMENT

Motion: (BBM- 54/17) Moved by: J. Champoux
Second by: D. Hofgartner

THAT there being no further business, the December 13, 2017 meeting of the BIA Board of Management be adjourned at 8:15 PM

**CARRIED.
APPROVED.**

DRAFT BIA BOARD MINUTES

Candice Dennis, Chair

Paula Rorai, Coordinator

**MINUTES OF A MEETING OF THE HERITAGE COMMITTEE
FOR THE TOWN OF TECUMSEH**

A meeting of the Heritage Committee for the Town of Tecumseh was held on Monday, November 13, 2017 in the Sandwich South Meeting Room at Town Hall, 917 Lesperance Road, Tecumseh at the hour of 6:00 pm.

(HC 10-1)

ORDER

The Vice-Chair called the meeting to order at 6:02 pm.

(HC 10-2)

ROLL CALL

Vice-Chair	- Ian Froese
Councillor	- Rita Ossington
Member	- Chris Carpenter
Member	- Dwayne Ellis (6:09 pm)
Member	- Rhonda Dupuis
Councillor	- Brian Houston
Member	- Terry England

Also Present:	Manager Committee & Community Services	- Christina Hebert
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Absent:

(HC 10-3)

DISCLOSURE OF PECUNIARY INTEREST

None Reported.

(HC 10-4)

DELEGATIONS

None.

(HC 10-5)

COMMUNICATIONS

Minutes

A) Heritage Committee Meeting held October 16, 2017

Motion: (HC-29/17) Moved by Member Chris Carpenter

Seconded by Councillor Brian Houston

That the Minutes of the Heritage Committee meeting held October 16, 2017, be approved.

Carried

B) Community Heritage Ontario, Fall Newsletter

Motion: (HC-30/17) Moved by Member Rhonda Dupuis

Seconded by Councillor Rita Ossington

That Communication B on the October 16, 2017 Heritage Committee Meeting Agenda, be received.

Carried

(HC 10-6)

REPORTS

None.

(HC 10-7)

UNFINISHED BUSINESS

Heritage Property Listing

Vice Chair Ian Froese provides an update on the research conducted for his respective properties.

In relation to the Campeau House, he spoke with the owners' daughter. The daughter advised the lawyer retained by the Campeau's has the information and history of the house.

Councillor Brian Houston advises he is endeavouring to contact the owners of his respective properties.

The following additional information is made to the Heritage Property Listing:

Property	Amendment
St. Anne's Cemetery	Add – to Street, '1521' Add – to Brief Description – 'Original cemetery in Tecumseh'
Beach Grove Club House	Add – to Brief Description, 'First Club House Wooden - Originally built in 1921, burned down in 1927. Rebuilt in 1929 as a private Club.'
13749 Riverside Drive	Add – to Name of Property, 'Original St. Clair Beach Home'
Severs Property	Add – to Brief Description, 'Residence used for rum running'
Beach Grove Pro Shop	Add – to Brief Description, 'Assumed to be original pro shop'
St. Mark's by the Lake Anglican Church	Add – to Brief Description, 'Area surrounding property was originally an orchard, owned by Florence and Ethel Wellwood. The property was then donated to the Church.'
D.M. Eagle School Site	Add – to Brief Description, 'In 1946 became DM Eagle School, prior to it was a little white building used as a one room school house. Named after David Melville Eagle who taught both English and French in the area.'
Old Cada Homestead	Add – to Brief Description, 'Original farmhouse of the Cada Family'
Robinet Hardware	Add – to Year, '1870s'
Tecumseh Area Historical Society site including log cabin and sheds	Add – to Brief Description, 'Site of the original railroad yard and current location of Lesperance Log Cabin (circa 1799)'
Campeau House	Add – to Brief Description, 'Prior to St. Anne's Chapel, the building was used as a place to hold mass'
Stone Porch House	Add – to Brief Description, 'Residence used for rum running'

The above-mentioned amendments will be incorporated into the Heritage Property Listing and brought back to the Committee for review.

(HC 10-8)

NEW BUSINESS

None.

(HC 10-9)

NEXT MEETING

The next meeting of the Heritage Committee will be held on Monday, January 15, 2018, at 6:00 pm.

(HC 10-10)

ADJOURNMENT

Motion: (HC-31/17) Moved by Member Chris Carpenter

Seconded by Member Rhonda Dupuis

That there being no further business, the November 13, 2017 meeting of the Heritage Committee be adjourned at 7:07 pm.

Carried

Ian Froese, Vice Chair

Christina Hebert, Manager
Committee & Community Services

MINUTES OF A MEETING OF THE HERITAGE COMMITTEE FOR THE TOWN OF TECUMSEH

A meeting of the Heritage Committee for the Town of Tecumseh was held on Monday, January 15, 2018 in the Sandwich South Meeting Room at Town Hall, 917 Lesperance Road, Tecumseh at the hour of 6:00 pm.

(HC 1-1)

ORDER

The Manager Committee & Community Services, calls the meeting to order at 6:04 pm.

(HC 1-2)

ROLL CALL

Councillor	- Brian Houston
Councillor	- Rita Ossington
Member	- Rhonda Dupuis
Member	- Dwayne Ellis
Member	- Charles Gray
Member	- John Levesque
Member	- Marian Drouillard

Also Present: Manager Committee & Community Services - Christina Hebert

Absent: Member - Chris Carpenter
 Member - Ian Froese
 Member - Terry England

(HC 1-3)

DISCLOSURE OF PECUNIARY INTEREST

None Reported.

Election of Chair

The Manager Committee & Community Services opens the floor to nominations for the Chair for the Heritage Committee, for a one (1) year term, ending December 1, 2018.

Motion:(HC-01/18) Moved by Member Dwayne Ellis
Seconded by Councillor Rita Ossington

That Ian Froese be appointed Chair of the Heritage Committee for the Town of Tecumseh for a one (1) year term, ending December 1, 2018.

Carried

Election of Vice-Chair

The Manager Committee & Community Services opens the floor to nominations for the Vice Chair for the Heritage Committee, for a one (1) year term, ending December 1, 2018.

Motion:(HC-02/18) Moved by Member Rhonda Dupuis
Seconded by Member Dwayne Ellis

That Marian Drouillard be appointed Vice Chair of the Heritage Committee for the Town of Tecumseh for a one (1) year term, ending December 1, 2018.

Carried

(HC 1-4)

DELEGATIONS

Motion:(HC-03/18)

Moved by Councillor Brian Houston

Seconded by Member Rhonda Dupuis

That Cheryl Hardcastle, Member of Parliament for Windsor-Tecumseh, be permitted to address the Committee with respect to the 100th Anniversary of the incorporation of the Town of Tecumseh.

Carried

Ms. Cheryl Hardcastle, Member of Parliament for Windsor – Tecumseh introduces herself and for the benefit of the new members, explains her previous involvement with the Town as the former Deputy Mayor and past Committee Member. She expresses her passion for preserving the Town's heritage.

Ms. Hardcastle advises 2021 will mark the 100th Anniversary of the incorporation of the Town of Tecumseh. She extends an offer, through her office's Community Outreach program, to assist and support with any event(s) the Town may be organizing in recognition of the anniversary.

Suggestions are provided regarding the various potential opportunities to celebrate and honour this historic milestone, such as twenty-one (21) events leading up to the anniversary centered around the Town's heritage and the creation of heritage plaques marking significant areas within the Town.

The Committee suggests discussion respecting the 100th Anniversary is best reserved for the Cultural and Arts Advisory Committee who is responsible for making recommendations to Council on identifying cultural activities and events.

Ms. Hardcastle also explains the family of Charles and Edith Desjardins, who owned the Bluewater Dance Pavilion, is interested in developing a storyboard in recognition of this landmark establishment. The Bluewater Dance Pavilion, located on the south east corner of Riverside Drive East and Lesperance Road, was a dance hall that attracted crowds from south west Ontario, Michigan and Ohio.

The Committee advises of the Town's Storyboard Plaque Policy No. 88 which outlines the process and procedures for Storyboard Plaques which commemorate a significant historical event, person, date, or a physical and natural feature.

Ms. Hardcastle will work with the Desjardins Family should they wish to pursue developing a proposal for a Storyboard Plaque.

(HC 1-5)

COMMUNICATIONS

A. Heritage Committee Minutes held November 13, 2017

Motion: (HC-04/18)

Moved by

Member Dwayne Ellis

Seconded by

Councillor Rita Ossington

That the Minutes of the Heritage Committee meeting held November 13, 2017, be approved.

Carried

- B. Community Heritage Ontario Email, dated January 8, 2018 Re: Federal Role in Heritage Conservation
- C. Community Heritage Ontario News - Winter 2018
- D. Heritage Committee Terms of Reference
- E. Heritage Committee 2018 Budget

Motion: (HC-05/18) Moved by Member Charles Gray
 Seconded by Member John Levesque

That Communications B through E on the January 15, 2018 Heritage Committee Meeting Agenda be received.

Carried

Motion: (HC-06/18) Moved by Councillor Rita Ossington
 Seconded by Member Dwayne Ellis

That the Heritage Committee support the Community Heritage Ontario initiative and prepare a letter to the Minister of Environment, with copies to the Minister of Finance and member of federal parliament supporting the recommendations of the federal House of Commons Standing Committee on Environment and Sustainable Development regarding the preservation of Canada's heritage, with specific emphasis on the importance of municipal preservation;

And that the Heritage Committee respectfully recommends the Community Heritage Ontario correspondence also be included on the next Regular Council Meeting Agenda seeking action for Council's endorsement of a letter of support.

Carried

It is suggested to list the Terms of Reference on the next Heritage Committee Agenda for the Committee's review.

(HC 1-6)

REPORTS

None.

(HC 1-7)

UNFINISHED BUSINESS

Heritage Property Listing

- A. Ontario Heritage Toolkit - Heritage Property Evaluation
- B. Ontario Heritage Act - Criteria for Determining Cultural Heritage Value or Interest

The Manager Committee & Community Services explains the Ontario Heritage Toolkit and Ontario Heritage Act resources which serve as a valuable guide and framework for listing, researching and evaluating cultural heritage properties, for the benefit of the new members.

By way of an update, the Manager Committee & Community Services also advises she spoke with Bert Duclos, Municipal Heritage Committees Advisor in respect of organizing a training session. Mr. Duclos is not able to schedule training until the provincial budget is finalized. However, Mr. Duclos offers scheduling a teleconference to discuss any specific questions the Committee has regarding the Heritage Property Listing. The Members agree with scheduling the teleconference with representation by the Chair and Vice Chair. Members are asked to send the Manager Committee & Community Services any questions they may have in advance of the call, once scheduled.

The Manager Committee & Community Services advises on behalf of Chair Ian Froese, that he is awaiting a call back from the property owners for his respective properties.

Chair Ian Froese also spoke with past member Jerome Baillargeon regarding his assigned properties and he will endeavour to provide Chair Ian Froese with any information he researched.

Councillor Brian Houston advises he will forward information he compiled on his respective properties to the Manager Committee & Community Services for inclusion on the Heritage Property Listing.

(HC 1-8)

NEW BUSINESS

Tecumseh History Articles

Vice Chair Marian Drouillard suggests the idea of coordinating monthly articles in the local newspaper featuring stories on the history of Tecumseh. Vice Chair Marian Drouillard will investigate the potential of collaborating with the local newspapers to develop a monthly feature.

Heritage Day 2018

Further to the Committee's discussion at the October 17, 2017 meeting and the correspondence circulated via email on January 12, 2018, Heritage Week 2018 takes place the week of February 19. This year's theme is Heritage Stands the Test of Time.

Suggestions for how the Town may recognize Heritage Day during the week of February 19 is appreciated. The Members concur more sufficient time is needed to plan an event and recommend considering planning an initiative for 2019.

(HC 1-9)

NEXT MEETING

The next meeting of the Heritage Committee will be held on Monday, February 12, 2018, at 6:00 pm.

(HC 1-10)

ADJOURNMENT

Motion: (HC- 07/18) Moved by Member Charles Gray
Seconded by Member John Levesque

That there being no further business, the January 15, 2018 meeting of the Heritage Committee be adjourned at 7:20 p.m.

Carried

Marian Drouillard, Vice Chair

Christina Hebert, Manager Committee &
Community Services

**MINUTES OF A MEETING OF THE CULTURAL & ARTS ADVISORY COMMITTEE
FOR THE TOWN OF TECUMSEH**

A meeting of the Cultural & Arts Advisory Committee for the Town of Tecumseh was scheduled to be held on Monday, November 13, 2017, in the Sandwich South Meeting Room at Town Hall, 917 Lesperance Road, Tecumseh at the hour of 7:00 pm.

(CAAC 10-1)

ORDER

The Chair calls the meeting to order at 7:11 pm.

(CAAC 10-2)

ROLL CALL

Present:	Member	- Ian Froese
	Member	- Dwayne Ellis
	Councillor	- Rita Ossington
	Chair	- Marian Drouillard
	Vice-Chair	- Rhonda Dupuis
	Councillor	- Brian Houston

Also Present:	Manager Committee & Community Services	- Christina Hebert
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Absent:	Member	- Phil Kane
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(CAAC 10-3)

DISCLOSURE OF PECUNIARY INTEREST

None reported.

(CAAC 10-4)

DELEGATIONS

None.

(CAAC 10-5)

COMMUNICATIONS

Minutes

A) Cultural & Arts Advisory Committee Meeting held October 16, 2017

Motion: (CAAC-31/17) Moved by Member Dwayne Ellis

Seconded by Member Ian Froese

That the Minutes of the Cultural & Arts Advisory Committee meeting held October 16, 2017, be approved.

Carried

(CAAC 10-6)

REPORTS

None.

(CAAC 10-7)

UNFINISHED BUSINESS

Street Name Recognition

Discussion ensues regarding pursuing research on further Tecumseh streets named in honour of veterans and others who have significantly contributed to the community, such as Clapp and Poisson Streets.

Councillor Rita Ossington advises she has photos of plaques containing names of Tecumseh residents who have volunteered for active service and will circulate same.

It is suggested a list of all Tecumseh streets be included on the next agenda to assist in identifying streets that potentially have been named in recognition. From this listing, the Members will be able to distinguish which streets to conduct further research on the individual named in recognition.

None.

The next meeting of the Cultural & Arts Advisory Committee will be held on Monday, January 15, 2018, at 7:00 pm, in the Sandwich South Room, Tecumseh Town Hall.

ADJOURNMENT

THAT there being no further business, the November 13, 2017, meeting of the Cultural & Arts Advisory Committee be adjourned at 7:58 pm.

Carried

Rhonda Dupuis, Vice-Chair

**MINUTES OF A MEETING OF THE CULTURAL & ARTS ADVISORY COMMITTEE
FOR THE TOWN OF TECUMSEH**

A meeting of the Cultural & Arts Advisory Committee for the Town of Tecumseh was scheduled to be held on Monday, January 15, 2018, in the Sandwich South Meeting Room at Town Hall, 917 Lesperance Road, Tecumseh at the hour of 7:00 pm.

(CAAC 1-1)

ORDER

The Chair calls the meeting to order at 7:24 pm.

(CAAC 1-2)

ROLL CALL

Present:	Member	- Christopher McNamara
	Member	- Dwayne Ellis
	Councillor	- Rita Ossington
	Chair	- Marian Drouillard
	Vice-Chair	- Rhonda Dupuis
	Councillor	- Brian Houston

Also Present:	Manager Committee & Community Services	- Christina Hebert
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Absent:	Member	- Ian Froese
	Member	- Phil Kane

Election of Chair

The Manager Committee & Community Services opens the floor to nominations for the Chair for the Cultural and Arts Committee, for a one (1) year term, ending December 1, 2018.

Motion:(CAAC-01/18) Moved by Councillor Brian Houston
Seconded by Member Rhonda Dupuis

That Member Marian Drouillard be appointed Chair of the Cultural & Arts Advisory Committee for the Town of Tecumseh for a one (1) year term, ending December 1, 2018.

Carried

Election of Vice-Chair

The Manager Committee & Community Services opens the floor to nominations for the Vice Chair for the Cultural and Arts Committee, for a one (1) year term, ending December 1, 2018.

Motion:(CAAC-02/18) Moved by Councillor Brian Houston
Seconded by Member Dwayne Ellis

That Member Rhonda Dupuis be appointed Vice-Chair of the Cultural & Arts Advisory Committee for the Town of Tecumseh for a one (1) year term, ending December 1, 2018.

Carried

(CAAC 1-3)

DISCLOSURE OF PECUNIARY INTEREST

None reported.

(CAAC 1-4)

DELEGATIONS

Motion:(CAAC-03/18) Moved by Councillor Brian Houston
Seconded by Member Dwayne Ellis

That Cheryl Hardcastle, Member of Parliament for Windsor-Tecumseh, be permitted to address the Committee with respect to the 100th Anniversary of the incorporation of the Town of Tecumseh.

Carried

Ms. Cheryl Hardcastle, Member of Parliament for Windsor – Tecumseh introduces herself and for the benefit of the new members, explains her previous involvement with the Town as the former Deputy Mayor and past Committee Member. She explains she attended the Heritage Committee meeting held earlier this evening and was advised the Cultural & Arts Advisory Committee is who is responsible for making recommendations to Council on identifying cultural activities and events.

Ms. Hardcastle advises 2021 will mark the 100th Anniversary of the incorporation of the Town of Tecumseh. As extended earlier this evening, her office's Community Outreach program is offering to assist with any event(s) the Town may be organizing in recognition of the anniversary.

Discussion ensues respecting potential partnership opportunities and ideas for ways to celebrate and commemorate this historic milestone. In addition to the suggestions provided at the Heritage Committee meeting, storyboard recognition is also proposed as one way to mark the occasion.

The Members advise of the need for discussion and collaboration with other Town departments, in particular the Recreation Department who may already be considering events for the anniversary, for an undertaking of this caliber.

A suggestion is made to list the '2021 100th Anniversary' on the next Cultural & Arts Advisory Committee Agenda for ongoing discussion.

Motion:(CAAC-04/18) Moved by Councillor Rita Ossington
 Seconded by Member Christopher McNamara
That the Cultural & Arts Advisory Committee recommends consideration be given towards the support and planning of event(s) for the 2021 100th Anniversary of the incorporation of the Town of Tecumseh.

Carried

(CAAC 1-5)

COMMUNICATIONS

Minutes

A. Cultural & Arts Advisory Committee Meetings held November 13, 2017.

Motion:(CAAC-05/18) Moved by Member Dwayne Ellis
 Seconded by Councillor Brian Houston
That the Minutes of the Cultural & Arts Advisory Committee meeting held November 13, 2017, be approved.

Carried

B. Cultural and Arts Advisory Committee Terms of Reference

C. Cultural and Arts Advisory Committee 2018 Budget

Motion:(CAAC-06/18) Moved by Vice Chair Rhonda Dupuis
 Seconded by Member Dwayne Ellis
That Communications B and C on the January 15, 2018 Cultural and Arts Committee Meeting Agenda, be received.

Carried

(CAAC 1-6)

REPORTS

None.

(CAAC 1-7)

UNFINISHED BUSINESS

Street Name Recognition

The Chair provides a brief explanation of the street naming recognition initiative, for the benefit of the new member.

She further advises the Committee would like to continue pursuing research on further Tecumseh streets named in honour of veterans and others who have significantly contributed to the community, such as Clapp and Poisson Streets.

The Members view the Town’s street listing, as provided on tonight’s Agenda. It is recommended that the Members divide the listing to review and distinguish which streets may be named in recognition of an individual.

(CAAC 1-8)
NEW BUSINESS

2018 Project Planning

In addition to the street naming recognition initiative, the Members concur with targeting the following 2018 Projects:

Project	Project Date	Completion
Soirée Coffee House	Date to be coordinated	Q1 or Q2
Culture Days	September 28-30	Q3
Windsor Symphony Orchestra Concert Series	TBD	Q4

The Manager Committee & Community Services will obtain a listing of scheduled Town 2018 events from the Recreation Department and will inquire with l’Essor High School regarding availability of the Auditorium to begin coordinating the Soirée Coffee House.

Chair Marian Drouillard proposes considering opportunities to assist local artists in fostering their respective projects, such as a dedicated area on the Town’s website for information on grants that are available to aid artists, etc.

(CAAC 1-9)
NEXT MEETING

The next meeting of the Cultural & Arts Advisory Committee will be held on Monday, February 12, 2018, at 7:00 pm, in the Sandwich South Room, Tecumseh Town Hall.

(CAAC 1-10)
ADJOURNMENT

Motion: (CAAC-07/18) Moved by Vice Chair Rhonda Dupuis
Seconded by Member Christopher McNamara
That there being no further business, the January 15, 2018, meeting of the Cultural & Arts Advisory Committee be adjourned at 8:36 pm.

Carried

Marian Drouillard, Chair

Rhonda Dupuis, Vice-Chair

MINUTES OF A MEETING OF THE YOUTH ADVISORY COMMITTEE FOR THE TOWN OF TECUMSEH

A meeting of the Youth Advisory Committee (YAC) for the Town of Tecumseh was held on Monday, November 13, 2017, in the Sandwich South Meeting Room at Town Hall, 917 Lesperance Road, Tecumseh at the hour of 4:30 p.m.

(YAC 11-1)

ORDER

The Vice-Chair calls the meeting to order at 4:35 pm.

(YAC 11-2)

ROLL CALL

Members Present:	Member	- Brendan Froese
	Member	- Ava Ruuth
	Vice-Chair	- Kristi Koutros

Also Present:	Manager Committee & Community Services	- Christina Hebert
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Absent:	Treasurer	- Andre Ducharme
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(YAC 11-3)

DISCLOSURE OF PECUNIARY INTEREST

None Reported.

(YAC 11-4)

DELEGATIONS

None.

(YAC 11-5)

COMMUNICATIONS

Minutes

- A) Youth Advisory Committee Meeting held September 18, 2017
- B) Youth Advisory Committee Meeting held October 16, 2017

Motion: (YAC-28/17) Moved by Member Brendan Froese
Seconded by Member Ava Ruuth

That the Minutes of the Youth Advisory Committee meeting held September 18, and October 16, 2017, be approved.

Carried

(YAC 11-6)

REPORTS

None.

(YAC 11-7)

UNFINISHED BUSINESS

Ontario150 Partnership Program

The Members are apprised of updates respecting the Ontario150 Partnership Program Job Fair.

The Auditorium at l'Essor High School has been reserved for Wednesday, December 13, 2017, with the afternoon of December 12, 2017 reserved for set up purposes.

As previously discussed, local business sectors and area high schools will be invited to participate in the Job Fair. The Job Fair will be arranged in a 'trade show' fashion whereby participating students can visit each booth and have an opportunity to dialogue with each vendor.

The Members provide the following suggestions for promotional items for students who attend the Job Fair:

- 'Pop sockets' that are affixed to the back of cell phones
- Portable charging packs for cell phones
- Earbuds
- Pens

MINUTES OF A MEETING OF THE YOUTH ADVISORY COMMITTEE FOR THE TOWN OF TECUMSEH

A meeting of the Youth Advisory Committee (YAC) for the Town of Tecumseh was held on Monday, January 15, 2018, in the Council Chambers at Town Hall, 917 Lesperance Road, Tecumseh at the hour of 4:30 p.m.

(YAC 1-1)

ORDER

The Manager Committee & Community Services calls the meeting to order at 4:38 p.m.

(YAC 1-2)

ROLL CALL

Members Present:	Member	- Ava Ruuth
	Member	- Kristi Koutros
	Member	- Michael Altenhof
	Member	- Jacob Altenhof
	Member	- Maria Giorlando

Also Present:	Manager Committee & Community Services	- Christina Hebert
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Absent:	Member	- Brendan Froese
	Member	- Andre Ducharme

Election of Chair

The Manager Committee & Community Services opens the floor to nominations for the Chair for the YAC, for a one (1) year term, ending December 1, 2018.

Motion: (YAC-01/18) Moved by Member Ava Ruuth
Seconded by Member Maria Giorlando

That Member Kristi Koutros be appointed Chair of the Youth Advisory Committee for the Town of Tecumseh for a one (1) year term, ending December 1, 2018.

Carried

Election of Vice-Chair

The Manager Committee & Community Services opens the floor to nominations for the Vice Chair for the Youth Advisory Committee, for a one (1) year term, ending December 1, 2018.

Motion: (YAC-02/18) Moved by Chair Kristi Koutros
Seconded by Member Ava Ruuth

That Member Maria Giorlando be appointed Vice Chair of the Youth Advisory Committee for the Town of Tecumseh for a one (1) year term, ending December 1, 2018.

Carried

Election of Secretary

The Manager Committee & Community Services opens the floor to nominations for the Secretary for the Youth Advisory Committee, for a one (1) year term, ending December 1, 2018.

Motion: (YAC-03/18) Moved by Chair Kristi Koutros
Seconded by Vice Chair Maria Giorlando

That Member Ava Ruuth be appointed Secretary for the Youth Advisory Committee for the Town of Tecumseh for a one (1) year term, ending December 1, 2018.

Carried

Election of Treasurer

The Manager Committee & Community Services opens the floor to nominations for the Treasurer for the Youth Advisory Committee, for a one (1) year term, ending December 1, 2018.

Motion: (YAC-04/18) Moved by Chair Kristi Koutros
Seconded by Member Jacob Altenhof

That Member Michael Altenhof be appointed Treasurer for the Youth Advisory Committee for the Town of Tecumseh for a one (1) year term, ending December 1, 2018.

Carried

(YAC 1-3)

DISCLOSURE OF PECUNIARY INTEREST

None Reported.

(YAC 1-4)

DELEGATIONS**2018 Event Sponsorship and Participation**

The Manager Recreation Programs & Events informs the Members that current planning is underway for 2018 events and provides the following information for the Committee's consideration:

Family Day Celebration, February 19, 2018

- The Parks & Recreation Department will be hosting a free skate on Family Day and are awaiting for confirmation of grant funding to provide some enhanced programming for this event.
- The Members assistance in providing family-friendly activities is appreciated.
- The event will be scheduled from 1:00 – 3:00 pm approximately and volunteers are needed from 12:30 – 3:30 approximately.
- Vice Chair Maria Giorlando suggests former Miss Tecumseh contestants organize the craft table as in years past and offers to coordinate same.

Earth Day Celebration, April 22, 2018

- The Parks & Recreation Department will again be coordinating a celebration of Earth Day at Lakewood Park.
- Last year, the YAC partnered with this event and the Parks & Recreation Department welcomes this partnership again for 2018.

Sponsorship of Rock N' Swim Pool Party, June 29, 2018

- Last summer, the YAC sponsored a free recreational swim that included a live DJ at the Tecumseh Leisure Pool. Last year, the fee for the DJ was \$300.
- The Parks & Recreation Department would like to offer this event again but require the sponsorship to do so.
- Should the Committee wish to pursue sponsorship, the Manager Recreation Programs & Events will obtain a quote for the DJ.

Canada Day Celebration, July 1, 2018

- The YAC was a valuable partner in the Canada Day Celebration in 2017 and consideration to partnering again is welcomed.
- The event is scheduled from 1:00 – 4:00 pm approximately.
- Further details will be provided as planned, however volunteers are needed to assist with the various activities.

End of Summer Concert with Bonfire / Marshmallow Roast & Fireworks, September 1, 2018

- YAC Members volunteered at the event last year and their assistance is greatly appreciated again.

Christmas in Tecumseh & Santa Parade, November 23, 2018

- The annual event requires the assistance of many volunteers in a variety of roles.
- The event runs from 6:00 – 9:00 pm approximately.

Breakfast with Santa, November 24, 2018

- Similar to last year, two (2) breakfast sessions will be organized. The Members help at the event is welcomed.

The Manager Recreation Programs & Events also suggests sponsoring an Outdoor Family Movie Night, during the summer, for consideration. The Town has an outdoor movie screen available for its use. The cost for a movie permit is approximately \$500. She would be happy to work with the Committee in coordinating same, should the Committee wish to pursue.

The Manager Recreation Programs & Events expresses appreciation to the Committee for their assistance in last year's initiatives and hopes to continue working with the Committee in 2018. As a friendly reminder, the above events are a great opportunity for community volunteer hours.

The Manager Recreation Programs & Events vacates the meeting at 5:01 pm.

(YAC 1-5)

COMMUNICATIONS

A. Youth Advisory Committee Minutes held November 13, 2017

Motion: (YAC-05/18) Moved by Secretary Ava Ruuth
Seconded by Member Jacob Althenhof

That the Minutes of the Youth Advisory Committee meeting held November 13, 2017, be approved.

Carried

B. Youth Advisory Committee Terms of Reference

C. Youth Advisory Committee 2018 Budget

Motion: (YAC-06/18) Moved by Secretary Ava Ruuth
Seconded by Treasurer Michael Althenhof

That Communication items B and C are received on the January 15, 2018 Youth Advisory Committee Meeting Agenda be received.

Carried

(YAC 1-6)

REPORTS

None.

(YAC 1-7)

UNFINISHED BUSINESS**Ontario150 Partnership Program Job Fair Wrap Up**

The Manager Committee & Community Services provides background information on the Ontario150 Partnership Program Job Fair for the benefit of the new members.

The Job Fair was held on Wednesday, December 13, 2017, in the Auditorium at l'Essor High School. Local business sectors and area high schools were invited to participate in the Job Fair. Approximately one hundred and twenty (120) students from l'Essor and St. Anne's High Schools were in attendance at the Job Fair.

The Job Fair was arranged in a 'trade show' fashion whereby participating students could visit each of the seventeen (17) booths and have an opportunity to dialogue with each vendor.

Positive feedback was received from both the students and the vendors. It is suggested that consideration be given to making it an annual event as it was so well-received.

(YAC 1-8)

NEW BUSINESS**2018 Project Planning**

The Committee concurs with exploring hosting the Job Fair annually. The Manager Committee & Community Services will 'survey' area guidance counsellors regarding the

most relevant time of year to schedule the Job Fair for students and will bring back the information to the next meeting to start coordinating same.

Discussion ensues regarding the upcoming recreation events, as advised on earlier in the Agenda by the Manager Recreation Programs & Events, that the YAC may wish to consider participating in and/or sponsoring.

The Members express interest in participating in the Family Day and Earth Day activities on February 19 and April 22, respectively. The Members suggest organizing a 'hands-on' activity for Earth Day, such as planting pots/flowers for participants to take home.

As well, the Members would like to consider sponsoring a DJ to enhance the Rock & Swim on June 29th at Tecumseh Leisure Pool and request a quote for services be obtained.

Participation in the latter planned events will be further discussed, due to unknown school/work commitments at this time.

Social Media

The new members are informed of the YAC's social media pages [Facebook and Twitter].

The Members discuss the value of social media and the importance in utilizing the YAC's social media pages to help promote and share events/information.

Vice Chair Maria Giorlando offers to manage the YAC's Facebook page and Secretary Ava Ruuth offers to coordinate YAC's Twitter page.

The Manager Committee & Community Services will circulate the Town's Social Media Policy for information and reference in managing the YAC's social media pages.

(YAC 1-9)

NEXT MEETING

The next meeting of the Youth Advisory Committee will be held on Monday, February 12, 2018.

(YAC 1-10)

ADJOURNMENT

Motion: (YAC-07/18)	Moved by	Treasurer Michael Altenhof
	Seconded by	Member Jacob Altenhof

THAT there being no further business, the January 15, 2018, meeting of the Youth Advisory Committee be adjourned at 5:48 pm.

Carried

Kristi Koutros, Chair

Maria Giorlando, Vice Chair

**MINUTES OF A MEETING OF THE SENIOR ADVISORY COMMITTEE FOR THE
TOWN OF TECUMSEH**

A meeting of the Senior Advisory Committee (SAC) for the Town of Tecumseh was held on Thursday, November 30, 2017, in the Council Chambers at Town Hall, 917 Lesperance Road, Tecumseh at the hour of 6:00 p.m.

(SAC 11-1)

ORDER

The Manager Committee & Community Services calls the meeting to order at 6:07 p.m.

(SAC 11-2)

ROLL CALL

Members Present:	Member	- Dara Pfeifer O'Connor
	Member	- Nancy Tennant
	Member	- Michelle Philion

Also Present:	Manager Committee & Community Services	- Christina Hebert
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Absent:	Vice-Chair	- Paul Morand
	Chair	- Doug Drouillard

(SAC 11-3)

DISCLOSURE OF PECUNIARY INTEREST

None Reported.

(SAC 11-4)

DELEGATIONS

None.

(SAC 11-5)

COMMUNICATIONS

Minutes

A. Senior Advisory Committee Meeting held October 26, 2017

Motion:	(SAC-26/17) Moved by	Member Nancy Tennant
	Seconded by	Member Dara Pfeifer O'Connor

That the Minutes of the Senior Advisory Committee meeting held October 26, 2017, be approved.

Carried

(SAC 11-6)

REPORTS

None.

(SAC 11-7)

UNFINISHED BUSINESS

Community Safety Workshop

Details respecting the Understanding Power of Attorney for Personal Care and Property workshop to be held on December 7, 2017 are discussed. The workshop will commence at 10:00 am.

Community Safety Officer Karen Sinnaeve and R. Craig Stevenson from R. Craig Stevenson Law Office will be in attendance.

Member Dara Pfeifer O'Connor confirms tables and chairs will be set up at the Golden Age Club, along with coffee and tea provided. The Manager Committee & Community Services will arrange for light refreshments and water.

A suggestion is made for paper and pens to be available for the participants for note taking purposes.

The promotional flyer for the workshop is available on the Town's website and social media pages, and has been shared with various community partners.

The Members are encouraged to continue to promote the workshop to persons who may be interested in attending.

Senior Services Directory

Member Nancy Tennant advises she assisted Administration in cross-referencing the information compiled to date against the City of Revelstoke directory template to determine what classification of services are lacking.

She offers to conduct further research on the areas found to be deficient for inclusion in the Senior Services Directory.

Seniors Community Grant Program

The Members are advised that the twenty-five (25) memberships for Life After Fifty (LAF) have been issued and there is a wait list for those who are interested in receiving a membership, should funds be available.

Regrettably, transportation to the LAF Holiday Bazaar was cancelled due to no interest.

However, registrations are being received from persons interested in attending the Sgt. Wilson Dinner Show on December 8, 2017. Promotion for the upcoming social event is available on the Town's website and social media pages, as well as shared with various community partners.

Continued promotion by the Committee for the Sgt. Wilson Dinner Show event is encouraged.

As a reminder, LAF events are currently being organized for early 2018 and will be shared once available for the Members to select the next social event.

(SAC 11-8)

NEW BUSINESS

Age Friendly Conference

Member Nancy Tenant discusses information she received at the Age Friendly Conference held on November 3, 2017 at the WFCU Centre.

The Conference discussed topics such as affordable housing, safety on the streets, and the importance of the 'buddy system'.

She also advises of the Amherstburg Community Services program which is a non-profit organization that provides a variety of services to the residents, such as help for seniors and meals on wheels.

(SAC 11-9)

NEXT MEETING

The next meeting of the Senior Advisory Committee will be held Thursday, January 25, 2018 at 6:00 p.m.

(SAC 11-10)

ADJOURNMENT

Motion: (SAC-27/17)	Moved by	Member Nancy Tenant
	Seconded by	Member Michelle Philion

That there being no further business, the November 30, 2017, meeting of the Senior Advisory Committee be adjourned at 7:12 p.m.

Carried

Doug Drouillard, Chair

Paul Morand, Vice-Chair



The Corporation of the Town of Tecumseh

Chief Administrative Officer

To: Mayor and Members of Council

From: Tony Haddad, Chief Administrative Officer

Date to Council: January 30, 2018

Report Number: CAO-2018-02

Subject: Union Gas Kingsville Transmission Reinforcement Project

Recommendations

It is recommended that:

1. Report CAO-2018-02 Union Gas Kingsville Transmission Reinforcement Project be **received**; and that
2. The project be **endorsed** via a letter of support to the Ontario Energy Board.

Background

Two Union Gas lines that run along the north section of Essex County currently service Windsor-Essex (see Diagram 1). Union Gas is seeking to expand the service with a transmission line that runs south to Kingsville from the NPS 20 pipeline.

Union Gas' transmission pipeline system in Southwestern Ontario supplies reliable natural gas to residential, commercial, industrial, power generation, and agricultural customers. Natural gas demand has seen significant growth in recent years and is straining the current system serving this area. Additional growth is forecasted in the area that cannot be accommodated by the existing system.

Union Gas is currently working through the process to apply to the Ontario Energy Board to develop the Kingsville Transmission Reinforcement Project. Two rounds of public information sessions were completed in 2017. An Environmental Assessment Report on the proposed project was completed in January 2018. Should approval be provided by the end of 2018, construction would begin in spring 2019 with the line in service by the end of 2019.

The proposed Transmission Reinforcement Project will see approximately 17 km of new (up to) 20" pipe installed. The estimated cost for this installation is \$105 million and will supply a capacity of approximately 40,000+ homes at peak demand.



(Diagram 1)

Comments

Union Gas is requesting support from local municipalities for the application to the Ontario Energy Board by way of an endorsement or letter to the Ontario Energy Board. This project will support future development in Tecumseh as it will provide additional capacity for future growth throughout Essex County. Additional growth in Essex County cannot be serviced by existing transmission lines.

Tecumseh is not being asked to provide funding to this project. All costs for design and construction are to be borne by Union Gas.

Consultations

None

Financial Implications

None

Link to Strategic Priorities

Applicable	2017-18 Strategic Priorities
☒	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.
☐	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☒	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 Chief Administrative Officer.

Prepared by:

Lesley Racicot
Manager Strategic Initiatives

Recommended by:

Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer



The Corporation of the Town of Tecumseh

Information & Communication Services

To: Mayor and Members of Council

From: Shaun Fuerth, Director Information & Communication Services

Date to Council: January 30, 2018

Report Number: ICS-2018-01

Subject: 2018 – 2022 ICS Capital Works Plan

Recommendations

It is recommended that:

1. 2018 expenditures of \$224,000 be authorized, to be funded from the Information & Communications Services (ICS) Lifecycle reserve, as follows:

	Previously Approved	Requested for 2018	Total Costs
PC Replacements		\$ 20,000	\$ 20,000
Network Upgrades		\$ 30,000	\$ 30,000
Video Surveillance		\$ 6,000	\$ 6,000
A/V Systems	\$ 10,000	\$ 5,000	\$ 15,000
Miscellaneous Software		\$ 8,000	\$ 8,000
Virtual Server Upgrades		\$ 10,000	\$ 10,000
Corporate Website		\$ 25,000	\$ 25,000
Multifunction Copiers		\$ 60,000	\$ 60,000
Arena Sound System		\$ 50,000	\$ 50,000
Records Management	\$ 20,000	\$ 10,000	\$ 30,000
Issue Tracking Software	\$ 30,000		\$ 30,000
	<u>\$ 60,000</u>	<u>\$ 224,000</u>	<u>\$ 284,000</u>

2. Appendix A - Information & Communication Services 2018-2022 Capital Works Plan be adopted.

Background

Council has approved the 2018 operating and lifecycle budgets. Council approval is required for purchase of the items noted below in accordance with the Town's purchasing policy.

Comments

Information & Communication Services Capital Forecast 2018-2022

Section 1 – Regular Ongoing Program Expenditures

PC Replacements

- The Town has approximately 100 laptops, tablets and desktop computers. As this equipment becomes outdated it is replaced every 4-5 years. Replacement requires an annual allocation of \$20,000 - \$30,000 dependent on the number of units required in any one year. Our five year forecast anticipates \$20,000 for the next 5 years.

Network Upgrades

- The Town's private computer network consists of fibre optic links, wi-fi hot spots, a communication hub, wireless equipment and switches with a value of approximately \$100,000.
- Annual maintenance to the system includes replacing network switches, cabling, edge and wireless equipment which can total up to \$10,000 on an annual basis. In addition, special projects will occur from time to time to enhance and/or grow the system. Special projects proposed for the next five years include:
 - **2018** – Replace fibre optic cable from Town Hall to Fire Station #1 and Tecumseh Arena \$15,000 and SCADA nodes upgrades- \$15,000
 - **2019-22** improved connections to remote locations

Video Surveillance

- A majority of our facilities have some form of video surveillance with a useful life of approximately 10 years. Total estimated value of the equipment is \$65,000. We continue to investigate replacement solutions as equipment ages and as new technology emerges.
- Incidents captured on these devices have been used as evidence in several court cases with successful convictions. There have also been other incidents reviewed through these systems.
- We estimate an annual allowance of \$6,000 is required based on the existing equipment which was purchased over a number of years. We are proposing an allocation of \$6,000 for 2018-2022.

A/V Systems

- A/V Systems include the various audio video systems (projectors, sound systems etc.) including Council chambers and meeting rooms at the Town Hall, both Fire Halls, Lacasse Public Works Building, Parks Building and the Arena. The useful life of audio video systems (projectors, sound systems etc.) is 8-10 years. We have included a general allowance of \$5,000 per year for the next 5 years which is enough to upgrade one meeting room each year.

Miscellaneous Software / Microsoft Office

- Software licences are required for new services, applications, and/or staff. We have forecasted an annual general allowance of \$3,000. Due to accessibility requirements, we will be updating all versions of Adobe Acrobat for creation of accessible 'PDF' files at a cost of \$5,000 in 2018.
- Microsoft Office is upgraded to newer versions every 5 years at a cost of approximately \$30,000.

Street Photography

- Street photos are obtained on a subscription service with iLookabout, a London based company. These photos are updated every two years and cover all areas of the Town. An update of these photos last took place in the spring of 2017 and new photography will take place in 2019 to coincide with new aerial imagery.
- A \$10,000 cost is projected for 2019 and 2021.

Virtual Server Upgrades

- As the municipality grows so does the need for increased data storage that is both online and archived off site. Improvements will continue in 2018-2022 at approximately \$10,000 per year, within the scope of business continuity and disaster recovery plans. A major virtual server hardware replacement is scheduled for 2020.

Corporate Website

- As technology, features, and branding changes, the Town's website requires maintenance every 3-4 years. The site is due for a refresh in 2018 and 2021 at an estimated value of \$25,000 each year. The 2017 expenditure was for smaller updates and the addition of AODA compliance and analytic reporting.

Section 2 – Periodic Program Expenditures

2018

Multifunction Copiers \$60,000

- Multifunction copiers have an estimated useful life of 5-6 years. In 2018 replacement will be considered for units at Town Hall (4), Parks and Recreation (1), Tecumseh Fire and Rescue Hall #1 (1), Environmental Services (1) and OPP (1).

Arena Sound System \$50,000

- There a combination of sound systems at the arena installed during various construction phases of the original rinks. For customer service and public safety, it is important to have a fully functional system in all areas of the arena. This replacement is scheduled for 2018.

Records Management \$30,000

- The current electronic records management system is older software that has not been replaced since amalgamation in 1999. Upgrades to the existing document management system will be reviewed as well. \$20,000 was approved in 2017 of which \$17,700 remains unspent. An additional \$10,000 is requested in 2018 to acquire a solution with a more complete and enhanced feature set.

2019

Fire Department Software \$20,000

- Software used to track fire calls, personnel and training will be due for replacement in 2019.

GPS Data Collector Unit \$ 6,000

- GPS (Global Positioning System) Data Units are required for data collection in the field. The estimated useful life of this equipment is 5 years and one unit will be due for replacement in 2019.

Financial Software \$200,000

- The Town's financial software package includes support for municipal taxation, accounts payable, accounts receivable, payroll, human resources, general receipting and building permits. This system was last replaced in 2010 and will be due for replacement in 2019-2020.

2020

Data Backup Solution \$15,000

- The Town's data backup solution has an estimated useful life of 5 years. The replacement for this software solution will be reviewed in 2019.

2022

Email Server \$15,000

- The Town's email server has an estimated useful life of 5 years and was just replaced in 2017.

Consultations

Financial Services

Financial Implications

Net funds required are typically funded from the ICS Lifecycle Reserve as outlined in the attached Appendix. Annual funding levels for the ICS Lifecycle Work Plan are adequate in addressing current and future needs.

There will be savings within the operating budget in 2019 related to Issue Tracking Software by joining the County of Essex and lower tier municipalities.

A five (5) year Capital Works Plan has been developed and is presented in Appendix A.

Link to Strategic Priorities

Applicable	2017-18 Strategic Priorities
☒	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.
☒	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☒	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 Chief Administrative Officer.

Prepared by:

Shaun Fuerth, BCS
Director Information & Communication Services

Reviewed by:

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

Recommended by:

Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

Attachment Number	Attachment Name
1	Appendix A – Information & Communication Services 2018-2022 Capital Works Plan

APPENDIX A

Information & Communications Services 2018-2022 Capital Works Plan

	2018	2019	2020	2021	2022
Opening Balance	\$ 456,700	\$ 303,000	\$ 136,000	\$150,000	\$229,000
Budget allocation	\$ 128,000	\$ 128,000	\$ 128,000	\$128,000	\$128,000
Funds Available	\$ 584,700	\$ 431,000	\$ 264,000	\$278,000	\$357,000
Document Management	\$ 17,700				
Issue Traking Software	\$ 30,000				
A/V System	\$ 10,000				
Total Committed	\$ 57,700	\$ -	\$ -	\$ -	\$ -
Balance Uncommitted	\$ 527,000	\$ 431,000	\$ 264,000	\$278,000	\$357,000
Proposed Expenditures	\$ 224,000	\$ 295,000	\$ 114,000	\$ 49,000	\$130,000
Balance available	\$ 303,000	\$ 136,000	\$ 150,000	\$229,000	\$227,000

Proposed Expenditures	2018	2019	2020	2021	2022
PC Replacements	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000
Network Upgrades	\$ 30,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 10,000
Video Surveillance	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000
A/V Systems	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Miscellaneous Software	\$ 8,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
Microsoft Office					\$ 30,000
Street Photography		\$ 10,000		\$ 10,000	
Virtual Server Upgrades	\$ 10,000	\$ 20,000	\$ 60,000		\$ 10,000
Corporate Website	\$ 25,000				\$ 25,000
Multifunction Copiers	\$ 60,000				
Arena Sound System	\$ 50,000				
Records Management	\$ 10,000				
Fire Department Software		\$ 20,000			
GPS Data Collector Units		\$ 6,000			\$ 6,000
Financial Software		\$ 200,000			
Data Backup Solution			\$ 15,000		
Email Server					\$ 15,000
	\$ 224,000	\$ 295,000	\$ 114,000	\$ 49,000	\$130,000



The Corporation of the Town of Tecumseh

Information & Communication Services

To: Mayor and Members of Council

From: Shaun Fuerth, Director Information & Communication Services

Date to Council: January 30, 2018

Report Number: ICS-2018-02

Subject: 2017 Citizen Satisfaction Survey

Recommendations

It is recommended that:

1. The final report from Probe Research Inc. summarizing the results of the 2017 Citizen Satisfaction Survey be received for information.

Background

The Town's Strategic Priorities form the framework for municipal policies and direction, work plans and resource allocations. As part of recent strategic planning sessions with members of Town Council and the Senior Management Team, the themes of *communications* and *continuous improvement* were reaffirmed.

2014-18 Strategic Planning Priorities (as related to communication and citizen engagement)

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.

The importance of feedback from our residents through citizen engagement was highlighted as part of this theme and has been promoted and encouraged on our website, through our growing presence in social media, and our continued utilization of print media.

In 2014 an inaugural Citizen Satisfaction Survey was conducted by Probe Research Inc. to reach out to the community and define a baseline for how the Town was doing with respect to service delivery and municipal governance in general. Probe Research Inc. also conducted a similar survey in 2016. The purpose of this survey was to assist in determining service needs within the Town, areas for potential improvements, and overall satisfaction with the quality of life in our community.

Council committed to conducting this survey every two years to ensure the Town continues to meet or exceed the expectation of its residents.

Comments

A request for proposals was issued in September of 2017 to solicit proposals from consultants interested in conducting a citizen satisfaction survey in November 2017. Nine submissions were received and Probe Research Inc. was the successful proponent. An updated survey was developed including some of the original questions from previous surveys and new 'top of mind' issues. This community engagement initiative was carried out from a Winnipeg call center via telephone to residents in all four wards from November 9-29, 2017. The purpose was to once again ascertain public opinion on quality of life, taxation and municipal service delivery in Tecumseh. There were 400 total surveys completed. An online version of the survey was also offered to residents who did not receive a phone call but still wished to participate. A notably higher number of online surveys - increased from 66 to 136 - were completed during this time. The results of the online submissions were analyzed separately from the phone call interviews.

In addition to taxation level and quality of life questions, the service delivery areas in the survey included: water, roads, recreation, police, fire protection, parks, libraries, snow removal, waste management and storm water drainage.

The results of the survey continue to be overwhelmingly positive with results exceeding those of most Canadian municipalities, including 96% of those surveyed stating the quality of life in Tecumseh is classified either as excellent or good.

A detailed copy of the final report from Probe Research Inc. includes a summary of the overall citizen impression including the following highlights:

- Concerns about flooding as well as water and sewer infrastructure are top-of-mind for Tecumseh residents in 2017 following storms in the region that led to unusual basement and street flooding. This is a marked change from previous citizen surveys when storm water issues earned few mentions by residents queried about their most important civic concerns. Sewer and water infrastructure also earned an unusually strong mention as the town service most in need of improvement.
- Despite this new concern, Tecumseh residents continue to regard their quality of life as very high, with 96% rating life in the town *excellent* or *good*. Similarly, there has been little change in the significant majority (80%) of residents who say the Town is going in the *right direction*.

- There remain very high levels of satisfaction with the services and programs offered by the municipal government. 97% of residents were *satisfied* with Town services. Tecumseh continues to perform very well in the areas that matter most to residents, such as emergency services, drinking water and garbage and snow removal. However, the intensity of this feeling has declined somewhat since our last survey in 2016, with fewer residents reporting now that they are *very satisfied* with Town services. Similarly, more than three-quarters of residents continue to report receiving *good* or *excellent value* for their tax dollars. This figure has been stable over the last three surveys. However, as above, the intensity of this view waned somewhat in 2017, with slightly fewer residents reporting that they receive *excellent value* for their taxes.
- More than one-third of residents desire additional recreation programs and facilities, namely pools and sports facilities. There exists considerable public support for a Sportsplex, even one that entails a modest tax increase. Three-in-five residents *support* such a project; however one-quarter of residents are *strongly opposed* to the idea.
- There is very strong awareness of several marquee Town events such as the Corn Festival, Taste of Tecumseh and Christmas in Tecumseh. Attendance at some of these events is also reasonably robust, with more than half of residents attending the Corn Festival in the last year and one-third attending Christmas in Tecumseh. However, there is less awareness of, and limited attendance at, Movie Night or the annual community bonfire.
- In an emergency, most residents would search first for information on the Town's website. In addition, one-half of residents are aware of the Town's emergency alert program and one-half of those say they have signed up to receive these alerts. Among those who have not yet signed up, the vast majority said they were not aware they had to or did not know how.
- There was significant interest in accessing some Town services online, including recreation registration and parking ticket payment. There was less interest in obtaining a residential building permit online or purchasing a dog license.
- Most residents are aware the Town offers telephone and online voting and this method was viewed as a strong enticement to vote.

The above noted highlights of the survey suggest that most Tecumseh residents continue to be extremely happy with the overall direction their community is headed and feel that they are receiving value for their tax dollars.

Ms. Mary Agnes Welch from Probe Research Inc. will be in attendance at the Regular Council Meeting on January 30, 2018 to present the results of the survey to Council. The final report containing analysis of the survey results is attached. (Attachment #1)

Administration has reviewed the results of the survey and, further to the positive results, will continue to focus on the following areas:

- a) Commit to be stewards of a "continuous improvement" approach to efficient and affordable service delivery.

- b) Being mindful of effects of climate change, the Town will continue to make improvements to the sewer infrastructure by both public education and capital investment including a current \$3.6 Million project to identify infiltration and inflow in the sanitary sewer system.
- c) Promotion through public awareness is needed with respect to online services the Town currently provides and the availability of a Citizen Mass Notification System to all property owners.
- d) 60% of respondents feel they receive enough information from the Town. Primary communication methods to residents and businesses will continue to be focused on the Town's website, social media, and local media (newspapers/radio/TV).

Consultations

Chief Administrative Officer

Financial Implications

The 2017 Citizen Satisfaction Survey was funded from CAO – Professional Fee - Other.

Link to Strategic Priorities

Applicable	2017-18 Strategic Priorities
☒	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.
☒	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☒	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 Chief Administrative Officer.

Prepared by:

Shaun Fuerth, BCS
Director Information & Communication Services

Reviewed by:

Lesley Racicot
Manager Strategic Initiatives

Recommended by:

Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

Attachment Number	Attachment Name
1	2017 Citizen Satisfaction Survey – Probe Research Inc. Final Report



2017 CITIZEN SATISFACTION SURVEY FINAL REPORT

Prepared for the
Town of Tecumseh
January 19, 2018



For more information on this research project, please contact:

Probe Research Inc.
211-10 Fort St,
Winnipeg, MB R3C 4X7
Tel: 204-926-6565
Email: probe@probe-research.com



TABLE OF CONTENTS

EXECUTIVE SUMMARY	0
1.0 INTRODUCTION AND METHODOLOGY	2
2.0 PROFILE OF RESPONDENTS	3
3.0 RESEARCH RESULTS	4
3.1 OVERALL CITIZEN IMPRESSIONS	4
3.1.1 <i>Tecumseh Public Issues Agenda</i>	4
3.1.2 <i>Perceptions of Tecumseh's Quality of Life</i>	5
3.1.3 <i>Views Regarding the Direction of the Town</i>	6
3.2 MUNICIPAL SERVICE ASSESSMENT	7
3.2.1 <i>Perceived Value for Tax Dollars</i>	7
3.2.2 <i>Overall Satisfaction with Town Services</i>	7
3.2.3 <i>Relative Importance of Specific Town Services</i>	9
3.2.4 <i>Satisfaction with Specific Town Services</i>	12
3.2.5 <i>Quadrant Analysis – Importance vs. Satisfaction</i>	15
3.2.6 <i>Recommended Service Improvements</i>	16
3.3 RECREATION, FESTIVALS AND EVENTS	17
3.3.1 <i>Desire for Additional Recreation</i>	17
3.3.2 <i>Visits to Greenspace</i>	18
3.3.3 <i>Support for a Sportsplex</i>	19
3.3.4 <i>Event Awareness and Attendance</i>	20
3.4 COMMUNICATIONS ISSUES	21
3.4.1 <i>Citizen Contact Overview</i>	21
3.4.2 <i>Citizen Satisfaction with Town Contact</i>	23
3.4.3 <i>Website</i>	24
3.4.4 <i>Preferred Methods and Volume of Communication</i>	25
3.5 EMERGENCY COMMUNICATIONS	27
3.5.1 <i>Preferred Methods of Emergency Communication</i>	27
3.5.2 <i>Awareness and Use of the Emergency Alert Program</i>	28
3.6 ONLINE SERVICES	30
3.7 VOTING METHODS	31

APPENDICES

- Questionnaire
- Detailed Tabular Results

EXECUTIVE SUMMARY

- Concerns about flooding as well as water and sewer infrastructure are top-of-mind for Tecumseh residents in 2017 following storms in the region that led to unusual basement and street flooding. This is a marked change from previous citizen surveys when stormwater issues earned few mentions by residents queried about their most important civic concerns. Sewer and water infrastructure also earned an unusually strong mention as the town service most in need of improvement. However, these concerns did not appear to affect views on the quality of life in Tecumseh or overall satisfaction with town services.
- Despite this new concern, Tecumseh residents continue to regard their quality of life as very high, with 96 per cent rating life in the town *excellent* or *good*. Similarly, there has been little change in the significant majority of residents who say the town is going in the *right direction*.
- There remains very high levels of satisfaction with the services and programs offered by the municipal government. Ninety-seven per cent of residents were *satisfied* with town services. Tecumseh continues to perform very well in the areas that matter most to residents, such as emergency services, drinking water and garbage and snow removal. However, the intensity of this feeling has declined somewhat since our last survey in 2016, with fewer residents reporting now that they are *very satisfied* with town services. Similarly, more than three-quarters of residents continue to report receiving *good* or *excellent value* for their tax dollars. This figure has been stable over the last three surveys. However, as above, the intensity of this view waned somewhat in 2017, with slightly fewer residents reporting that they receive *excellent value* for their taxes.
- More than one-third of residents desire additional recreation programs and facilities, namely pools and sports facilities. There exists considerable public support for a Sportsplex, even one that entails a modest tax increase. Three-in-five residents *support* such a project, however one-quarter of residents are *strongly opposed* to the idea.
- There is very strong awareness of several marquee town events such as the Corn Festival, Taste of Tecumseh and Christmas in Tecumseh. Attendance at some of these events is also reasonably robust, with more than half of residents attending the Corn Festival in the last year and one-third attending Christmas in Tecumseh. However, there is less awareness of, and limited attendance at, Movie Night or the annual community bonfire.
- In an emergency, most residents would search first for information on the town's website. In addition, one-half of residents are aware of the town's emergency alert program and one-half of those say they have signed up to receive these alerts. Among those who have not yet signed up, the vast majority said they were not aware they had to or did not know how.
- There was significant interest in accessing some town services online, including recreation registration and parking ticket payment. There was less interest in obtaining a residential building permit online or purchasing a dog license.
- Most residents are aware the town offers telephone and online voting and this method was viewed as a strong enticement to vote.

1.0 INTRODUCTION AND METHODOLOGY

Probe Research was commissioned by the Town of Tecumseh to conduct a random and representative telephone survey of adult residents of the town. This survey is intended to measure citizens' satisfaction with civic services, as well as pinpoint attitudes regarding other town initiatives such as online and telephone voting, funding for a Sportsplex and use of various online town services.

This report documents the findings of a survey conducted by telephone between and Nov. 9 and Nov. 29, 2017 among a random and representative sampling of 400 adult residents aged 18 years and over. With a sample of 400, one can say with 95 per cent certainty that the results are within +/- 4.9 percentage points of what they would have been if all adult residents of Tecumseh had been interviewed. The margin-of-error is higher within each of the survey's population sub-groups.

The survey was designed by Probe Research Inc. in close consultation with representatives of the Town of Tecumseh. The results were collected using state-of-the-art Computer Assisted Telephone Interviewing (CATI) software and the data analysis was conducted in-house with SPSS and other packaged software. Quotas on gender were applied and minor weighting for age was done.

A similar open-access online survey was available to residents via a link on the town's website. This allowed for further public engagement by offering the survey to residents who may not have received a telephone call to complete the scientific survey. The results of that open-access online survey are not included in this report and were provided separately to the Town of Tecumseh.

A profile of the respondents who participated in this survey is presented on the following page.

For more information on this research project, please contact:

Mary Agnes Welch
Senior Researcher
Probe Research Inc.
211-10 Fort St.
Winnipeg, MB R3C 4X7
Tel.: (204) 926-6565
Cell: (204) 470-8862
Email: maryagnes@probe-research.com

2.0 PROFILE OF RESPONDENTS

The following table outlines the demographic characteristics of those who responded to the survey:

PROFILE OF RESPONDENTS				
	Total (n=400)	WARD		
		Ward 1 (n=215)	Ward 2 (n=78)*	Wards 3 & 4 (n=107)
(%)				
Gender				
Men	48	48	48	48
Women	52	52	52	52
Age				
18-34 years	23	23	23	23
35-54 years	38	38	38	38
55+ years	39	39	39	39
Income				
<\$40K	8	7	9	7
\$40K-\$99K	43	44	43	42
\$100K+	50	50	48	52
Education				
High school or less	13	8	18	19
Some post-secondary	11	12	8	13
University or college graduate	75	79	74	68
Ward				
1	54	100	-	-
2	20	-	100	-
3 & 4	27	-	-	100
Dwelling Type				
Single-family detached	88	89	77	95
Duplex/Townhouse	5	7	3	2
Apartment/Condominium	6	3	21	3
*Caution: Small base DK/NS removed Figures may not equal 100 due to rounding.				

3.0 RESEARCH RESULTS

The following chapter provides the detailed findings from this survey of Tecumseh residents, including an overview of the total results as well as statistically significant variations across demographic sub-groups.

3.1 Overall Citizen Impressions

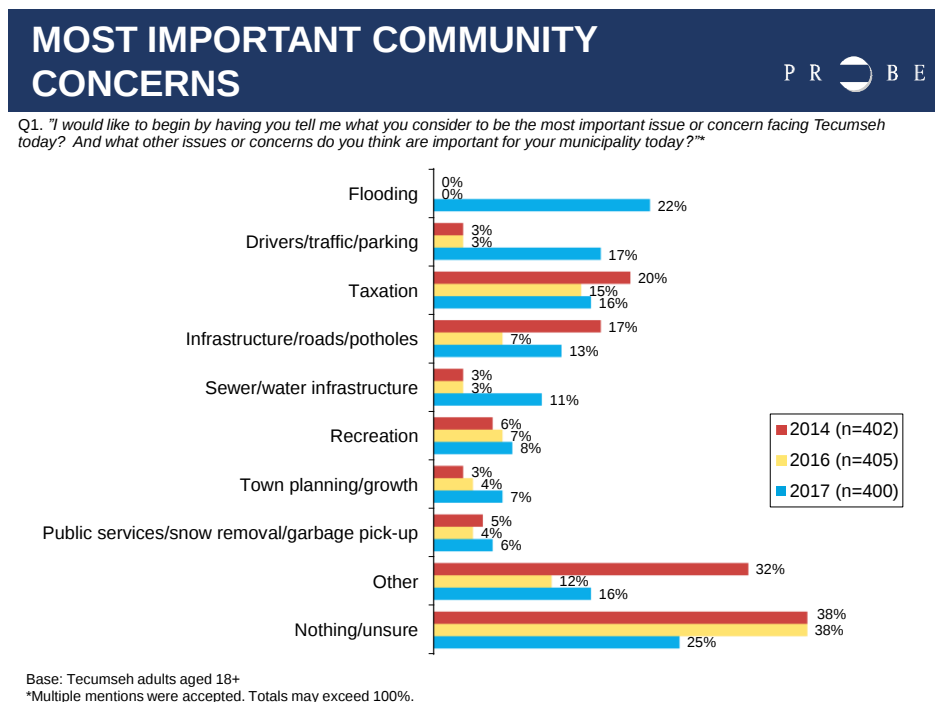
This section examines top issues in the town as well as satisfaction with the quality of life and the town's overall direction.

3.1.1 Tecumseh Public Issues Agenda

Citizens were asked to identify public concerns they feel are the *most important* issues facing the Town of Tecumseh. As the graph below illustrates, for the first time in 2017, *flooding* was identified by 22 per cent of Tecumseh residents as their top issue. Similarly, *sewer and water infrastructure* saw an increased number of mentions in 2017, with 11 per cent of respondents noting this as a top issue compared with three per cent in our previous two soundings.

Similarly, a much larger proportion of Tecumseh residents (17%) identified *drivers, traffic and parking issues* as a top concern compared with previous surveys (3%).

Compared with 2014, concern about *taxation* and *potholes* has declined.



Flooding is a larger concern for:

- Those living in houses (24%) vs. apartment and townhome residents (9%). Similarly, concern over *sewer and water infrastructure* is a larger worry for those living in single, detached houses (12%) vs. those in multi-family units (2%).
- Those who rate the quality of life in Tecumseh as *excellent* or *good* (23% each) vs. those who rate the quality of life as *fair* or *poor* (3%). This suggests the recent flooding issue has not negatively affected respondents' views of the overall quality of life in the town.

Drivers, traffic and parking are a larger concern for:

- Men (23%) vs. women (10%).

3.1.2 Perceptions of Tecumseh's Quality of Life

Overall, a vast majority of citizens continue to regard their standard of living in the community as high – 96 per cent rate the quality of life as *excellent* or *good*. Specifically, more than one-half (54%) agree Tecumseh's quality of life is *excellent*.

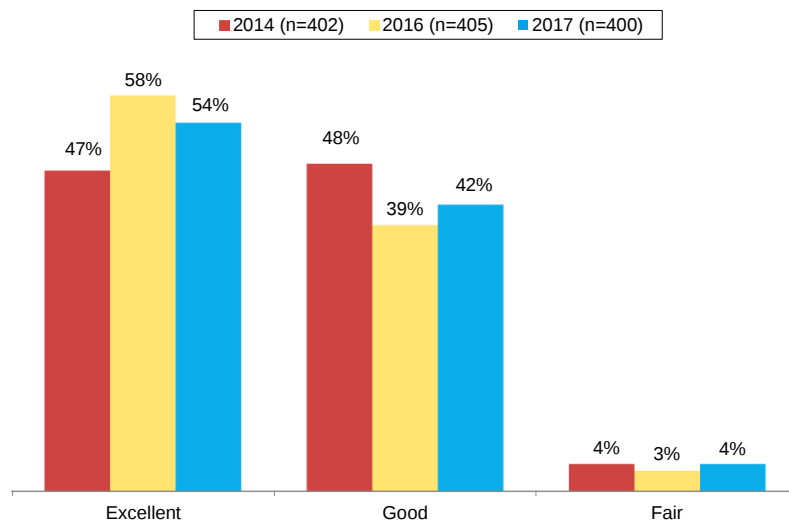
Only a tiny four per cent described the quality of life in Tecumseh as merely *fair*, while far less than one per cent rated it as *poor*.

It is worth noting that concern over flooding, which increased significantly this year due to two recent weather events, did not drive views on the quality of life in Tecumseh. In other words, residents most concerned about flooding and water and sewer infrastructure were just as likely as anyone to rate life in the town as *excellent* or *good*.

QUALITY OF LIFE RATING

P R B E

Q2. "How would you rate the overall quality of life in Tecumseh today? Would you say it is ..."



Base: Tecumseh adults aged 18+

Most likely to rate the quality of life in Tecumseh as *excellent* are:

- Middle-aged residents (61%) vs. those under 35 (40%).
- Middle-income residents (64%) vs. those in lower-income households (34%) and higher-income households (49%).
- Those in multi-family units (71%) vs. those living in single, detached houses (51%).

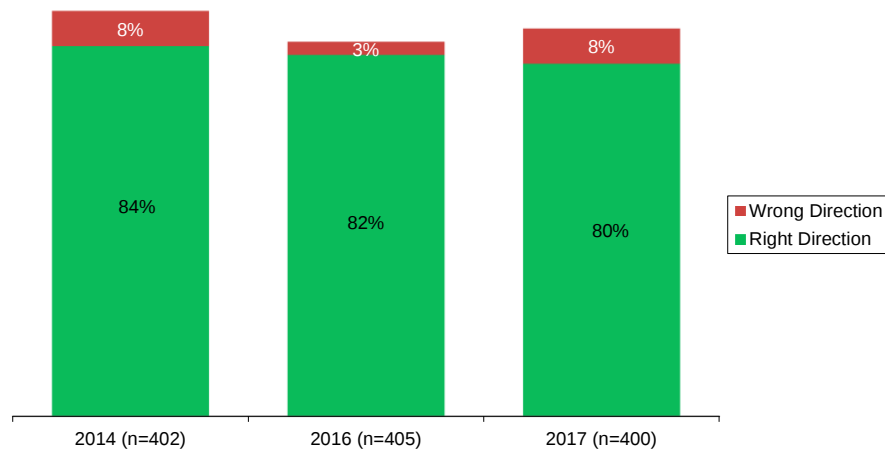
3.1.3 Views Regarding the Direction of the Town

Citizens were asked if they feel Tecumseh is headed in the *right direction* or the *wrong direction*. Four-in-five adults (80%) agree the town is headed in the *right direction*, compared to only eight per cent who feel Tecumseh is headed down the wrong path. (An additional 12 per cent of those surveyed said the town is going in neither the wrong nor right direction, or were unsure/did not respond.) The findings remain virtually unchanged from 2016.

DIRECTION OF TECUMSEH

P R B E

Q3. "Overall, would you say things in Tecumseh are going in the right direction, or the wrong direction?"



Base: Tecumseh adults aged 18+

Most likely to say Tecumseh is going in the *right direction* are:

- Those in multi-family units (92%) vs. those living in single, detached houses (79%).
- Those with children at home (88%) vs. those without (77%).

3.2 Municipal Service Assessment

The following section reveals citizens' views on the importance of, and their overall satisfaction with, civic services provided within the Town of Tecumseh. It also provides an assessment of the value citizens feel they receive for their tax dollars, as well as suggested areas for service improvement.

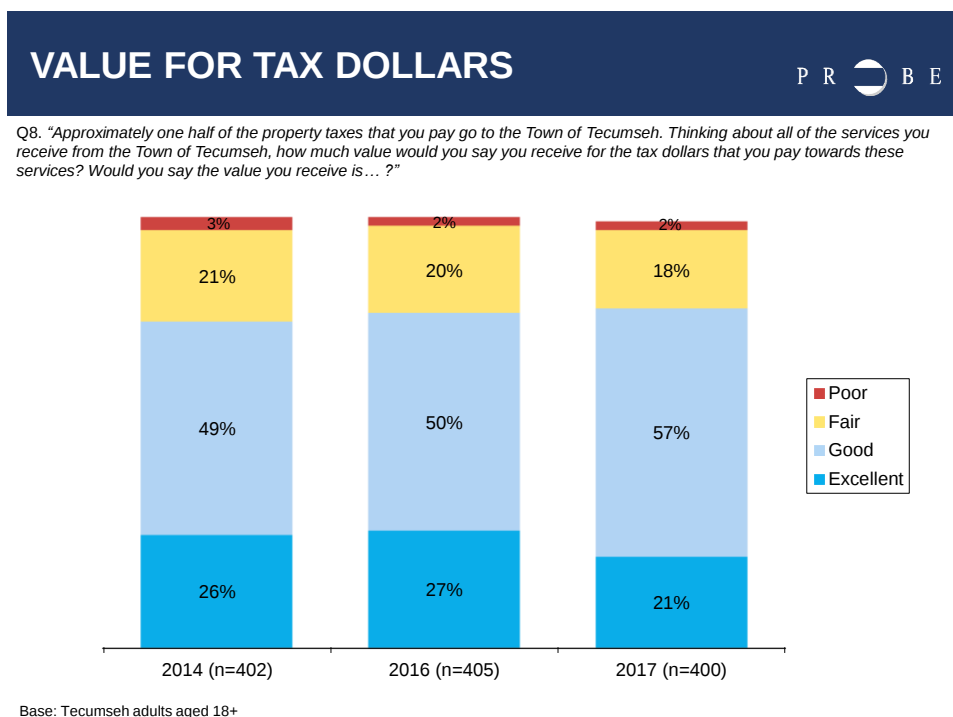
3.2.1 Perceived Value for Tax Dollars

Tecumseh residents were asked to assess the value they feel they receive for the tax dollars they provide to their municipal government each year.

More than one-in-five (21%) report they receive *excellent* value for their tax dollars, with well over one-half of citizens (57%) offering the view that they obtain *good* value for their municipal taxes. Nearly one-in-five citizens (18%), on the other hand, believe they only receive *fair* value for their local taxes, while just three per cent indicated they receive *poor* value from the Town of Tecumseh.

Overall, 78 per cent of residents said their value for tax dollars was *good* or *excellent*, a figure virtually unchanged since 2016. However, the intensity of this very positive view of tax value has diminished, with some respondents downgrading their assessment from *excellent* to *good*.

Again, it is worth noting that concern over flooding did not drive views on the value residents receive for their taxes. In other words, residents most concerned about flooding and water and sewer infrastructure were just as likely as anyone to rate their tax value *excellent* or *good*.



Most likely to be report *excellent* value for tax dollars are:

- Middle-aged residents (26%) and older residents (24%) vs. those under 35 (6%).
- Middle-income residents (29%) vs. those in lower-income households (12%) and higher-income households (14%).
- Those in multi-family units (34%) vs. those living in single, detached houses (19%).
- Residents of Ward 2 (28%) vs. residents of Wards 3 & 4 (10%).

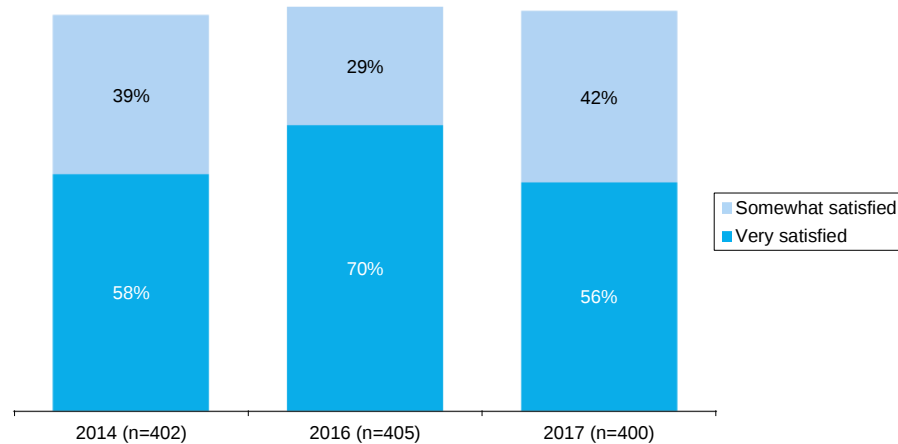
3.2.2 Overall Satisfaction with Town Services

Satisfaction with the services provided by the Town of Tecumseh remains very high at 97 per cent. As the following graph shows, more than one-half (56%) are *very satisfied* with civic services in Tecumseh, a decrease since our last sounding in 2016. Only two per cent of those surveyed were *dissatisfied*.

OVERALL SATISFACTION WITH TOWN SERVICES

P R B E

Q5. "Overall, how satisfied are you with the services provided to you by the Town of Tecumseh? Would you say you are...?"



Base: Tecumseh adults aged 18+

Most likely to be *very satisfied* with town services are:

- Older residents (63%) and middle-aged residents (60%) vs. those under 35 (37%).
- Middle-income residents (71%) and those in lower-income households (62%) vs. higher-income households (41%).

3.2.3 Relative Importance of Specific Town Services

Residents were asked to provide an assessment of the importance of a number of civic services in Tecumseh. This was done using a 1-10 scale where a “1” meant the service is *not at all important* to them personally and a “10” means the services is *very important*.

Core municipal services continue to rank among the most important to residents. In fact, there appears to be a slight shift in perception toward the importance of these core services and away from “softer” municipal programs.

Household drinking water continues to be regarded as the most important service to Tecumseh residents (91% indicated it is important by providing a score between 8 and 10 out of 10). However, *stormwater drainage* (90%) emerged as a new service of top importance this year, gaining nine percentage points since 2014.

Also growing steadily in importance is *policing* (86%), while *fire protection* (86%) and *waste management* (82%) declined slightly in perceived importance since 2014.

MOST IMPORTANT MUNICIPAL SERVICES AND AMENITIES

P R B E

Q4. “I am going to read to you a list of services provided by the Town of Tecumseh. For each one, I would like you to tell me how important this service is to you using a 1-10 scale where a 1 means this service is “not at all important” and a 10 means it is “very important...”

% Indicating Important “8”, “9”, “10”



Base: Tecumseh adults aged 18+

Policing is most important to:

- Women (93%) vs. men (78%).

Fire protection is most important to:

- Older residents, 55-plus (94%) vs. those under 35 (78%).
- Those in lower-income households (98%) vs. high-income households (79%).
- Residents in multi-family dwellings (96%) vs. those in single-family houses (84%).

Snow removal is most important to:

- Women (90%) vs. men (77%).

Waste management is most important to:

- Women (88%) vs. men (76%).

- Older residents, 55-plus (89%) and middle-aged residents (83%) vs. those under 35 (68%).
- Those in lower-income households (92%) vs. high-income households (75%).

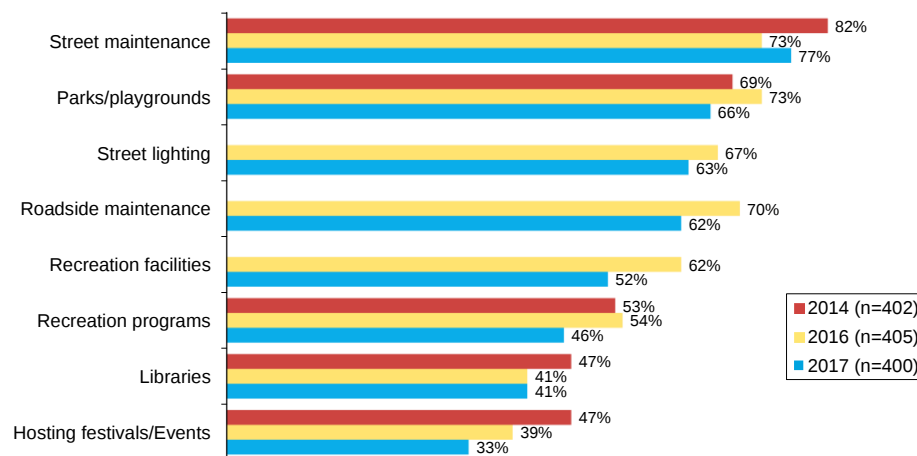
“Softer” municipal services, such as *recreation programs, parks, libraries and events* continued to rank lower on residents’ list of most important town services. In fact, the importance of these services appears to have dipped slightly. For example, 52 per cent of residents said *recreation facilities* are an important municipal service, down ten percentage points from 2016. Similarly, only one-third of residents said *events and festivals* are important services, down 14 points since 2014.

LESS IMPORTANT MUNICIPAL SERVICES AND AMENITIES

P R B E

Q4. “I am going to read to you a list of services provided by the Town of Tecumseh. For each one, I would like you to tell me how important this service is to you using a 1-10 scale where a 1 means this service is “not at all important” and a 10 means it is “very important...”

% Indicating Important “8”, “9”, “10”



Base: Tecumseh adults aged 18+

Street maintenance is most important to:

- Women (86%) vs. men (67%).
- Those in lower-income households (82%) and middle income households (81%) vs. high-income households (69%).

Parks and playgrounds are most important to:

- Women (79%) vs. men (52%).
- Older residents, 55-plus (71%) vs. those under 35 (54%).
- Those in middle-income households (75%) and lower-income households (64%) vs. high-income households (55%).

Street lighting is most important to:

- Women (73%) vs. men (52%).
- Older residents, 55-plus (75%) vs. those under 35 (47%).
- Those in middle-income households (76%) and lower-income households (65%) vs. high-income households (47%).
- Residents of Wards 3 & 4 (76%) vs. those in Ward 1 (56%).

Roadside maintenance is most important to:

- Women (70%) vs. men (54%).
- Older residents, 55-plus (71%) vs. those under 35 (54%).
- Those in lower-income households (85%) vs. high-income households (53%).
- Residents of Wards 3 & 4 (71%) and Ward 2 (68%) vs. those in Ward 1 (56%).

Recreation facilities are most important to:

- Women (56%) vs. men (48%).
- Younger residents (61%) and older residents, 55-plus (56%) vs. those in middle age (43%).
- Those with children at home (69%) vs. those without (47%).

Recreation programs are most important to:

- Women (56%) vs. men (36%).
- Those in middle-income households (58%) vs. high-income households (37%).
- Those with children at home (61%) vs. those without (41%).
- Residents of Wards 3 & 4 and Ward 2 (53% each) vs. those in Ward 1 (40%).

Libraries are most important to:

- Those in middle-income households (50%) vs. high-income households (34%).
- Residents in multi-family dwellings (52%) vs. those in single-family houses (39%).
- Those with children at home (50%) vs. those without (38%).
- Residents of Wards 3 & 4 (44%) and Ward 1 (38%) vs. those in Ward 2 (22%).

Festivals and events are most important to:

- Women (41%) vs. men (24%).
- Those in low-income households (47%) and middle-income households (45%) vs. high-income households (20%).
- Residents in multi-family dwellings (50%) vs. those in single-family houses (30%).
- Residents of Ward 2 (48%) vs Ward 1 (27%) and Wards 3 & 4 (33%).

3.2.4 Satisfaction with Specific Town Services

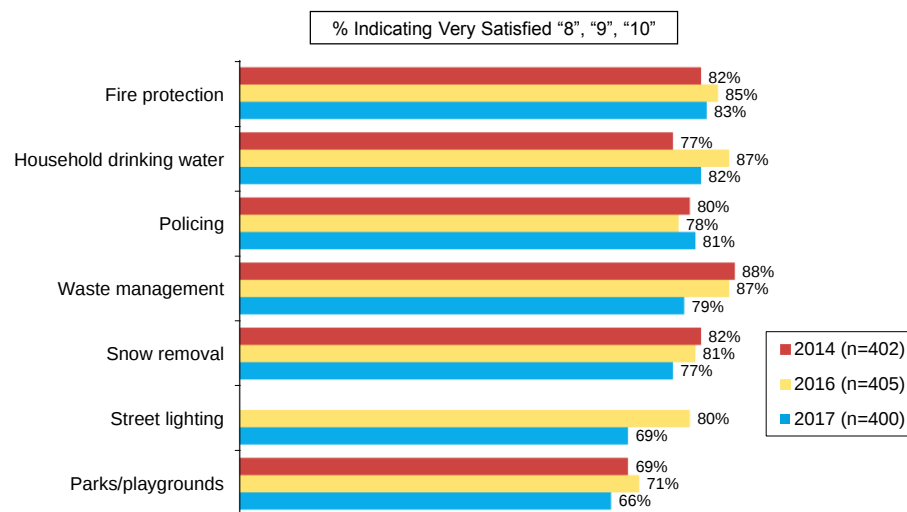
Tecumseh residents were also asked to provide a satisfaction rating for these same civic services using a 1-10 scale where a “1” meant they are *not at all satisfied* with how this service is being delivered and a “10” meant *very satisfied*.

Tecumseh citizens are most likely to express their satisfaction with the town’s *fire protection*, *household drinking water* and *policing*. Satisfaction with these has remained relatively steady over the last four years. Satisfaction with *waste and garbage management*, while still strong at 79 per cent, has dropped nine percentage points since 2014. Similarly, satisfaction with *street lighting* has dropped from 80 per cent *satisfied* in 2016 to 69 per cent *satisfied* this year.

HIGH SATISFACTION WITH SELECTED MUNICIPAL SERVICES AND AMENITIES

P R B E

Q6. “Now I would like you to tell me how satisfied you are with each of the following services in Tecumseh. For this, let’s use a 1-10 scale where a 1 means you are “very dissatisfied” and a 10 means you are “very satisfied”...”



Base: Tecumseh adults aged 18+

Those most satisfied with *fire protection* include:

- Those in lower-income households (92%) and middle income households (90%) vs. high-income households (75%).

Those most satisfied with *household drinking water* include:

- Those in middle income households (88%) and high-income households (80%) vs. lower-income households (71%).
- Those with children at home (94%) vs. those without (78%).

Those most satisfied with *policing* include:

- There are no statistically significant differences on this question.

Those most satisfied with *waste management* include:

- Women (85%) vs. men (73%).
- Older residents, 55-plus (85%) and middle-aged residents (79%) vs. those under 35 (67%).
- Those in middle-income households (89%) vs. low-income households (66%) and high-income households (69%).

Those most satisfied with *snow removal* include:

- Middle-aged residents (86%) and older residents, 55-plus (79%) and vs. those under 35 (58%).
- Those in middle income households (84%) and lower-income households (78%) and vs. high-income households (69%).
- Those with children at home (85%) vs. those without (73%).

Those most satisfied with *street lighting* include:

- Men (34%) vs. women (24%).
- Younger residents under 35 (42%) vs. older residents, 55-plus (21%).
- Those in middle-income households (75%) vs. high-income households (59%).
- Residents of Wards 3 & 4 (35%) vs. those in Ward 2 (17%).

Those most satisfied with *parks and playgrounds* include:

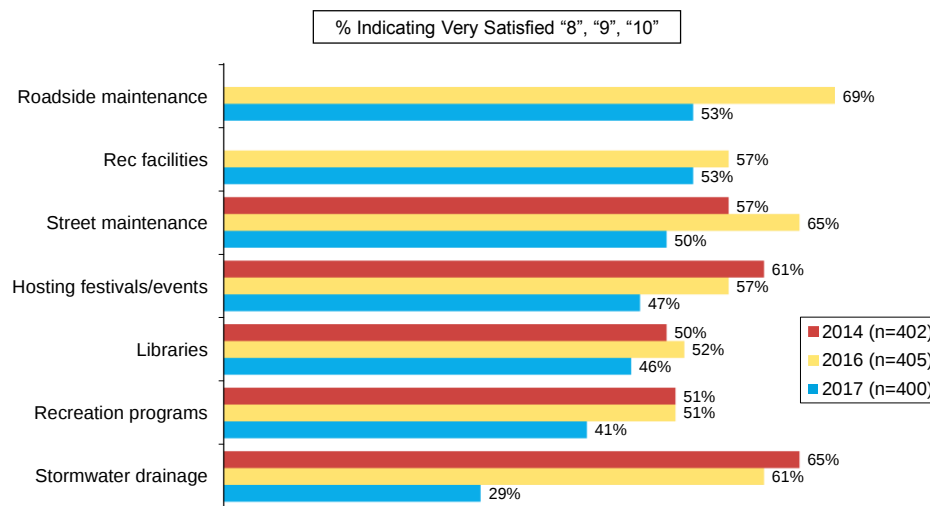
- Younger residents under 35 (72%) and older residents, 55-plus (71%) vs. those in middle age (59%).

Satisfaction with *stormwater drainage* has dropped significantly from 65 per cent *satisfied* in 2014 to only 29 per cent *satisfied* in 2017. Residents also report dwindling satisfaction with *recreation programs* (51% *satisfied* in 2014, 41% *satisfied* in 2017), *festivals and event* (61% *satisfied* in 2014, 47% *satisfied* in 2017) and *roadside maintenance* (69% *satisfied* in 2016, 53% *satisfied* in 2017).

LOW SATISFACTION WITH SELECTED MUNICIPAL SERVICES AND AMENITIES

P R B E

Q6. "Now I would like you to tell me how satisfied you are with each of the following services in Tecumseh. For this, let's use a 1-10 scale where a 1 means you are "very dissatisfied" and a 10 means you are "very satisfied"..."



Base: Tecumseh adults aged 18+

Those most satisfied with *roadside maintenance* include:

- Men (58%) vs. women (47%)
- Older residents, 55-plus (60%) vs. those under 35 (31%).
- Residents of Ward 2 (63%) vs. those in Ward 1 (49%).

Those most satisfied with *recreation facilities* include:

- Women (58%) vs. men (47%).
- Younger residents (63%) and older residents, 55-plus (53%) vs. those in middle age (46%).
- Residents of Ward 2 (65%) vs. those in Ward 1 (50%).
- Those in middle-income households (66%) vs. high-income households (48%).

Those most satisfied with *street maintenance* include:

- Older residents, 55-plus (61%) vs. those under 35 (23%).
- Those without children at home (55%) vs. those with children at home (38%).

Those most satisfied with *festivals and events* include:

- Women (53%) vs. men (41%).
- Those in middle-income households (62%) vs. high-income households (37%).
- Residents of Ward 2 (68%) vs Ward 1 (38%).

Those most satisfied with *libraries* include:

- Those in middle-income households (58%) vs. high-income households (41%) and lower income households (42%).
- Residents of Ward 2 (61%) vs. those in Ward 1 (42%) and Wards 3 & 4 (44%).

Those most satisfied with *recreation programs* include:

- Residents of Ward 2 (61%) vs. those in Wards 3 & 4 (30%) and those in Ward 1 (38%).
- Those in middle-income households (53%) vs. high-income households (31%).

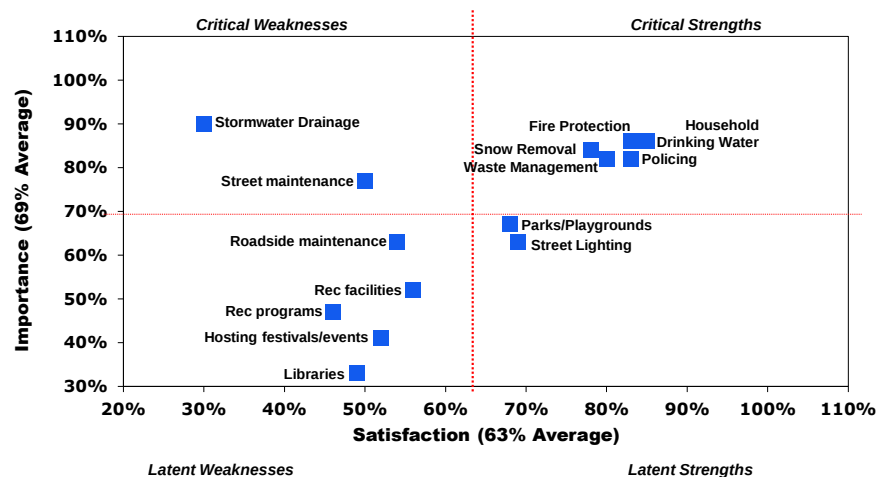
Those most satisfied with *stormwater drainage* include:

- Older residents, 55-plus and middle-aged residents (33% each) vs. those under 35 (17%).
- Residents in multi-family dwellings (46%) vs. those in single-family houses (27%).

3.2.5 Quadrant Analysis – Importance vs. Satisfaction

The chart that follows depicts the simultaneous high importance/performance ratings of 14 selected Tecumseh service dimensions. Overall, citizens offered an average importance rating of 68 per cent for these 14 municipal attributes, and a 63 per cent average “performance” rating for these same factors.

Tecumseh Quadrant Analysis



- Those responding "8, 9, 10" for Questions 4 & 6 -

Summary: A graphic analysis of both importance and satisfaction of Tecumseh functions provides a vivid portrait of service deficits and opportunities. The vertical axis of the quadrant chart depicts how important the issue is for citizens. Thus, the higher up the function appears on the vertical axis of the chart, the greater the perceived importance. The horizontal axis reveals perceived citizen satisfaction on these same attributes. The further to the right on the chart, the higher the level of perceived performance. Observed in its entirety, quadrant analysis provides a visual depiction of areas of strategic opportunity and weakness for the Town of Tecumseh.

The four quadrants represent:

- **Critical Strengths** – These are characteristics that are seen to be relatively important and with which citizens are relatively satisfied (top right section). These represent services where the Town of Tecumseh should strive to maintain high levels of satisfaction. Items in this quadrant are highly desirable and are signs of organizational strength.

It is important to note that more than one-third (6 out of 14) attributes can be found in this quadrant. These include waste management, snow removal and fire protection. In addition, household drinking water is perceived as a critical strength as is the town's police service.

- **Critical Weaknesses** – These are issues that are very important to citizens, but with which they are relatively less satisfied (top left section). These represent areas of opportunity for the Town of Tecumseh to enhance citizen satisfaction and items which the town may want to prioritize. These services include road maintenance/upgrading and stormwater drainage.
- **Latent Strengths** – These are areas where members are satisfied with the town's performance, yet they are not seen as being as important as other functions (bottom right). The items that falls into this quadrant is street lighting and parks/playground maintenance
- **Latent Weaknesses** – These are services that are not regarded as particularly important, and ones with which the town (or its service delivery partners) are seen to be performing relatively poorly (bottom left). Service aspects in this quadrant include hosting festivals and events, recreation programs and facilities, roadside maintenance and libraries.

3.2.6 Recommended Service Improvements

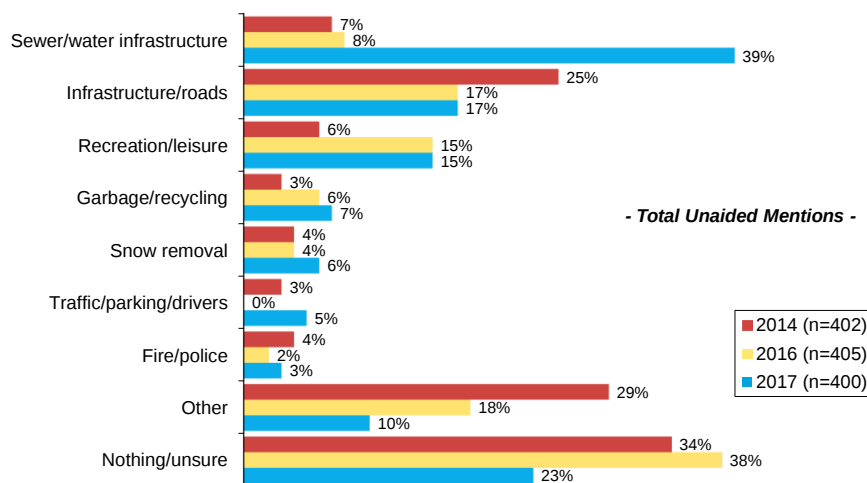
When asked to identify which specific town services are most in need of improvement, respondents much more likely in 2017 to identify *sewer and water infrastructure*. Nearly two-in-five residents (39%) noted the need for improvements in this area, which is nearly five times more than in 2016. *Road infrastructure* and *recreation services* were also top-of-mind with residents, though these changed little in terms of importance since 2016.

Nearly one-quarter of respondents (23%), meanwhile, were unable or unwilling to suggest an area where municipal services could be improved.

TOP-OF-MIND MUNICIPAL SERVICE IMPROVEMENTS

P R B E

Q7. "What specific town services would you say are most in need of improvement? Any others?"*



Base: Tecumseh adults aged 18+

*Multiple mentions were accepted. Totals may exceed 100%.

Those most likely to call for improvements to *recreation and leisure services* include:

- Younger residents (26%) vs. older residents, 55-plus (10%).
- Those in high-income households (23%) vs. those in lower-income households (2%).
- Those with children at home (30%) vs. those without (9%).
- Residents in single-family houses (17%) vs. those in multi-family dwellings (3%).
- Residents of Ward 1 (21%) vs. Ward 2 (3%).

Those most likely to call for improvements to *sewer and water infrastructure* include:

- Younger residents (50%) vs. older residents (33%).

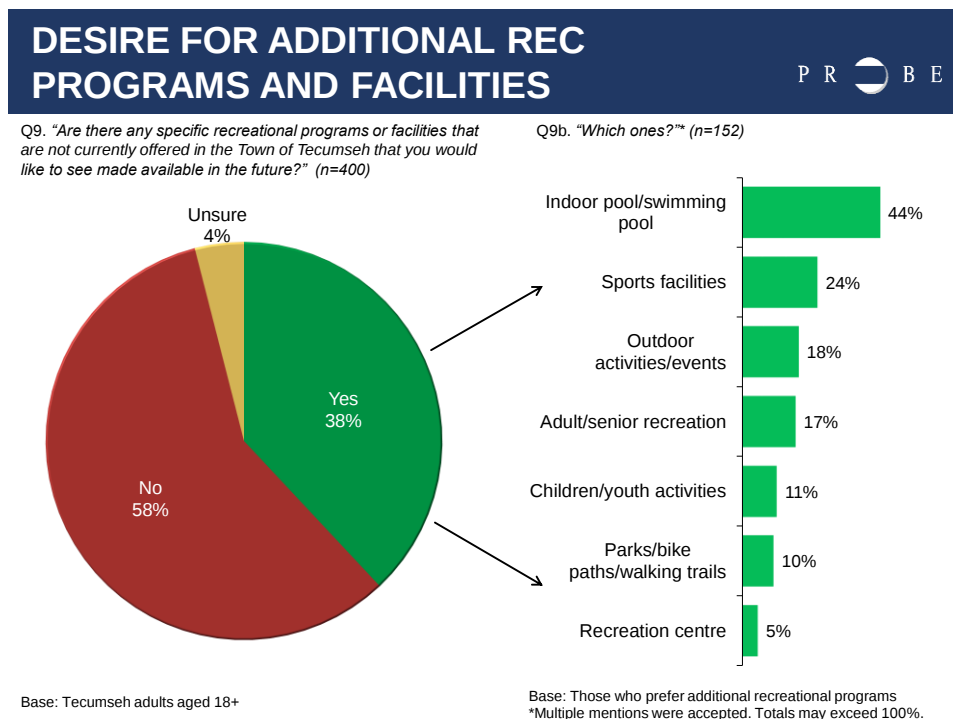
3.3 Recreation, Festivals and Events

The following section explores recreation habits and preferences, including views on the construction of a potential Sportsplex and attendance at various events and festivals.

3.3.1 Desire for Additional Recreation

Again this year, Tecumseh residents were asked whether they would like any additional recreational programs or facilities, and, if so, what kind.

A sizeable minority (38%) of Tecumseh residents called for additional programs or facilities. Among those interested in more recreation, more than two-in-five (44%) sought an *indoor pool or swimming pool*, which is similar to 2016's findings. Nearly one-quarter (24%) were seeking *sports facilities*, also similar to our previous survey.



Those most likely to call for *additional recreation programs or facilities* include:

- Those in middle-income households (43%) vs. low-income households (17%).
- Those with children at home (56%) vs. those without (30%).

Those most likely to call for *additional swimming infrastructure* include:

- Younger residents (68%) vs. older residents, 55-plus (30%).
- Residents in single-family houses (48%) vs. those in multi-family dwellings (14%).
- Those with children at home (67%) vs. those without (30%).

Those most likely to call for *additional sports facilities* include:

- Residents of Ward 1 (30%) vs. Ward 2 (13%).

3.3.2 Visits to Greenspace

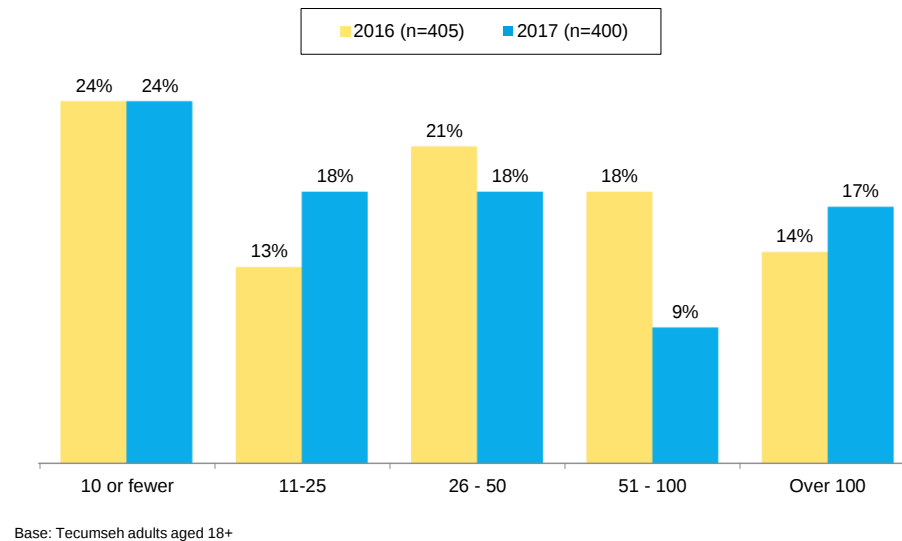
This year, residents were again asked how many times in the past year they've visited town parks, trails or natural areas. There was little significant change in the town's already-robust visitation habits. Eighty-six per cent of residents reported visiting a park or trail at least once in the last year. More than one-quarter of residents (26%) reported visiting Tecumseh's greenspace *more than 51 times* in the last year and 17 per cent reported visiting *more than 100 times*, which is at least twice per week.

However, almost one-quarter (24%) visited area parks, trails and natural areas only *ten times or less*.

VISITS TO PARKS, TRAILS OR NATURAL AREAS

P R B E

Q10. "In the past year, how many times, if any, have you visited a Tecumseh park, trail or natural area?"



Those most likely to use parks, trails and natural areas *once a week or more* include:

- Women. Among the pool of frequent park users, 56 per cent are women.
- Middle-aged residents. Among the pool of frequent park users, 45 per cent are between the ages of 35 and 54.
- Higher income households. Among the pool of frequent park users, 63 per cent live in households with an annual income of \$100,000 or more.
- Single, detached home-dwellers. Among the pool of frequent park users, 95 per cent live in single-family homes.
- Residents of Ward 1. Among the pool of frequent park users, 60 per cent are from Ward 1.

3.3.3 Support for a Sportsplex

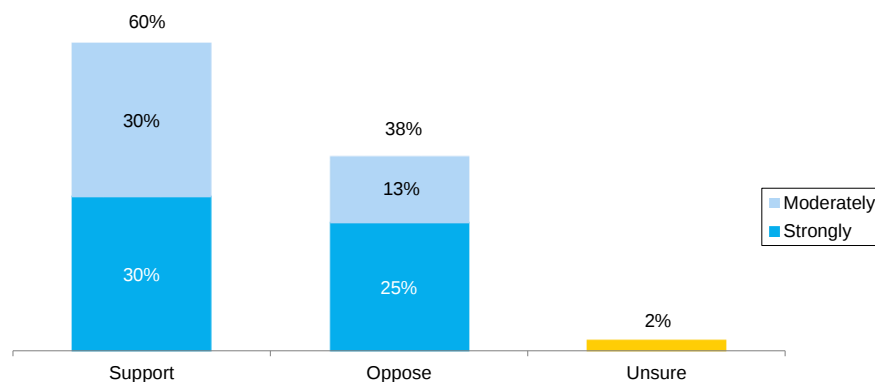
There is significant support for the construction of a Sportsplex even if this would increase property taxes by as much as \$140 per year. Three-in-five residents (60%) *support* such an initiative with nearly one-third (30%) *strongly in support*.

However, a sizable minority of 38 per cent oppose the construction of a Sportsplex, with one-quarter of residents (25%) being *strongly opposed*.

SUPPORT FOR A SPORTSPLEX

P R B E

Q10a. "The Town of Tecumseh is considering building a Sportsplex facility, offering year round recreational space for all ages at an estimated cost between 6 million and 20 million dollars, depending on grants from other levels of government. This will mean property taxes will increase between 75 and 140 dollars per year for 25 years. Given this, do you support or oppose the construction of a new Sportsplex? Is that strongly or moderately?" (n=400)



Base: Tecumseh adults aged 18+

Those most likely to *support* a Sportsplex include:

- Those with children at home (72%) vs. those without (54%).
- Those in higher-income households (63%) vs. low-income households (42%).

3.3.4 Event Awareness and Attendance

For the first time this year, residents were asked about their awareness of, and attendance at, six different town events and festivals.

Awareness of some festivals and events is quite high. For example, nearly every respondent (99%) had heard of the *Corn Festival*, and a strong majority of those surveyed (58%) attended this festival in the last year.

Awareness of *Taste of Tecumseh* was also very high at 88 per cent, as was *Christmas in Tecumseh* at 86 per cent. Despite this healthy awareness, attendance at these events was somewhat lower at 25 per cent and 35 per cent respectively.

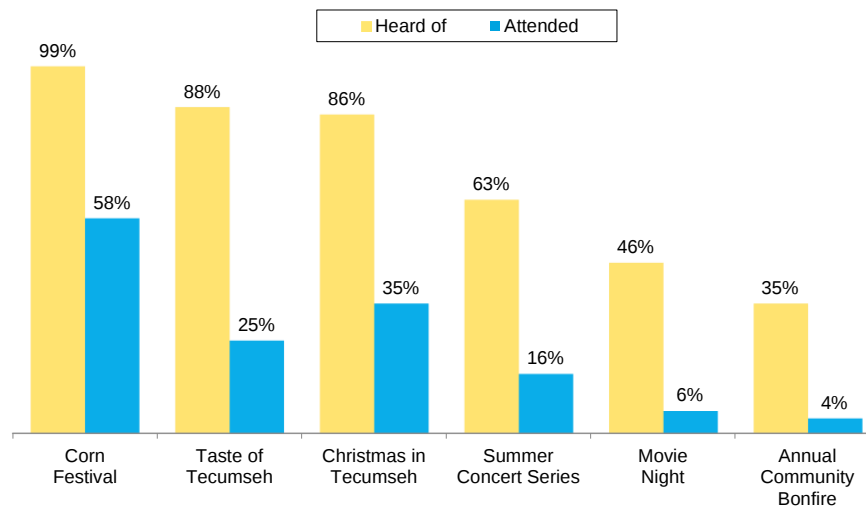
Residents were somewhat less aware of other events such as *Movie Night* (46% aware) and the *community bonfire* (35% aware). And, a relatively small proportion of residents attended these events.

More than one-quarter of residents (28%) reported attending no town events in the last year. However, more than one-half (52%) reported attending one or two events and nearly one-in-five (19%) reported attending three or more events.

EVENT AWARENESS AND ATTENDANCE

P R B E

Q10b. "I'm going to read you a list of festivals and events in the Town of Tecumseh. For each one, please tell me whether you have heard of this event, and then whether you have attended this event in the last year?" (n=400)



Base: Tecumseh adults aged 18+

Key demographic difference in awareness include:

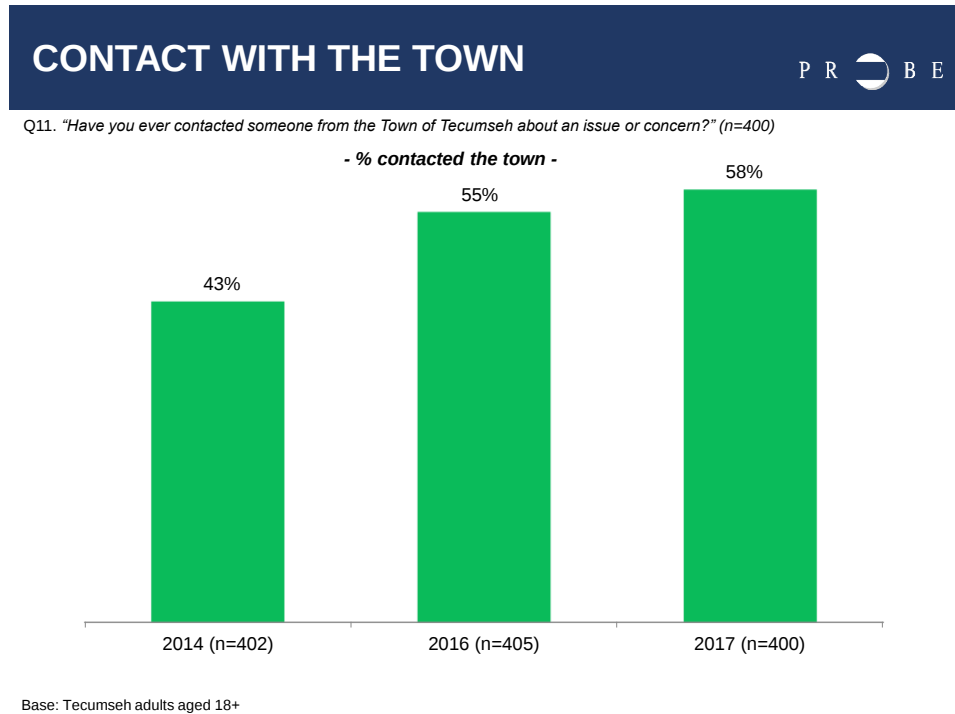
- Young people, those under 35, were *more likely* to have heard of several events, including the *Taste of Tecumseh* (98%), *Movie Night* (56%), and the *annual bonfire* (41%).
- Residents with children at home were *more likely* to have heard of events such as the *summer concert series* (74%) and *Movie Night* (64%).
- Residents of Wards 3 & 4 were *less likely* to have heard of several events, including the *summer concert series* (54%) and *Movie Night* (36%).

3.4 Communications Issues

The following section provides information about citizens' interactions with the town, including their experiences resolving problems, their use of the town website and the ways in which they would prefer to receive updates about town business.

3.4.1 Citizen Contact Overview

Well over one-half of Tecumseh residents (58%) have contacted the town about a specific issue or concern, a steady increase since 2014, at which time only 43 per cent had reached out to the town for some reason.



Those *most likely to contact the town* include:

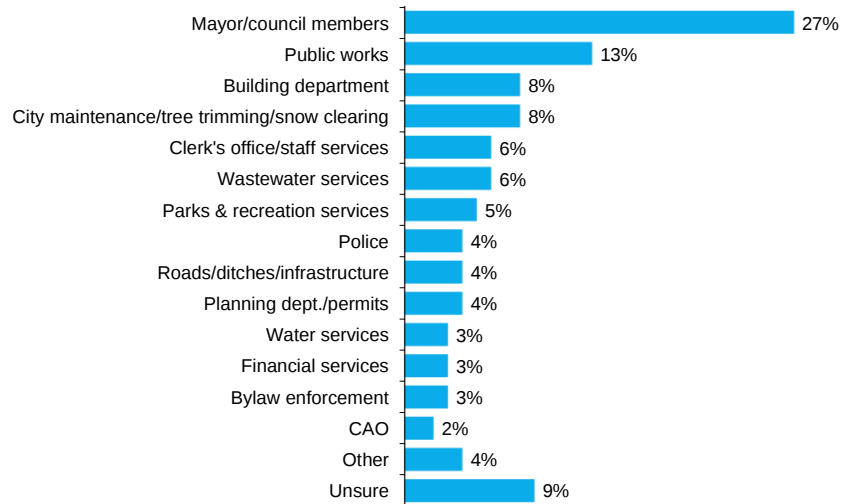
- Men (66%) vs. women (51%).
- Middle-aged residents (65%) and older residents, 55-plus (64%) vs. younger residents under 35 (39%).
- Those in higher-income households (66%) vs. middle-income households (53%).
- Residents of Ward 2 (73%) vs. Wards 3 & 4 (51%).

As in previous years, citizens were most likely to contact the mayor or a councillor about their issue. More than one-quarter (27%) noted that elected officials were their primary point of contact with a concern. Town departments such as public works (13%), the building and maintenance departments (8% each) were common, though less frequent, points of contact.

POINT OF CONTACT WITH THE TOWN

P R B E

Q12. "Who did you contact about this issue?"* (n=234)



Base: Those who have contacted the town about an issue/concern

*Multiple mentions were accepted. Totals may exceed 100%.

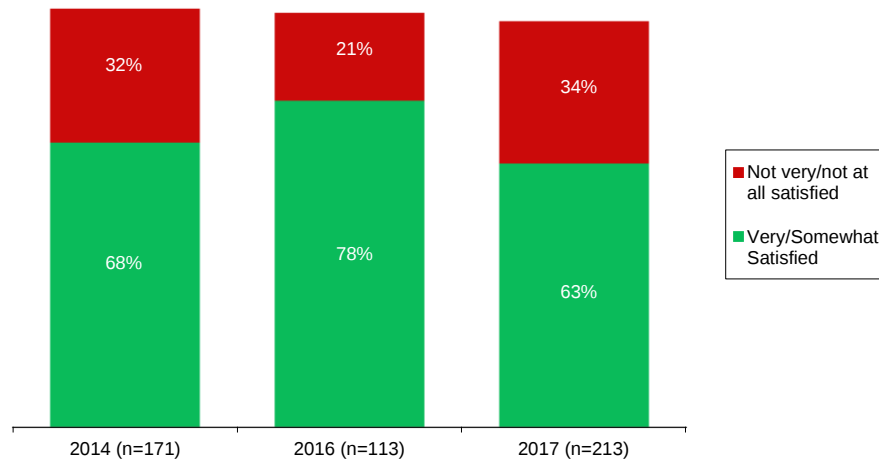
3.4.2 Citizen Satisfaction with Town Contact

More than three-in-five residents (63%) who contacted the town with an issue reported being *satisfied* with the outcome, including 34 per cent who were *very satisfied*. This level of satisfaction is down 15 percentage points from our previous survey in 2016.

SATISFACTION WITH PROBLEM RESOLUTION



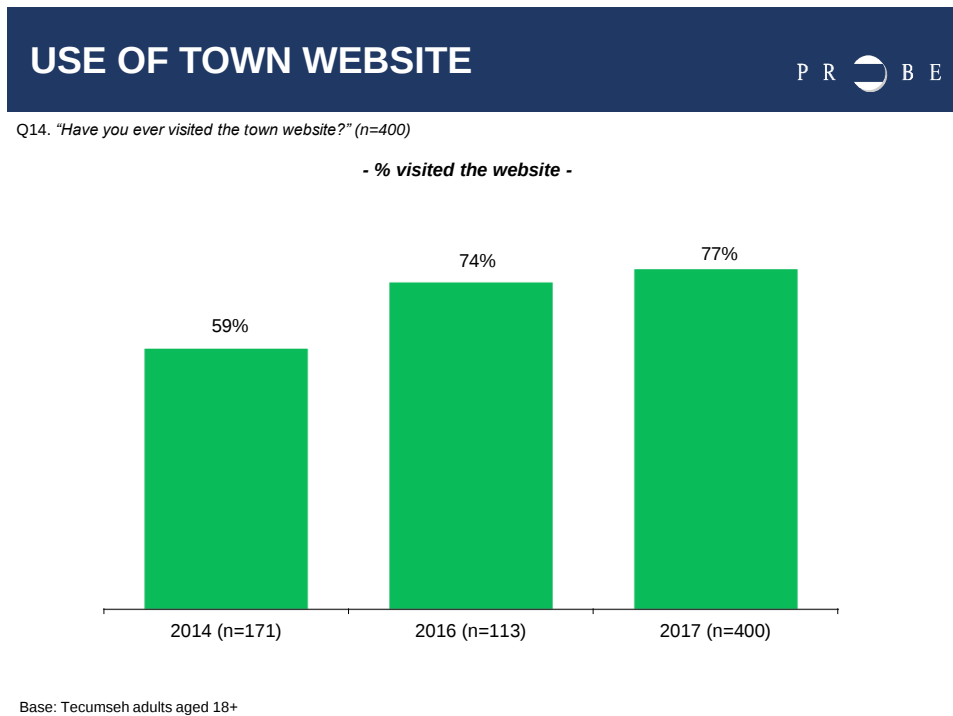
Q13. "Thinking about all the times you have contacted the Town about a particular issue, how satisfied are you that your concern or concerns were dealt with effectively?"



Base: Those who have contacted the town about an issue/concern

3.4.3 Website

Overall, more than three-quarters of Tecumseh adults (77%) say they visited the town's website at some point. This is a significant and steady increase since 2014 when just 59 per cent said they had clicked on the site.

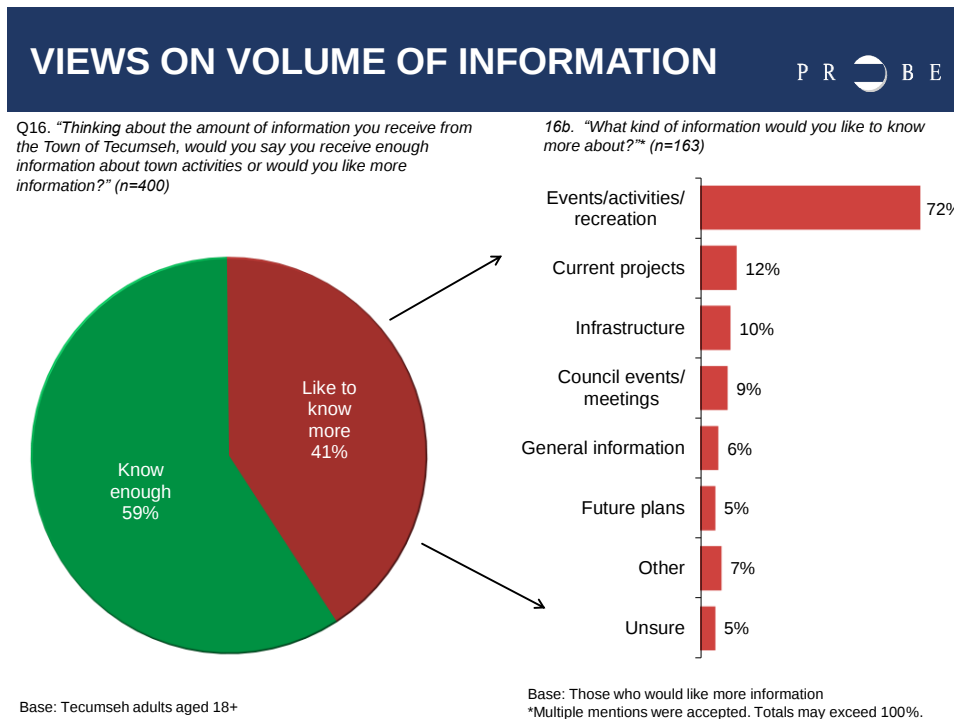


Those *most likely to use the town's website* include:

- Younger residents, under 35 (93%) vs. older residents, 55-plus (57%).
- Those in higher-income households (87%) vs. low-income households (45%).
- Residents in single-family houses (82%) vs. those in multi-family dwellings (35%).
- Those with children at home (95%) vs. those without (69%).

3.4.4 Preferred Methods and Volume of Communication

When asked about the volume of information they receive from the Town of Tecumseh, most residents (59%) said they *knew enough* about town business. Two-in-five (41%), on the other hand, would like to *know more*. When asked what they'd *like to know more* about, the vast majority (72%) said *recreation and events*. This is a significant increase since 2016 in the proportion of residents who would like more information about recreation and events.



Those *who would like to know more* include:

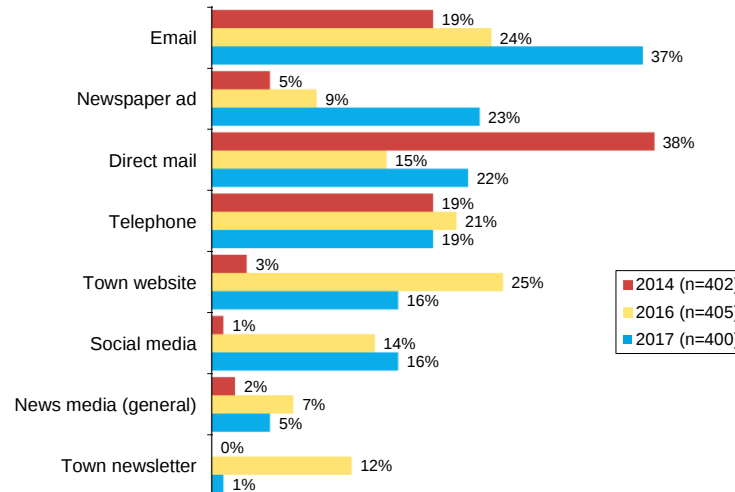
- Those in higher-income households (46%) vs. low-income households (22%).
- Those with children at home (53%) vs. those without (37%).
- Residents of Ward 1 (46%) vs. Ward 2 (27%).

More than one-third of residents (37%) preferred to receive town news and information by email, a communication method that has grown steadily in popularity since our first survey in 2014. Advertisements or notices in the local newspaper are also an increasingly preferred method of communication, with nearly one-quarter of respondents (23%) favouring this approach. Direct mail, which waned in popularity in 2016, regained some ground with 22 per cent of respondents noting this as the best way to reach them.

PREFERRED METHODS OF COMMUNICATION

P R B E

Q15. What would be the best way to reach you with town news and general information?*



Base: Tecumseh adults aged 18+

*Multiple mentions were accepted. Totals may exceed 100%.

Those who prefer *email* include:

- Those in higher-income households (48%) vs. low-income households (17%).
- Those with children at home (54%) vs. those without (31%).
- Residents of Wards 3 & 4 (50%) vs. Ward 1 (31%).

Those who prefer *direct mail* include:

- Residents of Wards 2 (34%) vs. Ward 1 (17%).

Those who prefer *newspaper ads* include:

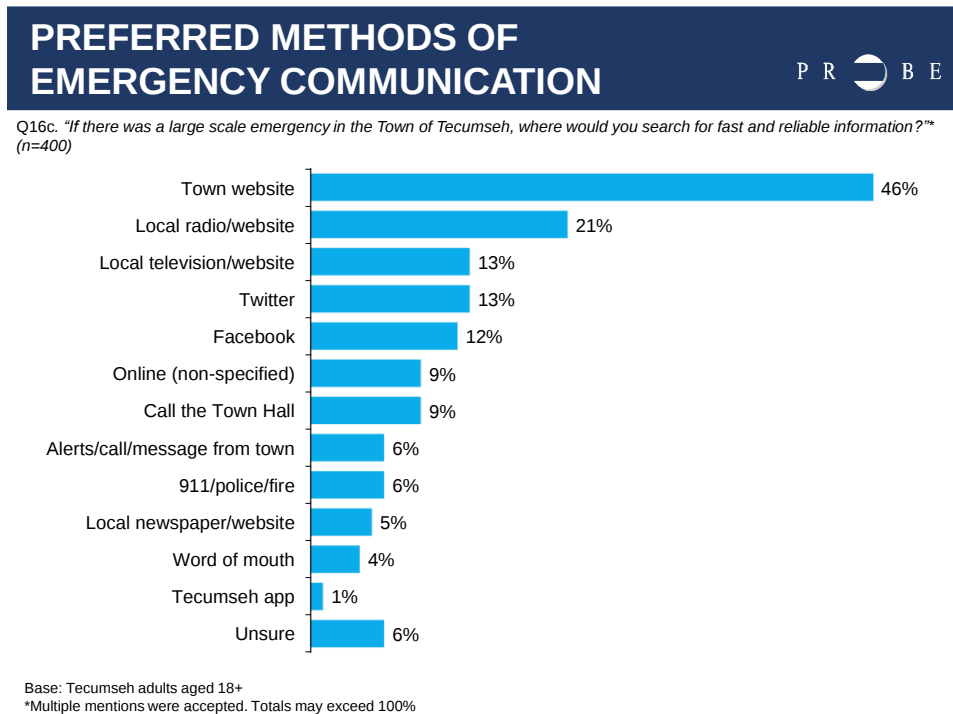
- Those in lower-income households (39%) vs. high-income households (13%).
- Those without children at home (27%) vs. those with children at home (13%).

3.5 Emergency Communications

The following section explores preferred methods of communication in an emergency as well as awareness, and barriers to use, of the town's new emergency notification system.

3.5.1 Preferred Methods of Emergency Communication

In an emergency, the preferred source of credible information is the *Town of Tecumseh's website*. Nearly half of respondents (46%) said the website is where they would first look for fast and reliable information. A *local radio station or its website* would also be commonly used, with 21 per cent of respondents mentioning this source.



Age-related differences include:

- Younger residents, those 35 and under, are more likely to turn to *Twitter* and *Facebook* for emergency information. Among this age group, 42 per cent said they would use Twitter and 30 per cent said they would check Facebook for emergency updates. Men are also more likely to use social media.
- Middle-aged residents, those 35 to 54 years old, are more likely (60%) to check *the town's website*.
- Older residents, those 55-plus, are slightly more likely (20%) to check *television or the websites of local TV stations*.

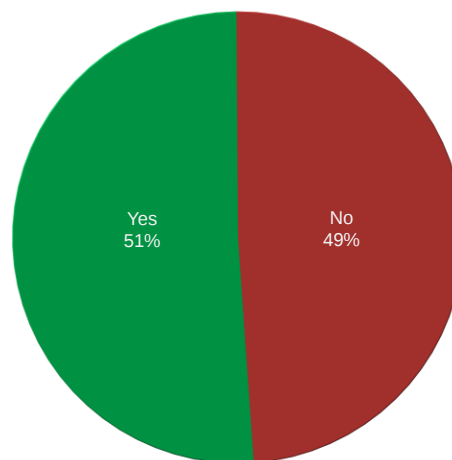
3.5.2 Awareness and Use of the Emergency Alert Program

This year, residents were asked about their awareness and use of the town's emergency alert system, which, in the event of a problem, sends texts, emails or phone calls to residents who sign up for this service. One-half of residents (51%) are aware of this program, and among those, one-half (52%) have signed up. This equates to an incidence rate of about one-quarter, meaning approximately one-quarter of residents report being registered with the emergency alert program.

AWARENESS OF EMERGENCY ALERT SYSTEM

P R  B E

Q16d. "The Town of Tecumseh has an emergency alert system that sends emails, texts or phone messages to residents in the event of an emergency. Before today, had you heard about this program?" (n=400)

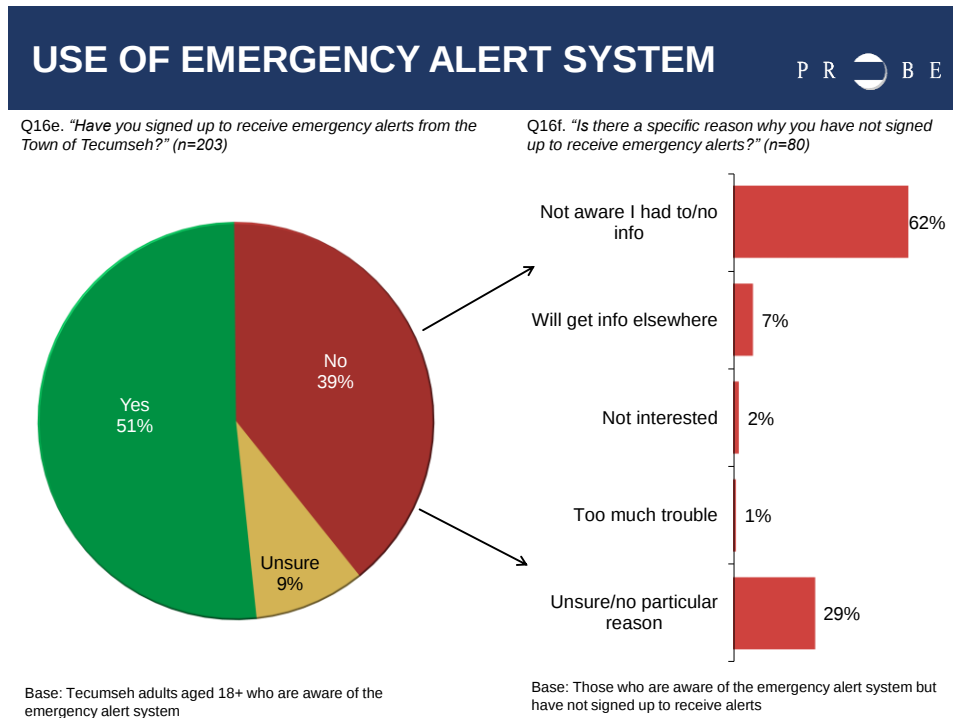


Base: Tecumseh adults aged 18+

Those who are more likely to be *unaware* of the emergency alert program include:

- Residents in multi-family dwellings (63%).
- Residents of Ward 2 (65%).

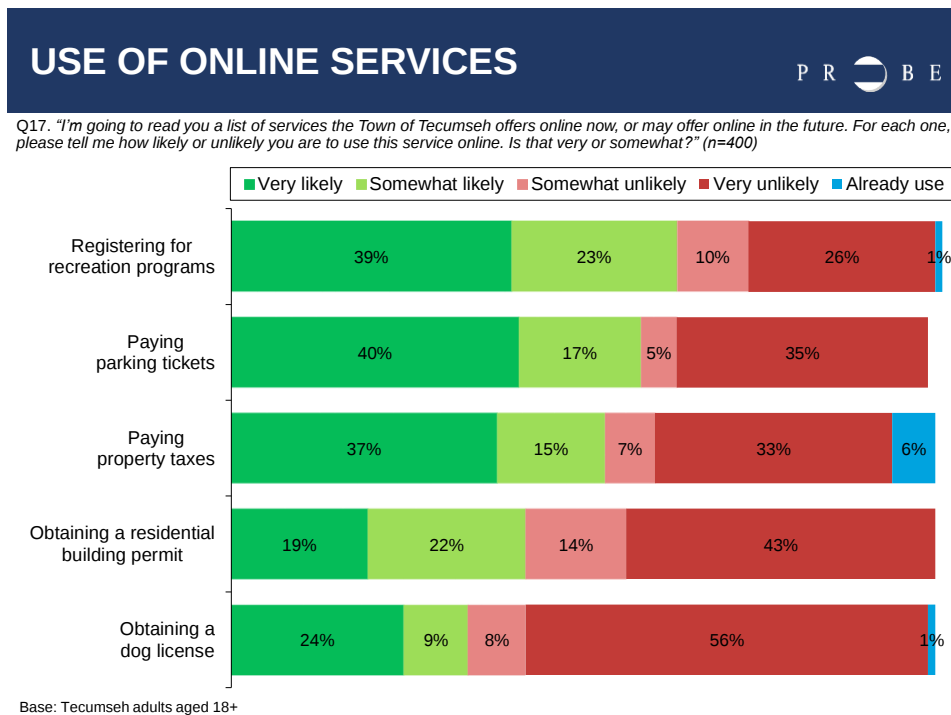
Residents who knew of the program but had not signed up were asked why they had yet to register. The overwhelming reason was lack of knowledge. More than three-in-five (62%) said they were not aware they had to sign up or did not know how to go about doing so.



3.6 Online Services

This year, respondents were asked about the likelihood they would access key town services, such as property tax payments and recreation program registration, online. There was significant interest in registering for *recreation programs* online – 62 per cent of respondents said they would be *likely* to use this service. Similarly, a strong majority (57%) would be *likely* to *pay parking tickets* online, should such a service exist. A majority (52%) also expressed an interest in *paying property taxes* online.

However, there was less interest in *obtaining a building permit* online. Only 41 per cent of respondents noted they would be *likely* to use this service. And, there was strong disinterest in using an online portal to *obtain a dog licence*, however it's likely many of those who lack interest in this service also do not have a pet dog. Only one-third of respondents indicated a willingness to access this service online.



3.7 Voting Methods

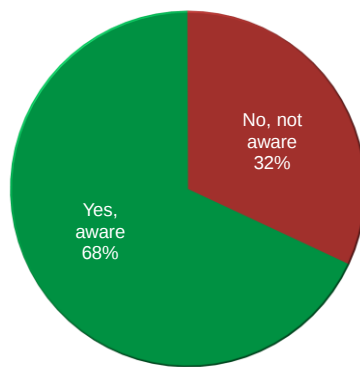
Residents were queried this year about their level of awareness of town voting methods, as well as the effect that access to telephone and online voting may have on their voting habits.

A strong two-thirds of residents (68%) are aware the town offers online and telephone voting. And, more than one-half of residents (56%) noted they would be *more likely to vote* this year knowing these methods are available. Indeed, 43 per cent said they would be *much more likely* to vote in the next civic election knowing online and telephone voting is available.

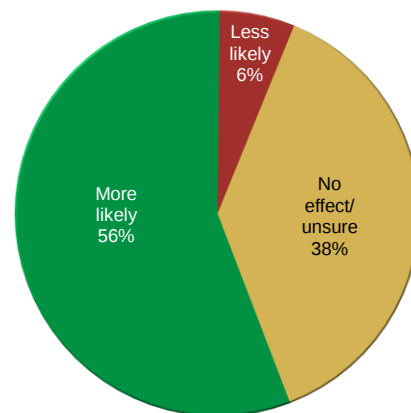
AWARENESS AND EFFECT OF ONLINE AND TELEPHONE VOTING

P R B E

Q18. "Are you aware that the Town of Tecumseh offers online and telephone voting in municipal elections?" (n=400)



Q19. "Does knowing this make you more or less likely to vote in the 2018 municipal election?" (n=400)



Base: Tecumseh adults aged 18+

Those who are more likely to be *unaware* of these voting options include:

- Younger residents, under 35 (44% *not aware*).



The Corporation of the Town of Tecumseh

Planning & Building Services

To: Mayor and Members of Council

From: Chad Jeffery, Manager Planning Services

Date to Council: January 30, 2018

Report Number: PBS-2018-01

Subject: Zoning By-Law Amendment
Paul Jr. and Mara Sabelli
12334 Arbour Street - Proposed Semi-detached Dwelling
OUR FILE: D19 12334ARB

Recommendations

It is recommended that:

1. The scheduling of a public meeting, to be held on Tuesday, February 27, 2018 at 5:00 p.m., in accordance with the *Planning Act* for a Zoning By-law Amendment application seeking to amend the former Town of Tecumseh Zoning By-law 1746 by rezoning a 696 square metre (7,500 square foot) parcel of land situated on the north side of Arbour Street, approximately 75 metres east of its intersection with Lesperance Road (12334 Arbour Street), from "Residential Zone 2 (R2)" to a site specific "Residential Zone 2 (R2)" to permit the construction of a new semi-detached residential dwelling on the subject property, **be authorized**.

Background

Mr. & Mrs. Sabelli ("the Applicants") have filed an application with the Town to amend the Tecumseh Zoning By-law 1746 for a 696 square metre (7,500 square foot) parcel of land situated on the north side of Arbour Street, approximately 75 metres east of its intersection with Lesperance Road (12334 Arbour Street). The purpose of the application is to request that the property be rezoned to permit the construction of a semi-detached residential dwelling.

The subject property has a frontage of 15.2 metres (50 feet) on Arbour Street and a depth of 45.7 metres (150 feet). The property was occupied by a single unit dwelling for several decades until 2017, when the dwelling was demolished. The property is currently vacant.

An existing sidewalk is situated in front of the property on the north side of Arbour Street and an unpaved municipal alley provides access to the rear of the subject property (see Attachment 1). In addition, on-street parking is available on Arbour Street.

The subject property is situated within a stable, low density residential neighbourhood that is characterized by smaller 1-2 storey, single-unit, duplex and multi-unit dwellings with detached garages, the majority of which were constructed between the 1910s and 1940s. In addition, two six-unit residential buildings are currently being constructed to the north-west, at the south-east corner of the Lesperance/Lanoue intersection.

The neighbourhood is in close proximity to the Town's main street, Tecumseh Road, to the north. The subject property is separated from the neighbouring residential dwellings to the north by the aforementioned municipal alley that intersects with Lesperance Road. Farther to the west, across Lesperance Road, are St. Antoine Elementary School and St. Anne Church, beyond which are similar residential areas. Beyond Lanoue Street to the north, is the Royal Canadian Legion along with a municipal parking lot and another tier of single unit detached dwellings. Ticonderoga Park is situated a short walking distance to the northeast, on the west side of Bedell Street between Tecumseh Road and Lanoue Street (see Attachment 2).

Proposal Details

The applicants intend to construct a new semi-detached dwelling unit on the vacant property (see Attachments 3 and 3A for proposed elevations). Each dwelling unit is proposed to have an attached single-car garage accessed from Arbour Street. The proposed semi-detached dwelling will be subject to the same yard (ie. building setback) provisions as those affecting the surrounding residential area. However, the amendment is proposing to introduce site-specific zoning to establish:

- a maximum lot coverage of 35% (the standard for semi-detached dwelling units);
- a minimum lot frontage of 7.6 metres (25 feet) for each dwelling unit; and
- a minimum lot area of 348 square metres (3,745 square feet) for each dwelling unit.

The proposed standards reflect what the lot frontages and lot areas would be in the event the subject property is subdivided into two separate properties (by way of a Consent Application through the Committee of Adjustment) in order to facilitate the sale of one and/or both of the semi-detached units.

The current Residential Zone (R2) permits only single-unit residential dwellings. Accordingly, a rezoning application has been filed with the Town seeking to rezone the lands into a site specific residential zone that would permit the proposed use.

Comments

Provincial Policy Statement

The *Planning Act* establishes that Council, when making decisions that affect a planning matter, “shall be consistent with” the 2014 Provincial Policy Statement (“PPS”) issued under the *Planning Act*.

There are a number of policies within the PPS that support the proposed application for the proposed semi-detached dwelling. The following are the relevant excerpts from the PPS:

“1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons)...; and*
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing cost.*

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years...

Within settlement areas, sufficient land shall be made available through intensification and redevelopment ...

1.1.3 Settlement Areas

1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on:

- a) Densities and a mix of land uses which:*
 - 1. efficiently use land and resources;*
 - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
 - 3. minimize negative impacts to air quality and climate change, and promote energy efficiency;*
 - 4. support active transportation; and*

5. are transit-supportive, where transit is planned, exists or may be developed

b) A range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

1.4 Housing

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

b) Permitting and facilitating:

- 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and*
- 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;*

c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and

d) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.6.7 Transportation Systems

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

c) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

1.8 Energy Conservation, Air Quality and Climate Change

1.8.1 *Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:*

a) promote compact form and a structure of nodes and corridors;

b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;

6.0 Definitions

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

a) redevelopment, including the redevelopment of brownfield sites;

b) the development of vacant or underutilized lots within previously developed areas;

c) infill development”

In summary, the PPS encourages and supports development on lands identified for urban growth in settlement areas. It also establishes that the Town should be supporting and promoting residential infill development that results in compact built form and makes more efficient use of existing services while offering a range of housing forms/types to meet expected needs. The PPS also supports the development of a broad range of housing types and tenures and encourages residential intensification within identified urban areas and where such areas have appropriate levels of servicing.

The subject proposal is in a location and of a form of residential development that is in keeping with the foregoing policy objectives. It provides an alternative form of housing type and at a density that provides for a more compact built form. The proposed development is also considered to be intensification in accordance with the definition contained in the PPS. Based on the foregoing, it is the opinion of the writer that the proposed semi-detached dwelling is consistent with the PPS.

County of Essex Official Plan

The subject property is within an identified settlement area of the County of Essex Official Plan (“County OP”). The goals and policies of the County OP encourage a range of residential

development within identified settlement areas such as the fully serviced urban areas of the Town of Tecumseh. The following goals and policies of the County OP are most relevant in the assessment of the subject proposal:

“3.2.3 Policies

The following policies are established for those lands shown as Settlement Areas on Schedule “A”:

- f) local Official Plans are encouraged to provide opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure;*
- h) local Official Plans are encouraged to provide for a full range of housing types and densities to meet projected demographic and market requirements of current and future residents of the housing market by:*
 - iv) encouraging all forms of residential intensification in parts of built up areas that have sufficient existing or planned infrastructure to create a potential supply of new housing units available from residential intensification.”*

The proposed semi-detached dwelling conforms to the aforementioned goals and policies of County OP.

Tecumseh Official Plan

The subject property is currently designated “Residential” in the Tecumseh Official Plan (“Tecumseh OP”) (see Attachment 4). The Tecumseh OP encourages a variety of densities of residential uses that can be appropriately integrated with the existing and proposed development pattern by meeting the applicable policies of the Plan.

The following sections from the Tecumseh OP are relevant when reviewing the subject development applications:

“Basis of the Plan

- 1.4b) ...A more balanced mix of housing types and tenures will be required in the Town of Tecumseh over the next two decades in order to meet the existing and anticipated future needs of an aging population with smaller average household sizes, and varying housing needs.*

Residential Objectives

- 2.11d) To broaden the range of housing options available to existing and future residents of the Town, by encouraging the continued production of a diverse and affordable mix of housing that is capable of meeting the needs of all households – including low and moderate income households and households with special*

needs. The provision of a mixture of housing forms, sizes, tenures and affordable housing types, including both public and private sector sponsored housing are to be encouraged.

Land Use Policy, Residential

3.3.1 The lands designated Residential shall be used primarily for residential purposes. Various types of residential dwellings shall be permitted within this designation, provided they meet all of the applicable policies of this Plan. The regulations and zone provisions of the town's comprehensive zoning by-law implementing this Plan shall be in accordance with the following:

(ii) Medium Density Residential Uses

The maximum permitted density within any Medium Density Residential Zone shall be 30 units per net hectare. Permitted residential uses shall consist of duplex dwellings, triplex dwellings, townhouse dwellings, and other multi-unit residential dwellings which do not exceed 3 storeys in height.

Council will utilize the following criteria in the creation and application of medium and high density residential zone categories in the Town of Tecumseh:

- a) medium and high density residential uses should have frontage and/or access driveways onto an arterial or collector road;*
- b) proposals will not be approved which would result in substantial traffic flow increases on local streets serving single-unit residential development;*
- c) apartment proposals of more than 3 stories should be separated from adjacent dwellings by a distance sufficient to maintain the privacy, amenity and value of surrounding residential properties.*

In considering applications to amend the town's comprehensive zoning by-law to establish a medium or high density residential use, Council will also have regard to the following:

- the need for the proposed development as identified through an analysis of housing supply and demand;*
- the density and form of adjacent development;*
- the adequacy of the municipal water supply, sanitary sewers (and associated treatment plant capacity), storm drainage, and roads to serve the proposed development;*
- the adequacy of schools, parks, and community facilities to serve the proposed development;*

- *the adequacy of off-street parking facilities to serve the proposed development; and*
- *the provision of adequate buffering standards deemed necessary to protect the residential amenities of adjacent land uses.*

3.3.7 *The Town will encourage the production of a wide range of housing types and tenures (including assisted housing) that will meet the future needs of all households, and are affordable to households of all income levels, in accordance with the objectives of the provincial policy statement entitled “Land Use Planning for Housing”.*

Council will work with both private and public sector developers, builders and agencies so that sufficient market-oriented and assisted housing is produced to meet the existing and anticipated future needs of family, senior and non-family households.

3.3.8 *In the Town of Tecumseh, Council will encourage both public and private sector landowners, developers and builders to undertake small-scale infilling type residential intensification activities that make the most efficient and cost-effective use of existing municipal infrastructure and services. Infilling means the residential development of a similar scale, density and use on vacant lots or undeveloped lands in the built-up area of the municipality, to create additional dwelling units.*

When reviewing individual requests for residential intensification initiatives, Council will have regard to the following:

- *the height, size, and density of the new dwelling unit(s), and the compatibility of such unit(s) with the surrounding neighbourhood;*
- *the physical suitability of the site;*
- *the proximity of the site to public transit and commercial retail areas;*
- *access to and from the site;*
- *availability and proximity of community services such as community and day care centres, schools, parks, and leisure activities, and health care services;*
- *adequacy of municipal infrastructure to service the new unit(s).”*

The proposed semi-detached dwelling is in keeping with the aforementioned objectives and policies of the Tecumseh OP in terms of broadening the range of housing types. It also satisfies the above-noted criteria for infilling type residential intensification activity. The proposed dwelling will not result in measurable traffic flow increases on local streets in the area.

The subject property is also serviced by a Tecumseh Transit bus stop that is located approximately 75 metres to the west, on Lesperance Road, and it is within a short walking distance of the Tecumseh Road Main Street commercial district to the north. There are many community services in close proximity to the subject property and it is on full municipal services.

In terms of the proposal's compatibility with the surrounding area, it is also noted that, according to municipal records, nine other multi-unit residential properties (comprising a mix of duplexes, three-unit dwellings and/or secondary units within accessory structures) currently exist within the immediate vicinity of the subject property. In addition, as noted above, two six-unit residential dwellings are currently being constructed to the west of the subject property at the south-east corner of the Lesperance/Lanoue intersection (see Attachment 5). Accordingly, the neighbourhood, though predominantly comprising single-unit dwellings, also has a considerable number of other more intensive forms of housing. The proposed two-unit dwelling results in a lot density of 29 units per net hectare, which is below the 30 units per net hectare established by the Medium Density residential use policy established by the Tecumseh OP, as noted previously in this report. In addition, the proposed development's ground-oriented design is in keeping with that of the surrounding development (i.e. single storey in height) and is similar with the existing built form in the broader neighbourhood.

Accordingly, it is the opinion of Administration that based upon our preliminary review the proposed semi-detached dwelling conforms to the Tecumseh OP.

Tecumseh Zoning By-law 1746

The subject property is currently zoned "Residential Zone 2 (R2)" on Schedule "A", Map 5 of Tecumseh Zoning By-law 1746 (see Attachment 6). The proposed zoning by-law amendment places the subject property into a site specific Residential Zone 2 (R2) that would facilitate the proposed semi-detached dwelling and establish site-specific yard and lot requirements as noted earlier in this Report.

Building Services

Building Services have advised that it has no concerns with the redevelopment of the property for the proposed semi-detached dwelling.

Engineering/Municipal Services

The proposed development will be serviced with full municipal services. Subject to each unit within the semi-detached dwelling having its own separate service connections for water, sanitary and stormwater services, Public Works and Environmental Services have advised of no concerns with the redevelopment of the property for the proposed residential use.

Tecumseh Road/Main Street Community Improvement Area

The subject property is in close proximity to the southerly limit of the Tecumseh Road/Main Street Community Improvement Plan (CIP) Study Area (see Attachment 7). The CIP document identifies the importance of additional residential development in order to facilitate the rejuvenation of the entire CIP area. The CIP encourages the development of higher density residential uses within the CIP area, including duplexes, townhomes and apartment dwellings.

In addition, one of the objectives of the draft CIP is to:

“Encourage a diverse mix of housing in order to provide options for seniors and young people in more urban housing forms, and allow for housing in mixed use developments, to ensure the street is active and alive all days of week, and all times of the day.”

Furthermore, the CIP has identified ten “Big Moves” that will form the basis for the proposed Urban Design Guidelines and implementation strategies. These “Big Moves” are the key design elements that will support the Vision and Guiding Principles, and define the CIP Concept. One of these “Big Moves” includes the creation of:

“higher density residential neighbourhoods north and south of main street with integrated public and private open spaces, road access, and pedestrian linkages.”

Although the subject property is not directly within the proposed CIP area, the proposed semi-detached dwelling will assist in the strengthening of the CIP area by virtue of the subject properties location in close proximity to the CIP area through the introduction of additional residents to the area to work/live/play/shop.

Conclusion

Having regard to the range, scale, location and nature of surrounding uses, the geographic location of the proposed development, the suitability of the subject property, along with current policies encouraging standards that support more compact and efficient development, it is believed that there is merit in considering the requested rezoning to permit the proposed semi-detached dwelling. Accordingly, it is recommended that a public meeting be scheduled in accordance with the provisions of the *Planning Act* as a means to seek public input. A public meeting to consider the proposed Zoning By-law amendment in accordance with the requirements of the *Planning Act* will provide an opportunity to hear concerns and comments, if any, of neighbouring owners and other interested stakeholders/agencies. It is important that the concerns and comments of these stakeholders be taken into consideration as part of the full evaluation of the applications.

Consultations

Planning & Building Services
Public Works & Environmental Services

Financial Implications

None.

Link to Strategic Priorities

Applicable	2017-18 Strategic Priorities
☒	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.
☐	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☐	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 Chief Administrative Officer.

Prepared by:

Enrico DeCecco, BA (Hons), MCIP, RPP
Junior Planner

Reviewed by:

Chad Jeffery, MA, MCIP, RPP
Manager Planning Services

Reviewed by:

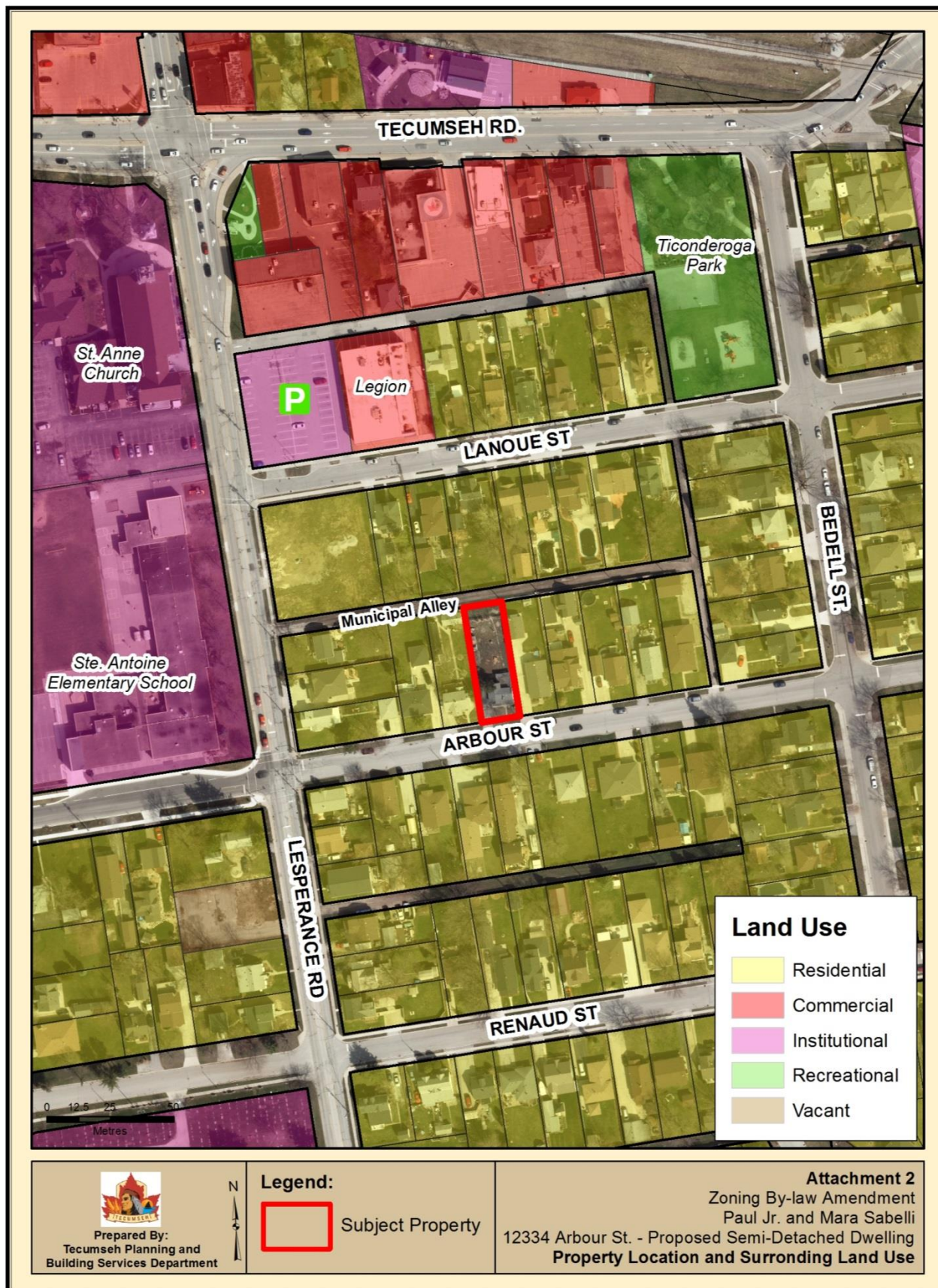
Brian Hillman, MA, MCIP, RPP
Director Planning & Building Services

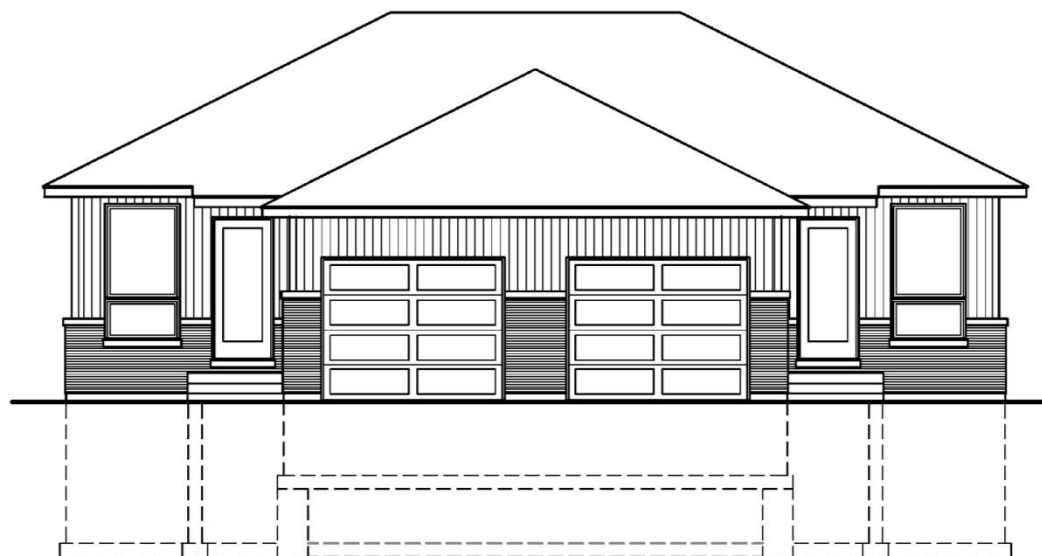
Recommended by:

Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

Attachment Number	Attachment Name
1	Subject Property Map
2	Property Location and Surrounding Area Land Use Map
3	Proposed Elevations 1
3A	Proposed Elevations 2
4	Official Plan Map
5	Multi-Unit Dwellings in Proximity to Subject Property Map
6	Zoning Map
7	Property Location in Relation to Tecumseh Road Main Street CIP Area Map

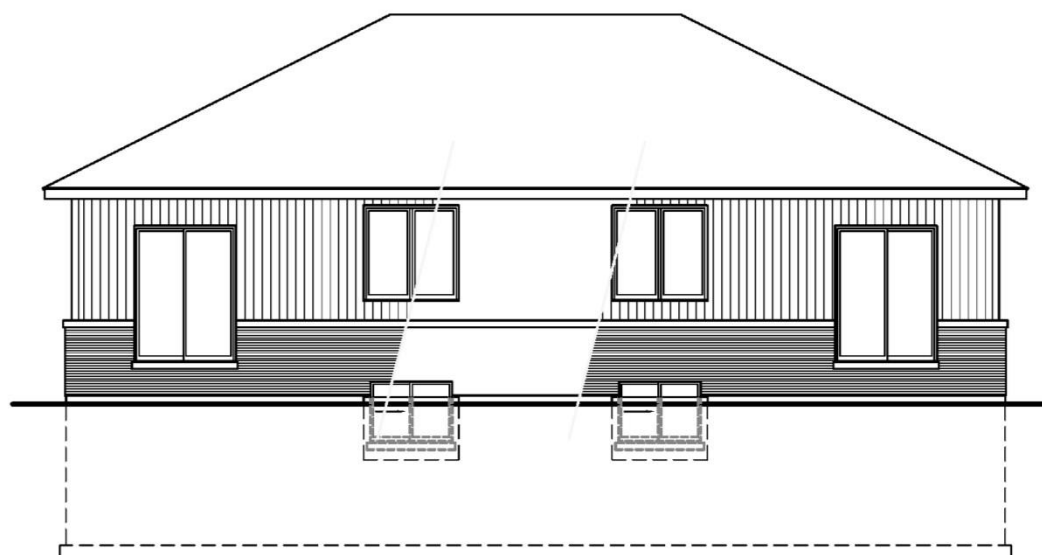






FRONT ELEVATION

12334 Arbour street/ Dec. 01



REAR ELEVATION

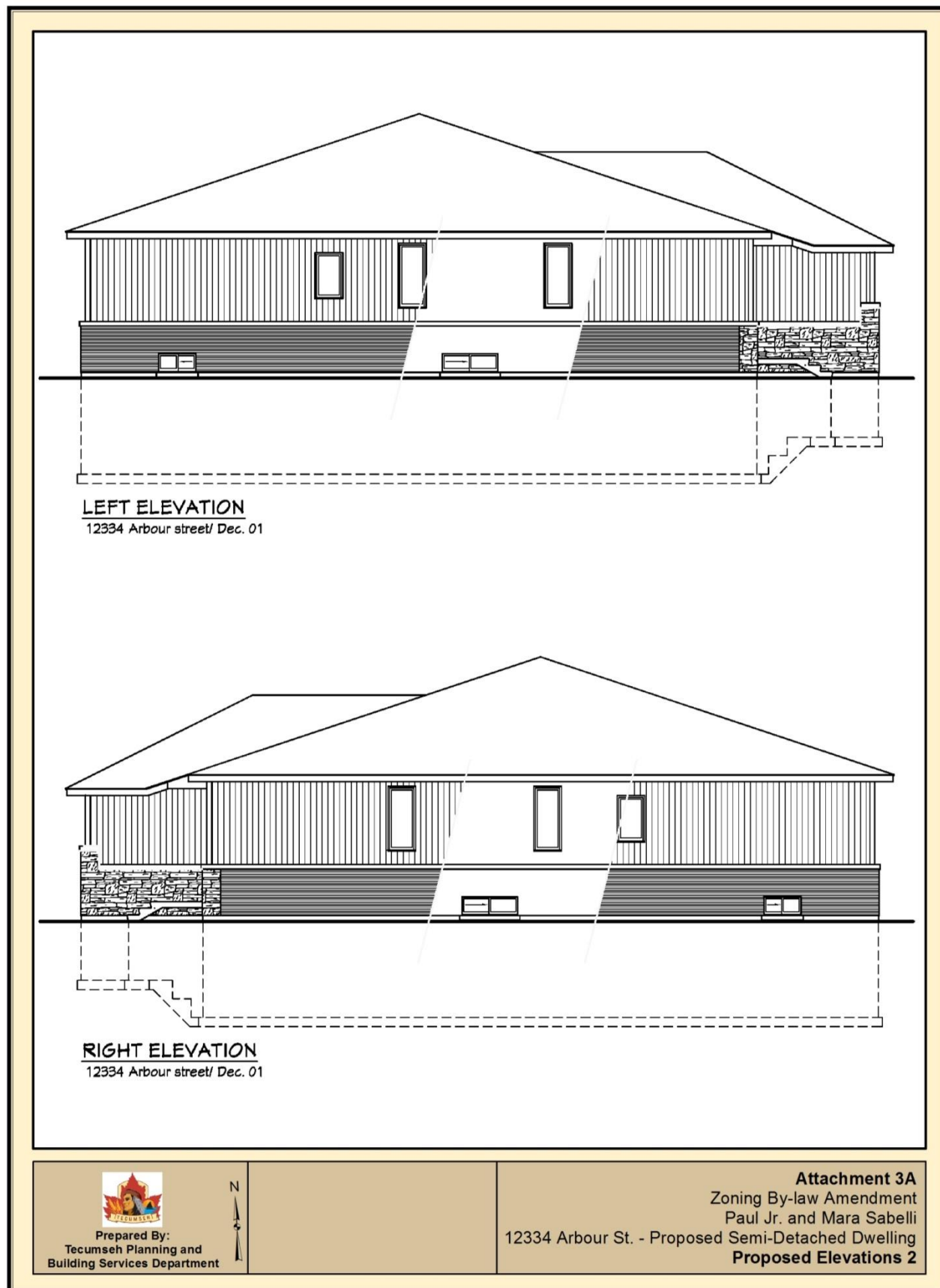
12334 Arbour street/ Dec. 01

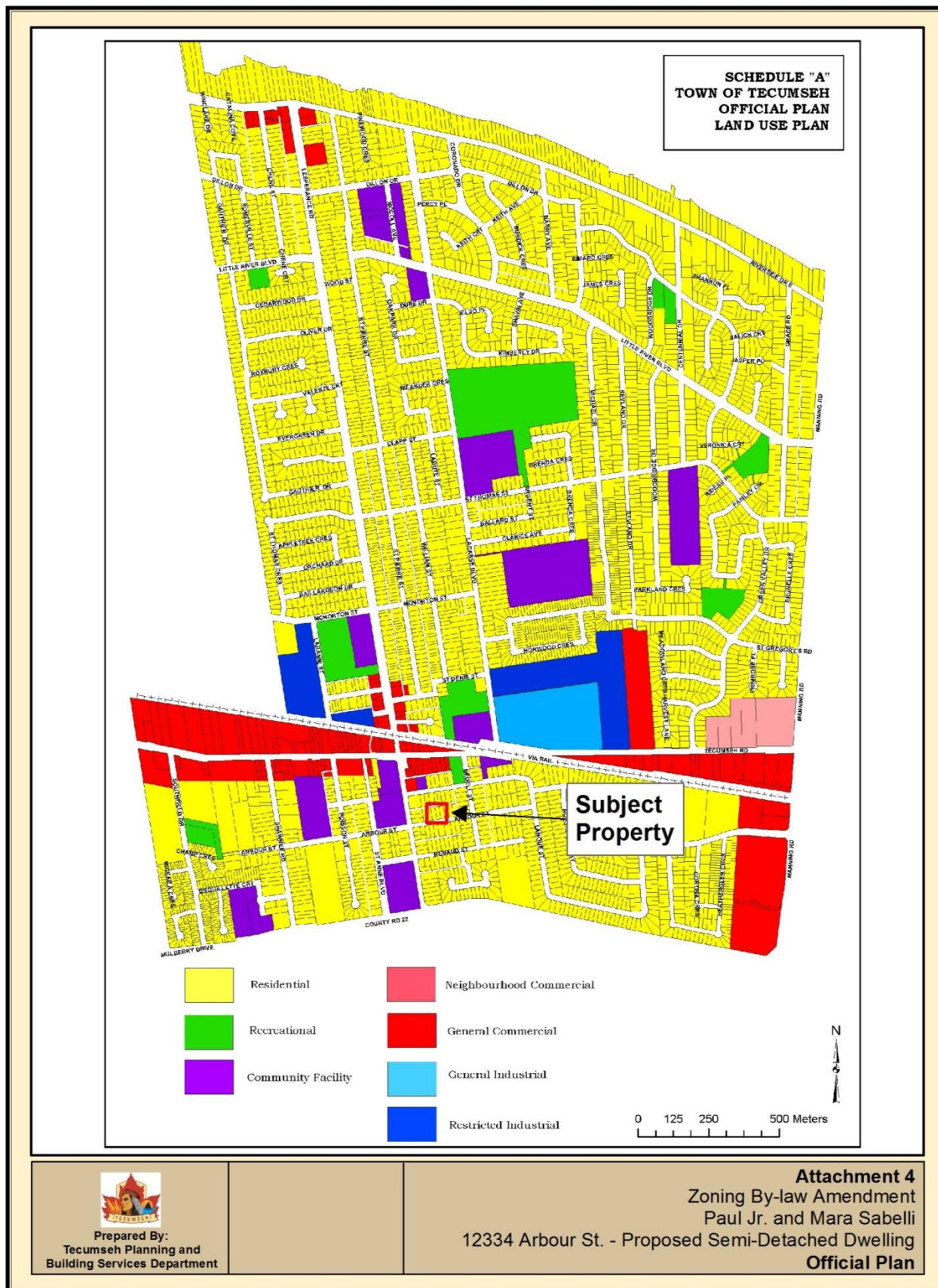


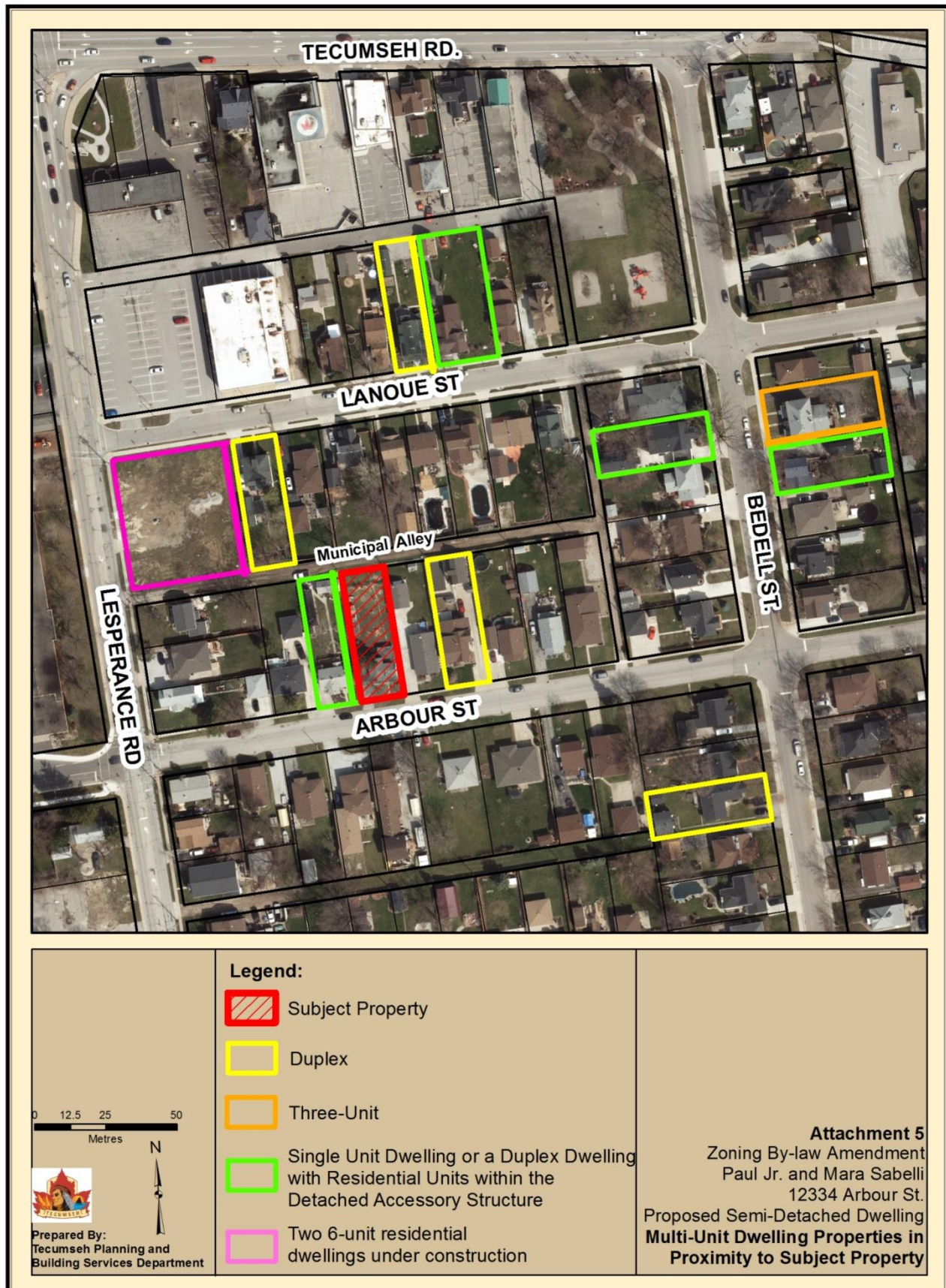
Prepared By:
 Tecumseh Planning and
 Building Services Department

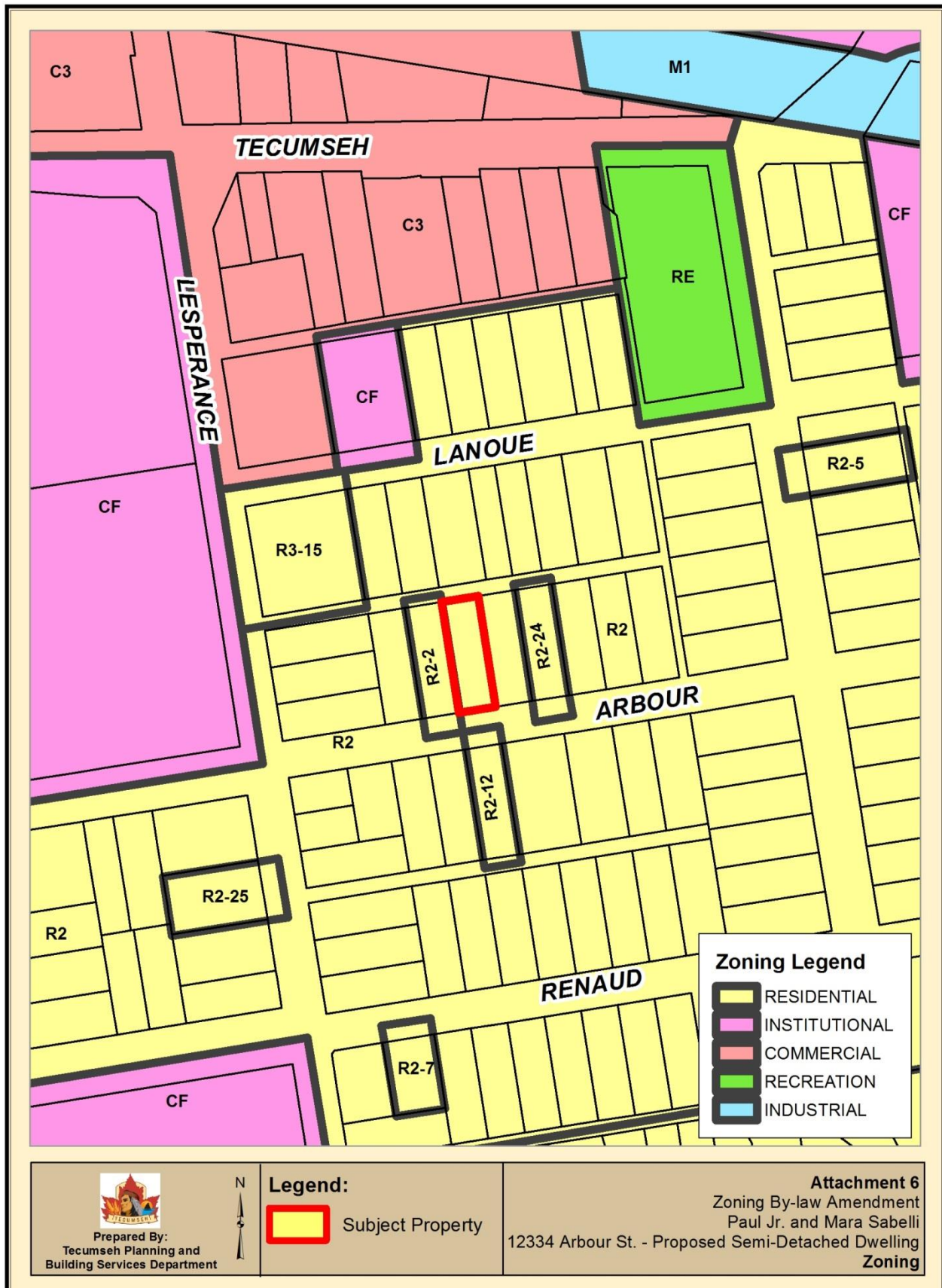


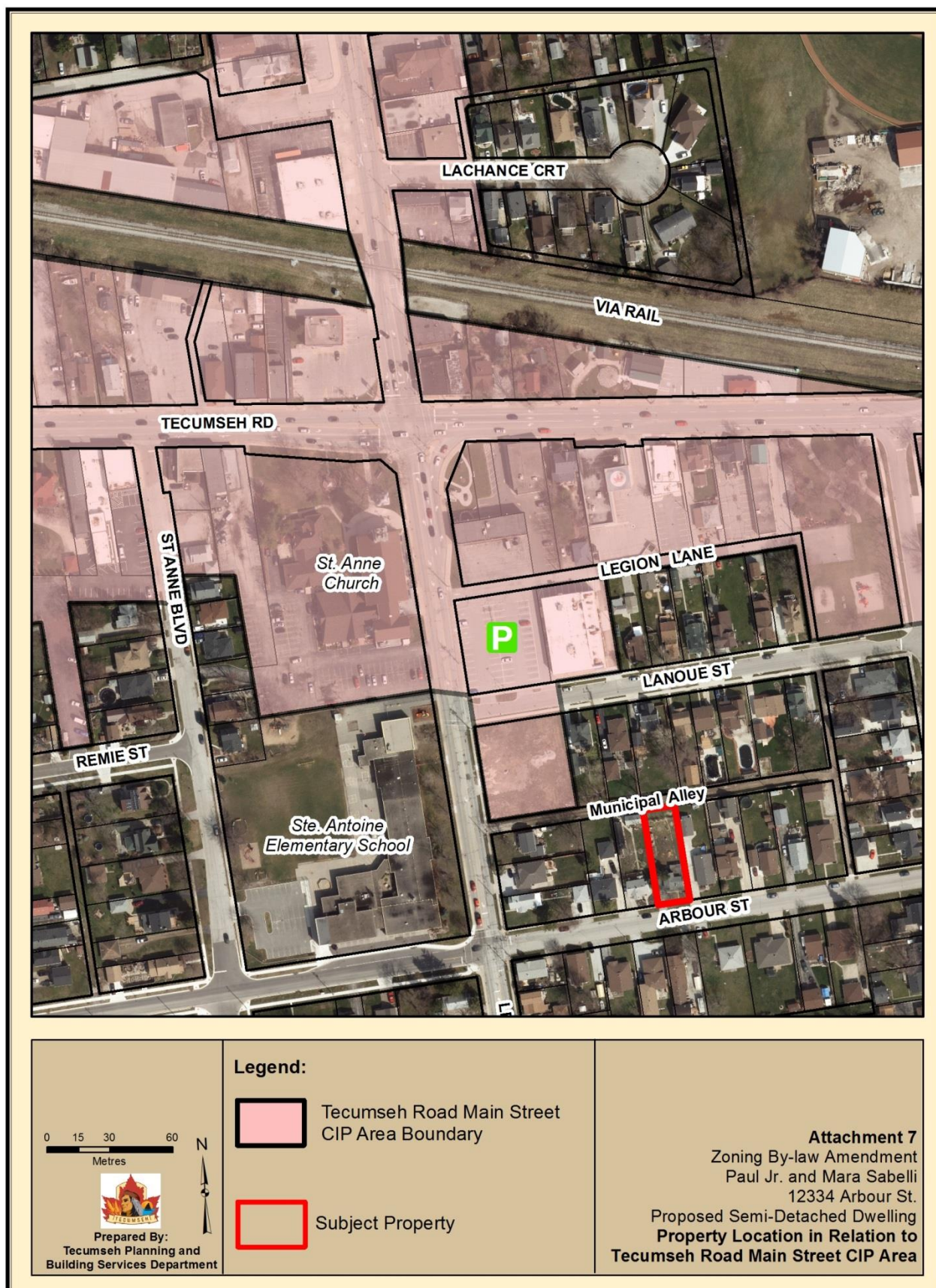
Attachment 3
 Zoning By-law Amendment
 Paul Jr. and Mara Sabelli
 12334 Arbour St. - Proposed Semi-Detached Dwelling
Proposed Elevations 1













The Corporation of the Town of Tecumseh

Public Works & Environmental Services

To: Mayor and Members of Council
From: Kirby McArdle, Manager Roads & Fleet
Date to Council: January 30, 2018
Report Number: PWES-2018-02
Subject: Traffic Analysis – Radar Speed Surveys

Recommendations

It is recommended that:

1. Public Works & Environmental Services Report No. 02/18 titled Traffic Analysis – Radar Speed Surveys **be received**.

Background

The Public Works & Environmental Services (PWES) department has received a number of concerns throughout the year from residents with respect to the speed at which vehicles were traveling on a number of streets and roadways throughout the Town of Tecumseh. These complaints were also brought forward to PWES staff through the Ward Councillors on behalf of residents. Subsequently, to assist in our investigation into the speeding concerns, PWES staff placed radar speed trailers along the streets of concern in order to record the data associated with vehicles traveling along the roadways. The data collected included: traffic volume; vehicle speed; time of day; and other important aspects related to traffic analysis.

Comments

PWES conducted radar speed surveys at eleven street locations as listed below in Table 1. Ten of the streets were urban streets and one was a rural roadway. The radar trailers were deployed at each location for a minimum of one week.

Speed Analysis

The data in Table 1 illustrates that the 85th percentile speed of vehicles was only slightly over (less than 10 km/h) the posted speed limits on the majority of the streets where the speed trailers were deployed. The 85th percentile is the speed at or below which 85% of vehicles

travel. Generally, traffic engineering practice has been to set the posted speed limit at the 85th percentile speed.

Uniformity of vehicle speeds reduces the potential of collisions and reduces the risks and severity for vehicle collisions. When vehicles deviate from a uniform speed (either faster or slower) the potential for accidents increases, whether caused by a slow car in a rear end collision or a fast car making lane changes to maneuver through slower traffic. By setting the speed limit to the 85th percentile speed this uniformity is achieved and safety is increased.

Speeds are generally considered to be excessive when the 85th percentile speed is in excess of 10 km/h over the posted speed limit [in areas with a posted speed limit of 70 km/h or less].

TABLE 1

Roadway Classification	Location	Posted Speed Limit	85 th Percentile Speed
Urban	Arlington Boulevard	40 km/h	49.2 km/h
	Charlene Lane	50 km/h	49.4 km/h
	Edgewater Boulevard	40 km/h	49.6 km/h
	Lacasse Boulevard @ St. Denis	40 km/h	55.8 km/h
	Little River Blvd @ Lesperance Road	50 km/h	54.0 km/h
	Little River Blvd @ Michael Drive	50 km/h	56.3 km/h
	McNorton Street	40 km/h	47.9 km/h
	Michael Drive (800 block)	40 km/h	52.9 km/h
	Riverside Drive @ Pinewood	50 km/h	56.8 km/h
	Southfield Drive	40 km/h	56.0 km/h
	<i>St. Gregory's Road @ L'Essor High School</i>	40 km/h	53.7 km/h
	St. Gregory's Road @ Revland	40 km/h	49.4 km/h
Rural	South Talbot Road	60 km/r	81.3 km/h

According to the data recorded and downloaded from the radar speed trailers, motorists on the majority of the streets that were monitored were generally found to be traveling at speeds that are not considered excessive, with the exception of the following streets:

- The 85th percentile speeds recorded on *Lacasse Boulevard*, *Michael Drive* and *Southfield Drive* were found to be between 12 and 16 kilometers over the respective posted speed limits.
- The 85th percentile speed recorded on *South Talbot Road* was 21 kilometers over the posted speed limit of 60 km/h.

It should be noted that the urban streets where the 85th percentile speed was found to be above the posted speed limits by more than 10 km/h have all been at roads where the posted speeds were previously reduced from 50 km/h to 40 km/h at the request of residents.

At areas where speeding was found to be an issue, the Ontario Provincial Police has been notified for enforcement.

The posted speed limit was reduced on South Talbot Road from 80 km/h to 60 km/h in response to complaints from residents of a perceived increase in traffic volume that was attributed [by the residents] to “cutting through” [to by-pass Highway 3] and a perceived problem with speeding. According to the data recorded, it appears that the 80 km/h posted speed limit was originally set correctly, as the 85th percentile speed is 81 km/h.

Where there is a significant discrepancy between the posted speed limit and the operating speeds of motorists, the posted speed limit should be reviewed and potentially reconsidered.

Posting Inappropriately Low Speed Limits

Posting an inappropriately low speed limit has the potential to increase speed differentials between vehicles, large differences in operating speed can lead to an increase in rear end collisions and other collisions, and can also encourage unsafe passing around slower moving vehicles. If drivers feel speed limits are unreasonably slow, the speed limit signs will be ignored and will become ineffective.

Ontario Provincial Police (OPP) – Motor Vehicle Accident Reports

The OPP has reviewed their records and has indicated that the majority of motor vehicle collisions reported [on the streets listed in Table 1] were not caused by speed – the majority of the collisions were the result of driver error.

Conclusion

- Widespread speeding does not appear to be a Town-wide problem.
- The majority of motorists are driving within or marginally above the posted speed limit.
- Areas where speeding is an issue, the Ontario Provincial Police will be notified for enforcement.

Consultations

Ontario Provincial Police

Financial Implications

There are no financial implications arising from this report.

Link to Strategic Priorities

Applicable	2017-18 Strategic Priorities
☒	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☐	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.
☒	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☐	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 Chief Administrative Officer.

Prepared by:

Cheryl Curran, BES
Clerk I Administrative Clerk

Reviewed by:

Kirby McArdle, P.Eng.
Manager Roads & Fleet

Reviewed by:

Dan Piescic, P.Eng.
Director Public Works & Environmental Services

Recommended by:

Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer



The Corporation of the Town of Tecumseh

Public Works & Environmental Services

To: Mayor and Members of Council

From: Kirby McArdle, Manager Roads & Fleet

Date to Council: January 30, 2018

Report Number: PWES-2018-03

Subject: 2018 Supply of Various Vehicles

Recommendations

It is recommended that:

1. Administration **obtain quotations** for the 2018 Supply of Various Vehicles as follows:

	DEPARTMENT	VEHICLE	ESTIMATED PRICE
Appendix A	Public Works	PW 02-11 Ext Cab Truck	\$ 35,000
		PW 06-08 4x4 1500 Ext Cab Truck	\$ 32,000
		PW 14-18 4x4 1500 Ext Cab Truck	\$ 30,000
	Parks	P 04-10 4x4 2500 Reg Cab Truck	\$ 35,000
		P 30-13 Jacobson 9016 Tractor	\$ 69,000
		P 40-08 Vermeer VC1500 Chipper	\$ 50,000
		P 25-11 Dump Trailer 5'x10'	\$ 5,200
		P 21-11 Landscape Trailer 20'	\$ 6,000
	Water	W 01-10 Heavy Duty Truck/Service Body	\$ 55,000
	Fire	F 01-10 Tahoe Command	\$ 45,000
		F 02-10 Tahoe Command	\$ 45,000
	Recreation	M 02-08 1500 Ext. Cab Truck	\$ 22,000
		M 03-18 Mini Van	\$ 25,000
	Transit	T 02-10 Kneeling Passenger Bus	\$ 190,000
		Sub total Appendix A	\$ 644,200
Appendix B	Fire		\$ -
		Sub total Appendix B	\$ -
		Total Appendix A + B	\$ 644,200

2. The following equipment **be declared** surplus and disposed of through Part VI, Disposal of Surplus or Scrap Materials and Equipment of the Town's Purchasing By-law:

DEPARTMENT	VEHICLE	UNIT NUMBER	YEAR PURCHASED
Public Works	PW 02-11 1500 Pickup	PW 02-11	2010
	PW 06-08 1500 Pickup	PW 06-08	2008
Parks	P 04-10 2500 Pickup Truck	P 04-10	2009
	Dump Trailer	P 25-11	2011
	Landscape Trailer	P 21-11	2011
	Jacobson 9016 Mower	P 30-13	2013
	Vermeer VC1500 Chipper	P 40-08	2008
Water	W01-10 Pickup	W 01-10	2010
Fire	Command 1	F 01-10	2010
	Command 2	F 02-10	2010
Recreation	M 02-08 Pickup	M 02-08	2008
Transit	15 Passenger Bus	T 02-10	2010

3. Appendix 'A' Town of Tecumseh 2018 – 2027 Ten Year Fleet Funding and Replacement Schedules and Appendix 'B' Town of Tecumseh 2018 – 2027 Ten Year Fire and Rescue Services Apparatus Funding and Replacement Schedules attached to Public Works & Environmental Services Report No. 03/18 **be adopted** as amended and attached.
4. Funding for the purchase of the 2018 Supply of Various Vehicles **be funded** as follows:
 - a) Appendix 'A' vehicles: \$644,200 plus associated costs for outfitting \$26,000 for a total of \$670,200 **be funded** from the Fleet Lifecycle Reserve.

Background

Council, at their meeting held February 28, 2017, adopted as amended the 2017 - 2026 Ten Year Fleet Replacement Schedule ("Fleet Replacement Schedule") as attached to the Public Works & Environmental Services Report No. 03/17 (Resolution RCM-58/17). The Fleet Replacement Schedule is used as a guideline for purchasing new vehicles in designated years. Council requested that a report be brought forward outlining the vehicles to be replaced on an annual basis for their information and consideration.

Comments

According to the Fleet Replacement Schedule and in consultation with the Parks, Public Works, Fire & Rescue Services and Planning & Building Services, the following is provided for Council's consideration for 2018 replacements/additions:

Public Works

1. PW 02-11: 1500 Pickup Truck - \$35,000

This vehicle has over 100,000 kilometers. It has been used daily for all Public Works functions (i.e. road patrol to service calls) and has reached its useful life. Administration recommends continuing with the replacement schedule of eight years due to the conditions

of use and the current practice of replacement prior to incurring considerable expenses for repairs.

2. PW 06-08: 1500 4x4 Pickup Truck - \$32,000

This vehicle has approximately 150,000 kilometers. This vehicle was used daily by Water Services staff before it was transferred to Public Works for use by the Storm Sewer Operator. This vehicle has reached its useful life and requires replacement. Administration recommends continuing with the replacement schedule of eight to ten years due to the conditions of use and the current practice of replacement prior to incurring considerable expenses for repairs.

3. PW 14-18: 1500 4x4 Pickup Truck - \$30,000

This vehicle will be a new addition to the Public Works fleet. It is intended for the Town's Drainage Superintendent and his Assistant. This vehicle addition was debated during the 2018 budget deliberations and was subsequently approved by Council. The Drainage Department will have a suitable vehicle for use in performing their duties. Administration recommends continuing with the replacement schedule of eight to ten years due to the conditions of use and the current practice of replacement prior to incurring considerable expenses for repairs.

Parks

1. P 04-10: 2500 Crew Cab Pickup – \$35,000

This vehicle was purchased in 2010. It has been used on a daily basis to tow heavy parks equipment and transport Parks crews during the maintenance season. The vehicle has 79,500 kilometers and there is heavy wear and tear on this vehicle due to the frequent short trips pulling large loads.

Administration is recommending the replacement vehicle be a single cab 4 wheel drive 2500 vehicle (8 foot box) equipped with the existing water tank to allow for the watering of flower beds and trees during the summer and to plow snow in the winter. At present, the Parks fleet has 5 crew cabs to transport maintenance staff during the summer season, which is sufficient. The replacement schedule of eight years is appropriate prior to incurring considerable expenses for repairs.

2. P 40-08: Vermeer Wood Chipper – \$50,000

The wood chipper has been reliable over the last ten years, but should be replaced before the inevitable costly repairs are required. Replacement at this point will ensure a fair resale value and will avoid costly service calls for annual maintenance, while also supplying a new machine with new warranty.

3. P 25-11: Dumping Trailer – \$5,200

The small dump trailer is in poor condition and requires extensive work to pass the next annual safety inspection. Specifically, the hydraulic lift mechanism is faulty, making the dump feature difficult to engage. The trailer should be replaced within the recommended replacement interval rather than spend extensively in repairs.

4. **P 21-11: Landscaping Trailer – \$6,000**

The landscape trailer is in poor condition and would require extensive work in order to pass the annual safety inspection. The trailer should be replaced within the recommended replacement intervals rather than spend extensively on repairs.

5. **P 30-13: Jacobson 9016 Mower – \$69,000**

The largest mower in the fleet has 900 operating hours, approaching the ideal trade-in limit of 1000 hours. This mower has been well maintained and has required relatively few major repairs, but is now out of warranty coverage and will be very costly to repair as it ages beyond 5 seasons of rigorous operation. By replacing this mower on a five year cycle, we are receiving very good value with excellent performance from machines that are critical to the daily maintenance of the sports fields and park lands.

Fire

1. **F 01-10: SUV Command 1 - \$45,000**

This vehicle has approximately 140,000 kilometers. This vehicle is used by Fire Services to respond to all emergency service calls. This vehicle has been experiencing high maintenance costs due to age and use and this vehicle has reached its useful life and requires replacement. Administration recommends continuing with the replacement schedule of eight years due to the conditions of use and the current practice of replacement prior to incurring considerable expenses for repairs.

2. **F 02-10: SUV Command 2 - \$45,000**

This vehicle has approximately 170,000 kilometers. This vehicle is used by Fire Services to respond to all emergency service calls. This vehicle has been experiencing high maintenance costs due to age and use and this vehicle has reached its useful life and requires replacement. Administration recommends continuing with the replacement schedule of eight years due to the conditions of use and the current practice of replacement prior to incurring considerable expenses for repairs.

Administration is recommending replacement of this vehicle be with an extended cab 1500 4X4 pickup truck outfitted accordingly. This change from an SUV will serve the department by assisting with equipment deliveries and returns during the course of responding to an emergency. When firefighters require new oxygen tanks or additional hose during a prolonged emergency it is standard practice for the Chief or Deputy Chief to transport this equipment. A pickup truck will allow for this to occur while still providing the first responder ability of an SUV vehicle.

3. **F XX-19: New Squad Truck - \$50,000**

Administration, in consultation with the Fire Department, reviewed the need for a second Squad Truck for emergency first responder situations. **This unit is being proposed for purchase in 2019.** This unit is being brought forward now so that Appendix 'B' can be updated and lifecycle allocations be considered before implementation into the fleet next year. The addition of this vehicle would assist the Department in responding to the

increasing number of Carbon Monoxide alarm calls that the urban area is experiencing. A properly equipped Squad vehicle will carry small ladders, air packs and other equipment which will eliminate the need to mobilize a full size fire engine for these types of calls. A large engine is an excessive response for small service calls. An increase in the annual lifecycle allocation of \$4,200, (\$50,000/ 12 years) should be included in the 2019 budget.

Recreation

1. M 02-08: Ext. Cab Pickup - \$22,000

This experienced vehicle was a fleet addition in 2017 by way of transfer from the Parks department to Recreation. Originally purchased in 2008, this vehicle is now due for replacement. It continues to assist with daily activities as well as special events and allowed staff to maximize their efforts. This vehicle was also used for travel to outside training sessions and conferences while not disrupting everyday operations due to the lack of a vehicle for use. Administration recommends continuing with the replacement schedule of eight to ten years due to the conditions of use and the current practice of replacement prior to incurring considerable expenses for repairs.

2. M 03-18: New Mini Van - \$25,000

A van for use by Recreation Programs & Events staff is a new addition to the Town Fleet. This vehicle addition was debated during the 2018 budget deliberations and was subsequently approved by Council. This vehicle will provide transportation for Recreation staff to the numerous year round special events at various locations and to transport equipment to the special events. Additionally, this vehicle will be used for traveling to meetings and training programs and for general use by staff. Administration recommends that this vehicle be incorporated into the fleet and that the lifecycle allocation be increased \$2,500 (\$25,000 / 10) for the 2019 budget.

Water

1. W 01-10: 1500 Pickup Truck - \$55,000

Administration, in consultation with the Water Department, has reviewed the fleet complement in 2017 and recommended that this vehicle be upgraded to a service body vehicle. Replacing the current pickup truck with a service body truck will allow the department more versatility and to be better equipped to perform daily duties including responding to emergencies. With this addition, the Water Department fleet will consist of two full size service trucks and two mid-size service trucks along with three pickup trucks and one dump truck. Utilizing pickup trucks, equipment and materials must be loaded in and out of the truck bed. With a service body, the operational equipment can be securely stored on the truck. Operators can also carry all materials required for full service response: from a meter replacement to assisting on a watermain break.

Transit

1. T 02-10: Transit Bus - \$190,000

A transit bus is proposed to be replaced in 2018. Administration met with the current operator of the transit system and through research and discussions arrived at the replacement model of a gas powered kneeling bus to allow for easier access for wheelchairs and to meet Accessibility for Ontarians with Disabilities Act (AODA) requirements. We are now well past the five year mark for the second bus and are experiencing increased maintenance costs to the Town. Administration recommends replacement with a similar model to the recently purchased T-01 bus.

The kneeling bus leads to improved mobility/accessibility relative to AODA requirements, improved customer safety/security and ultimately improved transit service efficiency and reliability for all users. Given the tight timelines with the hour headway, experience has shown that the service is strained to maintain the schedule when having to operate the wheelchair ramp on the older style buses. This inefficiency is greatly reduced with the kneeling bus.

With this replacement, the Transit fleet (two buses) will have been completely enhanced to kneeling buses. Replacement cost for each kneeling bus is approximately twice as much as was experienced for traditional buses (non-kneeling). As Transit operations are partly subsidized through provincial grant programs, the financial impact to the Fleet reserve will be partly offset by anticipated provincial grant increases. Nonetheless, an increase to the annual Lifecycle Fleet allocation will be required if this enhanced service level is to be maintained.

It is recommended that Council authorize Administration to obtain quotations for the 2018 Supply of Various Vehicles as follows:

	DEPARTMENT	VEHICLE	ESTIMATED PRICE
Appendix A	Public Works	PW 02-11 Ext Cab Truck	\$ 35,000
		PW 06-08 4x4 1500 Ext Cab Truck	\$ 32,000
		PW 14-18 4x4 1500 Ext Cab Truck	\$ 30,000
	Parks	P 04-10 4x4 2500 Reg Cab Truck	\$ 35,000
		P 30-13 Jacobson 9016 Tractor	\$ 69,000
		P 40-08 Vermeer VC1500 Chipper	\$ 50,000
		P 25-11 Dump Trailer 5'x10'	\$ 5,200
		P 21-11 Landscape Trailer 20'	\$ 6,000
	Water	W 01-10 Heavy Duty Truck/Service Body	\$ 55,000
	Fire	F 01-10 Tahoe Command	\$ 45,000
		F 02-10 Tahoe Command	\$ 45,000
	Recreation	M 02-08 1500 Ext. Cab Truck	\$ 22,000
		M 03-18 Mini Van	\$ 25,000
	Transit	T 02-10 Kneeling Passenger Bus	\$ 190,000
		Sub total Appendix A	\$ 644,200
Appendix B	Fire		\$ -
		Sub total Appendix B	\$ -
		Total Appendix A + B	\$ 644,200

Annual Fleet Replacement Costs

Appendix 'A' (attached) provides an updated summary of the annual fleet replacement costs scheduled for each department. The updated schedules reflect adjustments to the future costs based on current equipment values. Administration recommends that Council adopt the updated Appendix 'A' Town of Tecumseh 2018 – 2027 Ten Year Fleet Funding Replacement Schedules attached to Public Works & Environmental Services Report No. 03/18.

Appendix 'B' (attached) provides an updated summary of the annual fire apparatus replacement costs scheduled for the Fire and Rescue Services department. The updated schedules reflect adjustments to the future costs based on current equipment values. Administration recommends that Council adopt the updated Appendix 'B' Town of Tecumseh 2018 – 2027 Ten Year Fire and Rescue Services Apparatus Funding and Replacement Schedules attached to Public Works & Environmental Services Report No. 03/18.

Following Council's approval of the report, Administration will prepare a "Request for Formal Quotes for Supply of Various Vehicles" (RFQ) with reference to the above noted vehicles to be replaced and in accordance with the Town's Purchasing Policy. The RFQ will be advertised on the Town's website. Each Manager will also prepare a list of Suppliers and invitations to download the documents will be sent directly to each supplier.

Green Fleet Considerations

The introduction of Green Fleet options into the general fleet complement is being considered to be phased in over time. Administration presented Council with a report, PWES No. 53/17, on November 14, 2017 outlining the Town's participation in the Association of Municipalities of Ontario (AMO) Electric Truck Pilot Program. AMO will purchase an electric truck and the Town will get a period of use in order to evaluate the benefits of this new technology in real world municipal situations. A report will be generated and discussion presented back to participating municipalities at the conclusion of the program.

The Minister of Transportation recently announced the Green Commercial Vehicle Program with funding incentives to businesses and municipalities. Administration will review this program and investigate the opportunities that may be of benefit to the Town and report back to Council accordingly.

Administration is continuing to investigate the Electric Vehicle Chargers Ontario grant program (EVCO) to create a network of public electric vehicle fast-charging stations. The EVCO program is designed to cover the purchase and installation cost of public fast-charging stations along major transportation corridors and in urban centres across the province.

Surplus

Following Council's approval of the recommendations within this report and upon receipt of the new equipment, Administration proposes that the replaced vehicles be declared surplus and sold at Auction.

It is recommended that Council authorize Administration to declare the following equipment surplus and dispose of said equipment through Part VI, Disposal of Surplus or Scrap Materials and Equipment, of the Town's Purchasing By-law:

DEPARTMENT	VEHICLE	UNIT NUMBER	YEAR PURCHASED
Public Works	PW 02-11 1500 Pickup	PW 02-11	2010
	PW 06-08 1500 Pickup	PW 06-08	2008
Parks	P 04-10 2500 Pickup Truck	P 04-10	2009
	Dump Trailer	P 25-11	2011
	Landscape Trailer	P 21-11	2011
	Jacobson 9016 Mower	P 30-13	2013
	Vermeer VC1500 Chipper	P 40-08	2008
Water	W01-10 Pickup	W 01-10	2010
Fire	Command 1	F 01-10	2010
	Command 2	F 02-10	2010
Recreation	M 02-08 Pickup	M 02-08	2008
Transit	15 Passenger Bus	T 02-10	2010

The equipment can be disposed of through Part VI, Disposal of Surplus or Scrap Materials and Equipment, of the Town's Purchasing By-law which states:

- All departments shall notify the Treasurer when items become obsolete or surplus to their requirements to ascertain if the items can be of use by another department rather than disposed of.*
- Items that are not claimed for use by another department may be offered for sealed bids, public auction or other public sale, depending in the opinion of the Treasurer on which method is most suitable for the equipment or material involved.*
- A major auction shall be held annually or as required dependent upon individual circumstances such as delivery of replacement items and storage capacity.*
- The revenue from the sale of obsolete material shall be credited to the appropriate account.*

Surplus equipment and vehicles continue to be made available to Town employees through public auction as per Part VI of the Town's Purchasing By-law. Town staff will be notified of the date and location of the impending auction.

According to the Ten Year Fleet Replacement Schedules as referenced in Motion RCM-214/09, "As Fleet vehicles and Fire Apparatus are sold, net proceeds be allocated to the Fleet Lifecycle Reserve and Fire Apparatus Lifecycle Reserve respectively". The intent will be to follow the recommendation and place the net proceeds into the appropriate reserve.

Consultations

Financial Services
Parks & Recreation Services
Planning & Building Services
Fire & Emergency Services

Financial Implications

The replacement values used in Appendix 'A' are based on the original estimates provided by Covenco Ltd., in its report dated March 2007, adjusted forward for known changes based on recent purchases and quotes.

The replacement values used in Appendix 'B', Fire and Rescue Apparatus are based on the original estimates provided by Covenco Ltd., in its report dated March 2007, adjusted forward for known changes based on recent quotations.

In addition to the purchase cost of the vehicles there is an associated cost to "outfit" them for their intended use. The cost associated with outfitting each of the vehicles is \$2,000; the cost is higher for the fire vehicle, for a total cost of \$26,000.

The estimated cost net of recoverable taxes is **\$644,200** plus \$26,000, associated retrofit costs, totalling **\$670,200**.

Administration recommends that funding for the purchase of the 2018 Supply of Various Vehicles plus associated costs for outfitting be funded from the Fleet Lifecycle Reserve in the approximate amount of **\$670,200**.

Based on the recommendations in this report the annual Lifecycle Fleet allocation should be increased:

F 05-19 Fire Squad-New Vehicle	\$5,000
Recreation M02-18 Pickup Truck	\$2,000
Water Heavy Duty Truck Service Body	<u>\$2,500</u>
	\$9,500

An extended 20-year Fleet forecast was reviewed during the 2018 budget process and projected an irreversible reserve deficit by 2029. A significant increase to replacement costs of larger vehicles necessitates the allocation increase. As a result, the annual Lifecycle Fleet allocation was increased by \$28,000, from \$497,000 to \$525,000.

Part of this increase will address fleet additions included in this report. The remainder addresses long-term sustainability of the Lifecycle Fleet reserve. A further increase to the annual allocation for the enhanced transit service will likely be required in the future, but has yet to be determined pending provincial grant program calculations.

Under the current Schedule 'A', fleet replacement will be fully funded through the ten year period.

Under the current Schedule 'B', fire and rescue apparatus replacement will be fully funded through the ten year period. These vehicles have longer replacement schedules and are impacted by currency exchange fluctuations, which combined can potentially create a significant gap in actual replacement costs when the time comes to replace a vehicle. As such, Administration recommends that replacement costs for all units be updated every five years to ensure the annual budget allocation is sufficient. The last such update was performed in 2016 and those updated replacement costs are reflected in Schedule B.

The expected impact to the 2018 Operating base budget (excludes Lifecycle impact) for asset additions/enhancements is as follows:

- Recreation M03-18 – Minivan - \$2,800 (fuel, maintenance, insurance)
- Public Works PW14-18 – Pickup truck - \$(1,000) - \$2,800 (fuel, maintenance, insurance) less \$3,800 for mileage expense for a net base budget decrease of \$1,000

- Water W01-10 – Heavy duty truck w/ service body – \$0 no anticipated impact to base budget
- Fire FXX-19 – Squad truck – One third of all fire calls are for CO alarms and this truck will be more efficient than an Engine running at the location. Fuel savings may partially offset increased costs for insurance and maintenance. Wear and tear on large engines may be reduced due to ability of the Department to respond using a smaller vehicle.
- Transit T02-10 - The replacement of the existing bus should assist with maintenance costs, although they are part of the operators contract, the Town does pay for costs above a certain threshold. Replacing the existing bus will most likely lower any costs that the Town will be responsible for, due to new vehicle warranty.

Link to Strategic Priorities

Applicable	2017-18 Strategic Priorities
☐	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that the Town of Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of the Town of Tecumseh’s plans and priorities.
☒	Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
☐	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 Chief Administrative Officer.

Prepared by:

Kirby McArdle, P.Eng.
Manager Roads & Fleet

Reviewed by:

Dan Piescic, P.Eng.
Director Public Works & Environmental Services

Reviewed by:

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

Recommended by:

Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

Attachment Number	Attachment Name
1	Appendix A – Summary Town of Tecumseh Fleet Replacement Schedule 2018 to 2027
2	Appendix A – Public Works Fleet Replacement Schedule 2018 to 2027
3	Appendix A - Parks Fleet Replacement Schedule 2018 to 2027
4	Appendix A - Water & Building Fleet Replacement Schedule 2018 to 2027
5	Appendix A - Administration & Fire Command Fleet Replacement Schedule 2018 to 2027
6	Appendix A - Recreation & Transit Fleet Replacement Schedule 2018 to 2027
7	Appendix B - Summary Fire & Rescue Apparatus Fleet Replacement Schedule 2018 to 2027
8	Appendix B - Fire & Rescue Apparatus Fleet Replacement Schedule 2018 to 2027

Appendix A
Town of Tecumseh
2018 - 2027 Ten Year Fleet Funding and Replacement Schedules

2018 - 2027 Ten Year Fleet Funding Schedule

	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Reserve Carried Forward	\$ 1,012,000	\$ 612,800	\$ 762,200	\$ 605,700	\$ 657,700	\$ 974,700	\$ 754,700	\$ 388,700	\$ 590,700	\$ 491,100
Fleet Lifecycle	\$ 405,000	\$ 405,000	\$ 405,000	\$ 405,000	\$ 405,000	\$ 405,000	\$ 405,000	\$ 405,000	\$ 405,000	\$ 405,000
Other	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Provincial (Transit)	\$ 33,000	\$ 33,000	\$ -	\$ -	\$ -	\$ 33,000	\$ 33,000	\$ -	\$ -	\$ -
Water	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000
Wastewater	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000
Total Funds Available	\$ 1,570,000	\$ 1,170,800	\$ 1,287,200	\$ 1,130,700	\$ 1,182,700	\$ 1,532,700	\$ 1,312,700	\$ 913,700	\$ 1,115,700	\$ 1,016,100

2018 - 2027 Ten Year Fleet Replacement Schedule

Department	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Public Works	\$ 97,000	\$ 35,000	\$ 295,000	\$ 325,000	\$ 65,000	\$ 265,000	\$ 555,000	\$ 150,000	\$ 295,000	\$ 385,000
Parks	\$ 165,200	\$ 146,000	\$ 79,500	\$ 71,000	\$ 137,000	\$ 195,000	\$ 107,000	\$ 145,000	\$ 193,000	\$ 55,700
Water	\$ 55,000	\$ 87,600	\$ 160,000	\$ 37,000	\$ -	\$ 85,000	\$ 24,000	\$ -	\$ 34,600	\$ 210,000
Building	\$ -	\$ -	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ 18,000	\$ -	\$ -
Administration	\$ -	\$ 20,000	\$ -	\$ -	\$ -	\$ 29,000	\$ -	\$ -	\$ -	\$ -
Fire Command	\$ 90,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 90,000	\$ -
Recreation	\$ 47,000	\$ 110,000	\$ 110,000	\$ 30,000	\$ -	\$ -	\$ 30,000	\$ -	\$ -	\$ -
Transit	\$ 190,000	\$ -	\$ -	\$ -	\$ -	\$ 190,000	\$ 190,000	\$ -	\$ -	\$ -
Sub-total	\$ 644,200	\$ 398,600	\$ 669,500	\$ 463,000	\$ 202,000	\$ 764,000	\$ 906,000	\$ 313,000	\$ 612,600	\$ 650,700
Committed - carry forward	\$ 287,000									
Outfitting (\$2k per vehicle)	\$ 26,000	\$ 10,000	\$ 12,000	\$ 10,000	\$ 6,000	\$ 14,000	\$ 18,000	\$ 10,000	\$ 12,000	\$ 20,000
Total Expenditure	\$ 957,200	\$ 408,600	\$ 681,500	\$ 473,000	\$ 208,000	\$ 778,000	\$ 924,000	\$ 323,000	\$ 624,600	\$ 670,700
Ending Balance	\$ 612,800	\$ 762,200	\$ 605,700	\$ 657,700	\$ 974,700	\$ 754,700	\$ 388,700	\$ 590,700	\$ 491,100	\$ 345,400

Appendix A
Town of Tecumseh
2018 - 2027 Ten Year Fleet Replacement Schedule - Public Works

Unit Number	License Number	Year Purchased	Type	Make	Replacement Value	Life Span (yrs)	Yrs	Year To Replace	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
PW 03-12	764 5NH	2011	Tandem axle pre wet w/wing	Mack (tandem axle pre wet w/wing)	\$ 290,000	7 to 10	10	2021				\$ 290,000						
PW 05-13	683 2ZE	2012	Single axle pre wet	Freightliner SD180 (single axle/pre wet)	\$ 230,000	7 to 10	11	2023						\$230,000				
PW 07-11	419 9ZK	2011	3500 Dump	Dodge 3500 Dump Body	\$ 65,000	10	10	2020			\$ 65,000							
PW 08-12	AC70996	2012	3500 Dump	Dodge 3500 Aluminum Dump Body	\$ 65,000	10	10	2022					\$65,000					
PW 02-11	733 8ZA	2010	1500 Ext Cab	GMC Ext Cab1500	\$ 35,000	8	8	2018	\$ 35,000								\$35,000	
PW 10-15	986 4MZ	2014	1500 Reg Cab	Dodge 1500 4X4	\$ 35,000	10	10	2024										
PW 09-12	AC14118	2012	1500 Ext Cab	Dodge Ext Cab1500	\$ 35,000	11	11	2023						\$35,000	\$35,000			
PW 11-12	AA41894	2011	1500 Ext Cab	Dodge Ext Cab1500	\$ 35,000	11	11	2021				\$ 35,000						
PW 12-12	AB62498	2012	2500 Crew Cab	GMC 2500 Crew Cab	\$ 35,000	7 to 10	7	2019		\$ 35,000								\$35,000
PW 13-15	AJ49865	2014	Single axle pre wet	Mack (single axle pre wet)	\$ 230,000	7 to 10	10	2023							\$230,000			
PW 15-16	301 2RF	2015	Single axle pre wet	Freightliner SD180 (single axle/pre wet)	\$ 230,000	7 to 10	10	2026									\$230,000	
PW 06-08	6543WJ	2008	1500 Ext Cab	Chevy Extended Cab 4 X 4-Storm Sewer	\$ 32,000	7 to 10	10	2018	\$ 32,000									
PW 16-15	AJ49864	2014	Tandem axle w/wing	Mack (tandem axle w/wing)	\$ 290,000	7 to 10	11	2024							\$290,000			
PW 01-09	656 4XC	2009	Tandem axle pre wet w/wing	Sterling (tandem axle pre wet w/wing)	\$ 290,000	7 to 10	8	2017										\$290,000
PW 04-10	285 3YN	2010	Single axle pre wet w/wing	International (single axle pre wet w/wing)	\$ 230,000	7 to 10	10	2020			\$ 230,000							
PW 14-18			1500 Reg Cab	4x4 Truck- Drainage - 2018 Fleet addition	\$ 30,000	7 to 10	10	2018	\$ 30,000									
PWE 02-13		2013	Backhoe	Cat 420F Backhoe	\$ 110,000	10 to 15	15	2028										
PWE 03-14		2014	Backhoe	Case 580 WT Backhoe	\$ 110,000	10 to 15	15	2029										
PWE 04-13		2013	Sweeper	Elgin Whirlwind Sweeper	\$ 290,000	15 to 20	20	2028										
PWE 05-01		2013		Trackless M6	\$ 150,000	10	12	2025								\$150,000		
PWE 05-01		2016	Flail Boom	Trackless Attachment-Flail Boom	\$ 30,000	10	10	2026									\$30,000	
PWE 11-12		2012	Tractor	Zetor Tractor with Bucket/Snow Box	\$ 60,000	15	15	2027										\$60,000
PWE 12-17		2011	Skid Steer-Loader	Bobcat S-185 - from Parks Dept.	\$ 50,000	6	6	2024										
Total					<u>\$ 2,957,000</u>				<u>\$ 97,000</u>	<u>\$ 35,000</u>	<u>\$ 295,000</u>	<u>\$ 325,000</u>	<u>\$ 65,000</u>	<u>\$ 265,000</u>	<u>\$ 555,000</u>	<u>\$150,000</u>	<u>\$ 295,000</u>	<u>\$ 385,000</u>

Appendix A
Town of Tecumseh
2018 - 2027 Ten Year Fleet Replacement Schedule - Parks

Unit Number	Cost Center	VIN	License Number	Year Purchased	Type	Make	Replacement Value	Life Span (yrs)	Yrs	Calc Year Replace	Replace Override	Year To Replace	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
P1-10		1GT4CZBG6AF124618	426 7YD	2009	2500 Crew Cab	GMC 2500 H.D. Crew Cab	\$ 37,000	9	9	2018		2018									\$ 37,000	
P2-16		1GCEC14X68Z253650	AN82083	2016	1500 Reg Cab	Dodge 1500 Reg Cab	\$ 22,000	8	8	2024		2016							\$ 22,000			
P3-16		2GCEK19CX81181563	AN72492	2016	1500 Ext Cab	Dodge 1500 Extend Cab	\$ 29,000	8	8	2024		2016							\$ 29,000			
P4-10		1GT5CZBG8AZ177338	426 6YD	2009	2500 Ext Cab	GMC 2500 Extended Cab	\$ 35,000	8	8	2017		2018	\$ 35,000								\$ 35,000	
P5-12		1GTGC13U12F226820	AB62499	2012	2500 Crew Cab	GMC 2500 Crew Cab	\$ 31,000	10	10	2022		2022					\$ 31,000					
P6-12		3C6TDSCTXCG122764	AA41892	2011	2500 Crew Cab	Dodge 2500 Crew Cab	\$ 37,000	8	8	2019		2019		\$ 37,000								\$ 37,000
P7-16		1FDRF3GT9GEA07027	AL64055	2016	3500 Dump	Ford 3500 with Dump body	\$ 65,000	10	10	2026		2025								\$ 65,000		
P8-16		1FTNF21518EE16860	AN82084	2016	1500 Ext Cab	Dodge 1500 Extend Cab	\$ 35,000	8	8	2024		2016							\$ 35,000			
P9-11		A3NV14748		2011	Skid-Steer Loader	Bobcat S-770 (S-650)	\$ 50,000	6	6	2017		2017						\$ 50,000				
P10-14		N/A		2014	Tractor - Utility	Kubota L4600 Tractor	\$ 20,000	8	8	2022		2015						\$ 20,000				
P11-15		N/A		1998	Tractor - Utility	Kubota 4701 Tractor	\$ 25,000	8	8	2006		2022					\$ 25,000					
P12-09		58530		2009	Tractor - Compact	Kubota B3030 HSDC Tractor	\$ 35,000	8	8	2017		2019		\$ 35,000							\$ 35,000	
P13-14		30288		2014	Tractor - Utility	Kubota L5460 Tractor	\$ 35,000	8	8	2022		2021				\$ 35,000						
P26-11		4P5D21021D1184583	K83 12T	2011	Trailer Dump	Trailer Dump 6'x10'	\$ 6,000	8	8	2019		2021				\$ 6,000						
P25-11		4P5D51027B1148997	H71 64X	2011	Trailer Dump	Trailer Dump 5'x10'	\$ 5,200	8	8	2019		2018	\$ 5,200									\$ 5,200
P21-11		4P5U82025C2168349	J50 87T	2011	Trailer Landscape	Trailer Landscape 20'	\$ 6,000	8	8	2019		2018	\$ 6,000									\$ 6,000
P22-14		2CPUSF2DOEA020374	L57 17L	2014	Trailer Landscape	Trailer Landscape 20' hard side	\$ 6,000	8	8	2022		2020			\$ 6,000							
P23-12		4P5T62021C1165763	J76 42W	2012	Trailer Tilt	Tilt Trailer 20'	\$ 7,500	7	7	2019		2020			\$ 7,500							\$ 7,500
P24-14		2CPUSH2F4EA020987	L57 13S	2014	Trailer Flat Bed	Flat Bed 8 X 22 Trailer	\$ 7,000	8	8	2022		2022				\$ 7,000						
P20-11		4P5U82028B2159823	H71 65X	2011	Trailer Landscape	Trailer Landscape 20'	\$ 6,000	8	8	2019		2018							\$ 6,000			
P31-13		EB000560		2013	Mower - Large Area Rotary	Jacobson 6010 Mower	\$ 44,000	3	3	2016		2016		\$ 44,000			\$ 44,000			\$ 44,000		
P30-13		7053901710		2013	Mower - Wide Area Rotary	Jacobson 9016 Mower	\$ 69,000	5	5	2018		2018	\$ 69,000				\$ 69,000					
P32-14		41864		2014	Mower - Zero-Turn	Kubota 331 Mower	\$ 14,000	3	3	2017		2017			\$ 14,000			\$ 14,000			\$ 14,000	
P33-13		39692		2014	Mower - Zero-Turn	Kubota 326 Mower	\$ 14,000	3	3	2017		2017			\$ 14,000			\$ 14,000			\$ 14,000	
P34-14		39054		2014	Mower - Zero-Turn	Kubota 326 Mower	\$ 14,000	3	3	2017		2017			\$ 14,000			\$ 14,000			\$ 14,000	
P36-13		37149		2013	Mower - Zero-Turn	Kubota 326 Mower	\$ 14,000	3	3	2016		2017			\$ 14,000			\$ 14,000			\$ 14,000	
P35-11		3855476		2011	Mower - Zero-Turn	Kubota 331 Mower	\$ 15,000	3	3	2014		2015		\$ 15,000			\$ 15,000			\$ 15,000		
P37-16				2016	Mower - Zero-Turn	Kubota 331 Mower	\$ 15,000	3	3	2019		2019		\$ 15,000			\$ 15,000			\$ 15,000		
P42-11		27260		2011	Utility Vehicle	Kubota Utility 900 4X4	\$ 15,000	5	5	2016		2016			\$ 15,000						\$ 15,000	
P43-11		B0901		2011	Utility Vehicle	Kubota Utility 1100 4X4	\$ 15,000	5	5	2016		2016			\$ 15,000						\$ 15,000	
P40-08	9017	N/A		2008	Chipper	Vermeer Chipper VC1500	\$ 50,000	10	10	2018		2018	\$ 50,000									
P41-05		N/A		2005	Aerator	Aerway Aairator	\$ 10,000	15	15	2020		2020			\$ 10,000							
P47-13		781337		2013	Top Dresser	Dresser	\$ 20,000	15	15			2028										
P48-09				2009	Overseeder	Brillion Overseeder BOS4F2	\$ 15,000	15	15			2024							\$ 15,000			
P49-14		L1-144771		2014	Truck Bed Salter	Truck Bed Salter	\$ 6,000	10+	10+			2024							\$ 6,000			
Total							\$ 788,700															
													\$165,200	\$ 146,000	\$ 79,500	\$ 71,000	\$ 137,000	\$ 195,000	\$ 107,000	\$145,000	\$ 193,000	\$ 55,700

Appendix A
Town of Tecumseh
2018 - 2027 Ten Year Fleet Replacement Schedule - Water

Unit Number	License Number	Year Purchased	Type	Make	Replacement Value	Life Span (yrs)	Yrs	Year To Replace	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
W1-10	620 5KA	2010	1500 Ext Cab	GMC Sierra Extended Cab Pick-up	\$ 55,000	7 to 10	8	2018	\$ 55,000									
W2-14	AE93813	2013	1500 Ext Cab	Dodge 1500 Ext Cab	\$ 24,000	7 to 10	10	2024							\$ 24,000			
W3-14	657 5LM	2013	4500 Service	Ford F-450 Service Truck	\$ 85,000	7 to 10	10	2023						\$ 85,000				
W4-12	AA42014	2011	1500 Ext Cab	GMC Sierra Ext Cab Service Truck	\$ 50,000	7 to 10	9	2020			\$ 50,000							
W5-16	AL65110	2015	Tandem Axle	International Tandem Axle	\$ 210,000	7 to 10	11	2027										\$ 210,000
W6-11	ZX3 479	2010	5500 Service	Ford F-550 HD Service Truck	\$ 85,000	7 to 10	10	2019	\$ 85,000									
W7-12	615 1KA	2011	1500 Ext Cab	Dodge 1500 Ext Cab	\$ 37,000	7 to 10	10	2021				\$ 37,000						
W8-08	654 3WJ	2008	1500 Ext Cab	Chevy Extended Cab 4 X 4	\$ 32,000	7 to 10	9	2017									\$ 32,000	
WE9-10		2010	Backhoe	John Deere 310D Backhoe	\$ 110,000	7 to 10	11	2020			\$ 110,000							
WE10-04	B99 64Y	2004	Trailer	Utility Trailer	\$ 2,600	8	9	2018	\$ 2,600								\$ 2,600	
Total					\$ 690,600				\$ 55,000	\$ 87,600	\$ 160,000	\$ 37,000	\$ -	\$ 85,000	\$ 24,000	\$ -	\$ 34,600	\$ 210,000

2016 - 2025 Ten Year Fleet Replacement Schedule - Building

Unit Number	License Number	Year Purchased	Type	Make	Replacement Value	Life Span (yrs)	Yrs	Year To Replace	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
B1-15	BCN K349	2015	SUV	Dodge Journey	\$ 18,000	10	10	2025								\$ 18,000		
B2-10	505 9KZ	2010	1500 Reg Cab	GMC Pick-up Sierra	\$ 25,000	10	10	2020			\$ 25,000							
Total					\$ 43,000				\$ -	\$ -	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ 18,000	\$ -	\$ -

Appendix A
Town of Tecumseh
2018 - 2027 Ten Year Fleet Replacement Schedule - Administration

Unit Number	Licence Number	Year Purchased	Type	Make	Replacement Value	Life Span (yrs)	Yrs	Year To Replace	2018	2019	2020	2021	2022	2023	2024	2024	2025	2026	2027
	B86 32C	2003	Trailer Enclosed	OPP TRAILER (Graffiti Trailer) (1/3 Lakeshore/Kingsville/Tecumseh)	\$ 29,000	20	20	2023 0						\$ 29,000					
		2007	Generator	Generator - Emergency back-up for Tecumseh Complex	\$ 500,000	40	40	2047											
PE20-00	C20 02M	2000	Trailer Enclosed	Enclosed Trailer 8 X 22 (from Parks)	\$ 20,000	8	8	N/A		\$ 20,000									
Total					<u>\$ 549,000</u>				<u>\$ -</u>	<u>\$ 20,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 29,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

2018 - 2027 Ten Year Fleet Replacement Schedule - Fire Command

Unit Number	Licence Number	Year Purchased		Make	Replacement Value	Life Span (yrs)	Yrs	Year To Replace	2018	2019	2020	2021	2022	2023	2024	2024	2025	2026	2027
F1-10	016 XBT	2010	SUV	Chevrolet Tahoe (Command 1)	\$ 45,000	8	8	2018	\$ 45,000								\$ 45,000		
F2-10	TL8 007	2010	SUV	Chevrolet Tahoe (Command 2)	\$ 45,000	8	8	2018	\$ 45,000								\$ 45,000		
F4-16	BDFE 181	2016	Minivan	Dodge MiniVan	\$ 20,000	12	12	2028											
Total					<u>\$110,000</u>				<u>\$ 90,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 90,000</u>	<u>\$ -</u>	<u>\$ -</u>

Appendix A
Town of Tecumseh
2018 - 2027 Ten Year Fleet Replacement Schedule - Recreation

Unit Number	License Number	Year Purchased	Type	Make	Replacement Value	Life Span (yrs)	Yrs	Year To Replace	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
M01-12	AA41891	2011	1500 Reg Cab	Dodge Ram 1500	\$ 30,000	10	10	2021				\$ 30,000						
AM01-02	505 9KZ	2014	1500 Reg Cab	Dodge Ram 1500	\$ 30,000	10	12	2014							\$ 30,000			
M02-08	9133WK	2008	1500 Reg Cab	Ford F150 Reg. Cab	\$ 22,000	10	10	2018	\$ 22,000									
M03-18			Mini Van	Minivan - 2018 Fleet addition	\$ 25,000	10	10	2028	\$ 25,000									
AE3-98		2009	Ice Resurfacers	Zamboni	\$ 110,000	10	10	2019		\$ 110,000								
A34-98		2010	Ice Resurfacers	Zamboni	\$ 110,000	10	10	2020			\$ 110,000							
Totals					\$ 327,000				\$ 47,000	\$ 110,000	\$ 110,000	\$ 30,000	\$ -	\$ -	\$ 30,000	\$ -	\$ -	\$ -

2018 - 2027 Ten Year Fleet Replacement Schedule - Transit

Unit Number	License Number	Year Purchased	Type	Make	Replacement Value	Life Span (yrs)	Yrs	Year To Replace	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
T01-09	BN9458	2017	15 Passenger Bus	Crestline - Ford E-450	\$ 190,000	5	5	2015						\$ 190,000				
T02-10	6358BF	2011	15 Passenger Bus	Ford E450	\$ 190,000	5	5	2016	\$ 190,000						\$ 190,000			
Totals					\$ 380,000				\$ 190,000	\$ -	\$ -	\$ -	\$ -	\$ 190,000	\$ 190,000	\$ -	\$ -	\$ -

Subsidized through Provincial Bus Replacement Program (1/3 funding)

Appendix B
Town of Tecumseh
2018 - 2027 Ten Year Fire and Rescue Services Apparatus Funding and Replacement Schedules

2018 - 2027 Ten Year Fire and Rescue Services Apparatus Funding Schedule

	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Reserve Carried Forward	\$ 1,311,000	\$ 787,000	\$ 906,000	\$ 1,025,000	\$ 1,199,000	\$ (233,000)	\$ (59,000)	\$ 115,000	\$ 289,000	\$ (243,000)
Apparatus Lifecycle	\$ 174,000	\$ 174,000	\$ 174,000	\$ 174,000	\$ 174,000	\$ 174,000	\$ 174,000	\$ 174,000	\$ 174,000	\$ 174,000
Total Funds Available	\$ 1,485,000	\$ 961,000	\$ 1,080,000	\$ 1,199,000	\$ 1,373,000	\$ (59,000)	\$ 115,000	\$ 289,000	\$ 463,000	\$ (69,000)

2018 - 2027 Ten Year Fire and Rescue Services Apparatus Replacement Schedule

Department	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Fire Apparatus	\$ -	\$ 50,000	\$ 50,000	\$ -	\$ 1,600,000	\$ -	\$ -	\$ -	\$ 700,000	\$ -
Sub-total	\$ -	\$ 50,000	\$ 50,000	\$ -	\$ 1,600,000	\$ -	\$ -	\$ -	\$ 700,000	\$ -
Committed - carry forward	\$ 692,000									
Outfitting	\$ 6,000	\$ 5,000	\$ 5,000		\$ 6,000				\$ 6,000	
Total Expenditure	\$ 698,000	\$ 55,000	\$ 55,000	\$ -	\$ 1,606,000	\$ -	\$ -	\$ -	\$ 706,000	\$ -
Ending Balance	\$ 787,000	\$ 906,000	\$ 1,025,000	\$ 1,199,000	\$ (233,000)	\$ (59,000)	\$ 115,000	\$ 289,000	\$ (243,000)	\$ (69,000)

Appendix B
Town of Tecumseh
2018 - 2027 Ten Year Fire and Rescue Services Apparatus Replacement Schedule - Fire Apparatus

Unit Number	Licence Number	Year Purchased	Type	Make	Replacement Value	Life Span	Yrs	Year To Replace	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
104	CR2 683	2017	Rescue	Fort Garry (Pumper/Rescue 1)	\$ 700,000	20	20	2017										
		2008	Engine	Smeal (Engine 1)	\$ 700,000	15*	15	2028										
92	VA7 923	2009	Engine	Smeal (Engine 2)	\$ 700,000	15*	15	2029										
94	CP9 759	2006	Rescue	Rosenbauer Engine Tanker (Rescue 2)	\$ 700,000	20	20	2026									\$ 700,000	
	CR2 689	2002	Aerial	Sutphen Platform (Truck 1)	\$ 1,600,000	20	20	2022					\$ 1,600,000					
F3-08	883 1VM	2008	2500 Crew Cab	Ford 250 (Squad 2)	\$ 50,000	12	12	2020			\$ 50,000							
F5-xx			2500 Crew Cab	2500 Squad - fleet addition for 2019	\$ 50,000	12	12	2031		\$ 50,000								
					\$ 4,500,000				\$ -	\$ 50,000	\$ 50,000	\$ -	\$ 1,600,000	\$ -	\$ -	\$ -	\$ 700,000	\$ -

*Frontline pumper must be replaced after 15 years
the truck can be downgraded and remain in service as a second run unit.

**The Tanker is scheduled to be replaced with an Urban/Interface unit
in 2006 with a frontline life time of 15 years.

***Sutphen Platform (Truck 1) at end of lifespan. Will transfer to Fire Stn. 2



The Corporation of the Town of Tecumseh

Public Works & Environmental Services

To: Mayor and Members of Council

From: Denis Berthiaume, Manager Water & Wastewater Services

Date to Council: January 30, 2018

Report Number: PWES-2018-04

Subject: Annual Summary Report for the Town of Tecumseh
Distribution System (260004969) for the Year 2017

Recommendations

It is recommended that:

1. The Annual Summary Report for the Tecumseh Distribution System (260004969) for the Year 2017, as prepared in accordance with the Safe Drinking Water Act, O. Reg. 170/03, Schedule 22 Summary Report, **be adopted**; and that
2. The Annual Summary Report **be made available** for public viewing through the Town of Tecumseh website.

Background

The *Safe Water Drinking Act* (SDWA), O. Reg. 170/3, requires every municipality to complete an annual report on the water systems they operate. This report is to be adopted by the local Council and made available to the public.

Comments

Water Services Division prepared the 2017 annual report for the Water Distribution System for the Town of Tecumseh. See attached.

The format in which the report is prepared is a requirement of the Ministry of the Environment and Climate Change (MOECC). Three sections must be included within the report:

1. An overview of the required information in accordance with Schedule 22 of O. Reg. 170/03 under the SDWA.

2. A list of non-compliance issues.
3. Lead results – End of Period reports.
4. An assessment of the water distribution system's capability regarding flows per cubic meter, monthly flow averages and daily averages.

Upon Council's acceptance of this report, PWES No. 04/18, the Town is legislatively required to notify the public that the report is available for review.

Accordingly, Administration recommends Council adopt the Annual Summary Report for the Tecumseh Distribution System (260004969) for the Year 2017, and request the report be placed on the Town's website for public access.

Consultations

MOECC

Financial Implications

There are no financial implications arising from this report.

Link to Strategic Priorities

Applicable	2017-18 Strategic Priorities
☒	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☒	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.
☒	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☒	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 Chief Administrative Officer.

Prepared by:

Denis Berthiaume, ORO
Manager Water & Wastewater Services

Reviewed by:

Dan Piescic, P.Eng.
Director Public Works & Environmental Services

Recommended by:

Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

Attachment Number	Attachment Name
1	2017 Ministry of the Environment and Climate Change Annual Report
2	Annual Summary Report for the Tecumseh Distribution System (260004969) for the Year 2017
3	Lead Results – End of Period Reports
4	Daily and Monthly Average Water Flows

OPTIONAL ANNUAL REPORT TEMPLATE

Drinking-Water System Number:	260004969
Drinking-Water System Name:	Town of Tecumseh Distribution System
Drinking-Water System Owner:	The Corporation of The Town of Tecumseh
Drinking-Water System Category:	Large Municipal Residential
Period being reported:	01-January-2017 to 31-December-2017

Complete if your Category is Large Municipal Residential or Small Municipal Residential

Does your Drinking-Water System serve more than 10,000 people? Yes [X] No []

Is your annual report available to the public at no charge on a web site on the Internet?
Yes [X] No []

Location where Summary Report required under O. Reg. 170/03 Schedule 22 will be available for inspection.

Town of Tecumseh Municipal Office
917 Lesperance
Tecumseh, Ontario
N8N 1W9

Complete for all other Categories.

Number of Designated Facilities served:

N/A

Did you provide a copy of your annual report to all Designated Facilities you serve?
Yes [] No []

Number of Interested Authorities you report to:

1

Did you provide a copy of your annual report to all Interested Authorities you report to for each Designated Facility?
Yes [] No []

Note: For the following tables below, additional rows or columns may be added or an appendix may be attached to the report

List all Drinking-Water Systems (if any), which receive all of their drinking water from your system:

Drinking Water System Name	Drinking Water System Number
Lakeshore Distribution System	260004982

Did you provide a copy of your annual report to all Drinking-Water System owners that are connected to you and to whom you provide all of its drinking water?
Yes [X] No []



Indicate how you notified system users that your annual report is available, and is free of charge.

- ☒ Public access/notice via the web
- ☐ Public access/notice via Government Office
- ☐ Public access/notice via a newspaper
- ☒ Public access/notice via Public Request
- ☐ Public access/notice via a Public Library
- ☐ Public access/notice via other method _____

Describe your Drinking-Water System

Water Distribution System

The Town of Tecumseh, City of Windsor and the Windsor Utilities Commission (WUC) entered into a 50-year Service Agreement in November 2004. The Service Agreement was implemented on March 31, 2006 when four boundary metering chambers were installed and maintained by the Town of Tecumseh. Tecumseh's drinking water system also includes a water tower located on Tecumseh Road, with no re-chlorination stations within the distribution system

Prior to August 1, 2008, WUC provided water to 2,400 residents in the former Township of Sandwich South, south of Highway 401 ("South Water Area"). The Town installed eight additional boundary meter chambers and assumed the responsibility for the operations and maintenance of the water distribution system from WUC in this South Water Area effective August 1, 2008.

The Town of Tecumseh and the Town of Lakeshore entered into an agreement on May 13, 2003 whereby the Tecumseh distribution system supplies drinking water to the Lakeshore distribution system. This agreement expired on December 31, 2007 and is currently being renegotiated; the status quo is maintained until a new agreement is signed.

List all water treatment chemicals used over this reporting period

N/A

Were any significant expenses incurred to?

- ☐ [no] Install required equipment
☐ [no] Repair required equipment
☐ [yes] Replace required equipment- PWES Reports No.12-17 & No. 14/17

Please provide a brief description and a breakdown of monetary expenses incurred

8th Concession Trunk watermain (\$1,093,315.) Pulleyblank and Moro watermain (replacement \$465,329)

Provide details on the notices submitted in accordance with subsection 18(1) of the Safe Drinking-Water Act or section 16-4 of Schedule 16 of O.Reg.170/03 and reported to Spills Action Centre

Incident Date	Parameter	Result	Unit of Measure	Corrective Action	Corrective Action Date
None					

Microbiological testing done under the Schedule 10, 11 or 12 of Regulation 170/03, during this reporting period.

	Number of Samples	Range of E.Coli Or Fecal Results (min #)-(max #)	Range of Total Coliform Results (min #)-(max #)	Number of HPC Samples	Range of HPC Results (min #)-(max #)
Raw					
Treated					
Distribution	530	0 to 0	0 to 0	159	0 - 0

Operational testing done under Schedule 7, 8 or 9 of Regulation 170/03 during the period covered by this Annual Report.

	Number of Grab Samples	Range of Results (min #)-(max #)	Unit of Measure
Turbidity	N/A		
Chlorine	8760	Min .25 - Max 1.58	
Fluoride (If the DWS provides fluoridation)	N/A		

NOTE: For continuous monitors use 8760 as the number of samples.



Summary of additional testing and sampling carried out in accordance with the requirement of an approval, order or other legal instrument.

Date of legal instrument issued	Parameter	Date Sampled	Result	Unit of Measure

Summary of Inorganic parameters tested during this reporting period or the most recent sample results

Parameter	Sample Date	Result Value	Unit of Measure	Exceedance
Antimony				
Arsenic				
Barium				
Boron				
Cadmium				
Chromium				
*Lead	Feb 23, 2017 June 06, 2017 Dec 19, 2017	<0.010	Mg/l	0
Mercury				
Selenium				
Sodium				
Uranium				
Fluoride				
Nitrite				
Nitrate				

*only for drinking water systems testing under Schedule 15.2; this includes large municipal non-residential systems, small municipal non-residential systems, non-municipal seasonal residential systems, large non-municipal non-residential systems, and small non-municipal non-residential systems

Summary of lead testing under Schedule 15.1 during this reporting period

(applicable to the following drinking water systems; large municipal residential systems, small municipal residential systems, and non-municipal year-round residential systems)

Location Type	Number of Samples	Range of Lead Results (min#) – (max #)	Unit of Measure	Number of Exceedances
Plumbing	N/A			
Distribution	12	0.00002 - 0.00025		0

Summary of Organic parameters sampled during this reporting period or the most recent sample results

Parameter	Sample Date	Result Value	Unit of Measure	Exceedance
Alachlor				

Aldicarb				
Aldrin + Dieldrin				
Atrazine + N-dealkylated metabolites				
Azinphos-methyl				
Bendiocarb				
Benzene				
Benzo(a)pyrene				
Bromoxynil				
Carbaryl				
Carbofuran				
Carbon Tetrachloride				
Chlordane (Total)				
Chlorpyrifos				
Cyanazine				
Diazinon				
Dicamba				
1,2-Dichlorobenzene				
1,4-Dichlorobenzene				
Dichlorodiphenyltrichloroethane (DDT) + metabolites				
1,2-Dichloroethane				
1,1-Dichloroethylene (vinylidene chloride)				
Dichloromethane				
2,4 Dichlorophenol				
2,4-Dichlorophenoxy acetic acid (2,4-D)				
Diclofop-methyl				
Dimethoate				
Dinoseb				
Diquat				
Diuron				
Glyphosate				
Heptachlor + Heptachlor Epoxide				
Lindane (Total)				
Malathion				
Methoxychlor				
Metolachlor				
Metribuzin				
Monochlorobenzene				
Paraquat				
Parathion				
Pentachlorophenol				
Phorate				
Picloram				
Polychlorinated Biphenyls(PCB)				



Prometryne				
Simazine				
THM (NOTE: show latest annual average)	Every 3 months	15.92	Ug/L	0
Temephos				
Terbufos				
Tetrachloroethylene				
2,3,4,6-Tetrachlorophenol				
Triallate				
Trichloroethylene				
2,4,6-Trichlorophenol				
2,4,5-Trichlorophenoxy acetic acid (2,4,5-T)				
Trifluralin				
Vinyl Chloride				

List any Inorganic or Organic parameter(s) that exceeded half the standard prescribed in Schedule 2 of Ontario Drinking Water Quality Standards.

Parameter	Result Value	Unit of Measure	Date of Sample

ANNUAL SUMMARY REPORT

For the

TECUMSEH DISTRIBUTION SYSTEM

(260004969)

For the year

2017

Prepared for the Town of Tecumseh

By Denis Berthiaume, ORO
Manager Water & Wastewater Services

Table of Contents

<i>Section 1: Overview</i>	<i>3</i>
<i>Section 2: Non-compliance Issues</i>	<i>4</i>
<i>Section 3: System Capability.....</i>	<i>4</i>

Section 1: Overview

This report has been prepared and submitted in accordance with Schedule 22 of O. Reg. 170/03 under the *Safe Drinking Water Act*. Schedule 22 requires:

The owner of a drinking-water system shall ensure that, not later than March 31 of each year after 2003, a report is prepared in accordance with subsections (1) and (2) for the preceding calendar year and is given to the members of the municipal council.

Schedule 22 also states that:

- 1) The report must:
 - a) list the requirements of the *Act*, the regulations, the system's approval and any order that the system failed to meet at any time during the period covered by the report and specify the duration of the failure; and
 - b) for each failure referred to in clause (a), describe the measures that were taken to correct the failure.
- 2) The report must also include the following information for the purpose of enabling the owner of the system to assess the capability of the system to meet existing and planned uses of the system. A summary of the quantities of the water supplied during the period covered by the report, including monthly flows.

In June 2003, the provincial *Safe Drinking Water Act* came into effect. The Drinking-Water Systems Regulation (O.Reg. 170/03) defines how various drinking-water systems are to be operated.

According to this Regulation, the Tecumseh Distribution System is classified as a Large Municipal Residential System (LMR).

Section 2: Non-Compliance Issues

1. During the year of 2017 there were **0 reportable issues** in the Tecumseh Distribution System.

Section 3: System Capability – 2017 Water Consumption

In accordance with the Agreement between the Town of Tecumseh and the City of Windsor for the provision of water services to the Town of Tecumseh, executed under By-Law No. 2004-71, the Maximum Daily Flow shall not exceed **87 Million Litres** (87 MLD) or 87,000 cubic meters.

The **Maximum Daily Flow** for 2017 was **15,753,000 Litres** (15,753 cubic meters) on June 11, 2017.

Monthly average and daily flows for 2017 are attached for reference.

A summary of the **monthly** total volume supplied by the City of Windsor to the Town of Tecumseh is provided below:

2017 Water Consumption	
Month	Total Volume (cubic meters)
January	245,238
February	220,945
March	225,374
April	246,115
May	280,300
June	362,498
July	392,212
August	398,529
September	377,284
October	320,791
November	261,426
December	254,513
Total	3,585,225

O.Reg. 170/03 Community Lead Testing – End of Period Report

(O. Reg. 170/03 under Schedule 15.1)

Instructions

Please complete this form and fax/email directly to:

Ministry of the Environment
Drinking Water Programs Branch

Fax: 416 212-0607

Email: leadsubmission.moe@ontario.ca

Use this form to submit a report to the ministry as required under Section 15.1-9 (6.1) under Schedule 15.1 of O.Reg. 170/03. If you require assistance in completing the form report, please call 1 866 793-2588 (toll free).

The most current version of this form report is posted on the Ministry of the Environment web site at www.ontario.ca/drinkingwater

Part A: Drinking Water System Information

1. Drinking Water System Name

Town of Tecumseh

2. Drinking Water System (DWS) Number (Ministry assigned 9 digits number starting with "2")

260004969

3. Drinking Water System Owner

Town of Tecumseh

4. Report Period (Year: yyyy)

a) ☐ Summer (June 15th to October 15th) b) ☒ Winter (December 15th to April 15th) 5. Year: 2017

Part B: Report Submission Information

	Plumbing	Distribution
6. Number of individual samples		4
7. Number of sampling points (Locations)		N/A
8. Number of individual sample exceedances		0
9. Number of sampling points with an exceedance during the period		N/A
10. Percentage of sample points with an exceedance		N/A
11. Is the system required to have a Corrosion Control Plan prepared under Section 15.1-11 under Schedule 15.1 of O.Reg. 170/03?	☐ Yes	☒ No
12. Do the reduced sampling & frequency requirements of Section 15.1-5 under Schedule 15.1 of O.Reg. 170/03 apply to the system?	☒ Yes	☐ No
13. Do the plumbing sample exemptions of Section 15.1-5 (9) under Schedule 15 of O.Reg. 170/03 apply to the system?	☒ Yes	☐ No

Part C: Form Submission Information

I declare that all the information provided on this form and any attachment(s) is true and correct to the best of my knowledge.

Prepared by (print name)	Signature	Date (yyyy/mm/dd)	Telephone No. (including area code)
Denis Berthiaume		2018/01/02	519 818-9611

Collection of information on this form is collected by the Drinking Water Management Division on behalf of the Ministry of the Environment in accordance with the *Safe Drinking Water Act, 2002* (SDWA) and its regulations. The collection, use and dissemination of this information are governed by the *Freedom of Information and Protection of Privacy Act* (FOIPPA). The information gathered herein will be used for the purpose of corrosion control, and may be used for secondary purposes including reporting, investigating and law enforcement under the SDWA and its regulations. Information contained on this form, including personal information, may be disclosed to other government agencies including municipalities, public health unit employees, the Ministry of Health and Long Term Care, the Ministry of Education and the Ministry of Community and Social Services pursuant to section 42 of FOIPPA for the consistent purpose of administering programs related to drinking water safety.

**Ontario**Ministry of
the Environment**O.Reg. 170/03 Community Lead Testing –
End of Period Report***(O. Reg. 170/03 under Schedule 15.1)***Instructions**

Please complete this form and fax/email directly to:

Ministry of the Environment
Drinking Water Programs Branch

Fax: 416 212-0607

Email: leadsubmission.moe@ontario.ca

Use this form to submit a report to the ministry as required
under Section 15.1-9 (6.1) under Schedule 15.1 of O.Reg.
170/03. If you require assistance in completing the form
report, please call 1 866 793-2588 (toll free).The most current version of this form report is posted on the
Ministry of the Environment web site at
www.ontario.ca/drinkingwater**Part A: Drinking Water System Information**

1. Drinking Water System Name

Town of Tecumseh

2. Drinking Water System (DWS) Number (Ministry assigned 9 digits number starting with "2")

260004969

3. Drinking Water System Owner

Town of Tecumseh

4. Report Period (Year: yyyy)

a) ☒ Summer (June 15th to October 15th) b) ☐ Winter (December 15th to April 15th) 5. Year: 2017**Part B: Report Submission Information**

	Plumbing	Distribution
6. Number of individual samples		4
7. Number of sampling points (Locations)		N/A
8. Number of individual sample exceedances		0
9. Number of sampling points with an exceedance during the period		N/A
10. Percentage of sample points with an exceedance		N/A
11. Is the system required to have a Corrosion Control Plan prepared under Section 15.1-11 under Schedule 15.1 of O.Reg.170/03?	☐ Yes	☒ No
12. Do the reduced sampling & frequency requirements of Section 15.1-5 under Schedule 15.1 of O.Reg.170/03 apply to the system?	☒ Yes	☐ No
13. Do the plumbing sample exemptions of Section 15.1-5 (9) under Schedule 15 of O.Reg.170/03 apply to the system?	☒ Yes	☐ No

Part C: Form Submission Information**I declare that all the information provided on this form and any attachment(s) is true and correct to the best of my knowledge.**

Prepared by (print name)	Signature	Date (yyyy/mm/dd)	Telephone No. (including area code)
Denis Berthiaume		2017/02/28	519 - 818-9611

Collection of information on this form is collected by the Drinking Water Management Division on behalf of the Ministry of the Environment in accordance with the *Safe Drinking Water Act, 2002* (SDWA) and its regulations. The collection, use and dissemination of this information are governed by the *Freedom of Information and Protection of Privacy Act* (FOIPPA). The information gathered herein will be used for the purpose of corrosion control, and may be used for secondary purposes including reporting, investigating and law enforcement under the SDWA and its regulations. Information contained on this form, including personal information, may be disclosed to other government agencies including municipalities, public health unit employees, the Ministry of Health and Long Term Care, the Ministry of Education and the Ministry of Community and Social Services pursuant to section 42 of FOIPPA for the consistent purpose of administering programs related to drinking water safety.

**Ontario**Ministry of
the Environment**O.Reg. 170/03 Community Lead Testing –
End of Period Report***(O. Reg. 170/03 under Schedule 15.1)***Instructions**

Please complete this form and fax/email directly to:

Ministry of the Environment
Drinking Water Programs Branch

Fax: 416 212-0607

Email: leadsubmission.moe@ontario.ca

Use this form to submit a report to the ministry as required
under Section 15.1-9 (6.1) under Schedule 15.1 of O.Reg.
170/03. If you require assistance in completing the form
report, please call 1 866 793-2588 (toll free).The most current version of this form report is posted on the
Ministry of the Environment web site at
www.ontario.ca/drinkingwater**Part A: Drinking Water System Information**

1. Drinking Water System Name

Town of Tecumseh

2. Drinking Water System (DWS) Number (Ministry assigned 9 digits number starting with "2")

260004969

3. Drinking Water System Owner

Town of Tecumseh

4. Report Period (Year: yyyy)

a) ☐ Summer (June 15th to October 15th) b) ☒ Winter (December 15th to April 15th) 5. Year: 2017**Part B: Report Submission Information**

	Plumbing	Distribution
6. Number of individual samples		<u>4</u>
7. Number of sampling points (Locations)		<u>N/A</u>
8. Number of individual sample exceedances		<u>0</u>
9. Number of sampling points with an exceedance during the period		<u>N/A</u>
10. Percentage of sample points with an exceedance		<u>N/A</u>
11. Is the system required to have a Corrosion Control Plan prepared under Section 15.1-11 under Schedule 15.1 of O.Reg.170/03?	☐ Yes	☒ No
12. Do the reduced sampling & frequency requirements of Section 15.1-5 under Schedule 15.1 of O.Reg.170/03 apply to the system?	☒ Yes	☐ No
13. Do the plumbing sample exemptions of Section 15.1-5 (9) under Schedule 15 of O.Reg.170/03 apply to the system?	☒ Yes	☐ No

Part C: Form Submission Information**I declare that all the information provided on this form and any attachment(s) is true and correct to the best of my knowledge.**

Prepared by (print name)

Signature

Date (yyyy/mm/dd)

Telephone No. (including area code)

Denis Berthiaume2017/02/28519 818-9611

Collection of information on this form is collected by the Drinking Water Management Division on behalf of the Ministry of the Environment in accordance with the *Safe Drinking Water Act, 2002* (SDWA) and its regulations. The collection, use and dissemination of this information are governed by the *Freedom of Information and Protection of Privacy Act* (FOIPPA). The information gathered herein will be used for the purpose of corrosion control, and may be used for secondary purposes including reporting, investigating and law enforcement under the SDWA and its regulations. Information contained on this form, including personal information, may be disclosed to other government agencies including municipalities, public health unit employees, the Ministry of Health and Long Term Care, the Ministry of Education and the Ministry of Community and Social Services pursuant to section 42 of FOIPPA for the consistent purpose of administering programs related to drinking water safety.

THE CORPORATION OF THE TOWN OF TECUMSEH

BY-LAW NUMBER 2018-01

Being a by-law to authorize the execution of a Long Term Financing Agreement with Essex Powerlines Corporation and The Corporation of the Town of Tecumseh

WHEREAS Essex Powerlines Corporation (EPL) is duly incorporated pursuant to Section 142, Schedule A of the Electricity Act, 1998;

AND WHEREAS The Corporation of the Town of Tecumseh (Town) is duly incorporated pursuant to an Order by the Ministry of Municipal Affairs and Housing;

AND WHEREAS the parties have agreed that the Town holds a promissory note dated June 1, 2000;

AND WHEREAS the Town is a shareholder of EPL and operates as separate corporate entities, notwithstanding the provisions of a Long Term Financing Agreement and other agreements that the parties may enter into from time to time;

AND WHEREAS the parties shall consult as frequently as may be desirable to ensure declarations and intentions are known;

AND WHEREAS pursuant to the Municipal Act, S.O. 2001, c.25 s.5(3), the powers of a municipality shall be exercised by by-law;

NOW THEREFORE the Council of The Corporation of the Town of Tecumseh enacts as follows:

1. **THAT** the Mayor and the Clerk be and they are hereby authorized and empowered on behalf of The Corporation of the Town of Tecumseh, to execute a Long Term Financing Agreement with Essex Powerlines Corporation, dated the 30th day of January, 2018, a copy of which Long Term Financing Agreement is attached hereto and forms part of this By-law, and to do such further and other acts which may be necessary to implement the said Long Term Financing Agreement;
2. **THAT** this By-law shall come into full force and take effect on the date the third and final reading thereof.

Read a first, second and third time, and finally passed this 30th day of January, 2018.

SEAL

Gary McNamara, Mayor

Laura Moy, Clerk

LONG TERM FINANCING AGREEMENT

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

THE CORPORATION OF THE TOWN OF TECUMSEH (hereinafter referred to as "**The Town**")

OF THE FIRST PART

and

ESSEX POWERLINES CORPORATION (hereinafter referred to as "**EPL**")

OF THE SECOND PART

WHEREAS EPL is duly incorporated pursuant to Section 142, Schedule A of the Electricity Act, 1998;

AND WHEREAS The Town is duly incorporated pursuant to The Ministry of Municipal Affairs and Housing Order;

AND WHEREAS the parties have agreed that The Town holds a promissory note dated June 1, 2000;

AND WHEREAS The Town is a shareholder of EPL and operate as separate corporate entities, notwithstanding the provisions of this Agreement and other agreements that the parties may enter into from time to time;

AND WHEREAS the parties shall consult as frequently as may be desirable to ensure declarations and intentions are known;

NOW THEREFORE IN CONSIDERATION the parties have agreed that The Town will hold a loan for the sum of **\$1,544,408** dollars of lawful money of Canada (hereinafter referred to as the original loan principal, the receipt and sufficiency of which is hereby expressly acknowledged), the Parties covenant and agree, with each other, as follows;

1. Prior Agreements

All other agreements regarding the matters contained in this agreement, whether oral or written are terminated.

2. Term

The term of this Agreement shall be from January 1, 2018 to and including December 31, 2022 and year by year thereafter until there is no outstanding loan principal unless EPL gives notification, of not less than one year, in writing to The Town that EPL wishes to end the agreement at which time EPL will pay the remaining loan principal and interest prior to the end of the Agreement.

3. Repayment Schedule

- 3.01 EPL shall pay The Town annually not more than twenty percent (20%) of the original loan principal in the first year of this agreement and not more than twenty percent (20%) thereafter subject to article 3.03 and 3.04.
- 3.02 The Town may defer the payment in any year to a subsequent year and EPL shall pay The Town the deferred payment or payments in addition to the current year's annual payment subject to article 3.03 and 3.04.
- 3.03 The Town shall notify EPL, by March 1 or the 1st business day thereafter in the year that payment is due, of The Town's intention to receive payment as per article 3.01 and 3.02.
- 3.04 EPL shall notify The Town by July 1 or the 1st business day thereafter EPL's intention to make payment or partial payment as per article 3.01 and 3.02 by October 1 or the business day thereafter in the year that payment is due.
- 3.05 The Town may request payment, and EPL will make payment, of the entire outstanding loan principal by notifying EPL by March 1 that The Town wishes payment to be made by March 1 of the following year conditional on EPL's ability to make distributions according to the "Unanimous Shareholders Agreement" which classifies this agreement as a "Second Tier Loan".

4. Interest

Interest means the rate paid for use of the outstanding loan principal calculated at **3.80%** per annum of the loan principal calculated annually and payable to The Town by the 20th business day following the calendar year end.

5. Arbitration

- 5.01 The parties agree to consult with each other and to negotiate in good faith to resolve any differences or disputes which either party may have relating to the interpretation, application or implementation of this agreement, or any dispute which may arise over any costs, fees or other costs incurred and failing agreement the parties agree to resolve their disputes by arbitration as provided in Article 5.02.
- 5.02 Arbitration of a dispute shall be commenced by written notice by a party requesting arbitration to the other, which notice shall identify the issue or issues it wishes to submit to arbitration. Within thirty (30) days of the date of the notice, the Parties shall agree upon a single arbitrator and failing agreement then each party shall appoint an arbitrator

and the two appointees shall within 45 days of the date of the notice of arbitration appoint a third person who shall act as Chair of the arbitration panel, and failing agreement the Chair shall be appointed by a judge of the Superior Court of Ontario pursuant to the provisions of the Arbitration's Act, RSO 1991 c.A.17.

- 5.03 The commencement of the arbitration and all rules of procedure for the arbitration shall be by agreement of the Parties, or failing agreement, as determined by the arbitrator or Chair of the arbitrator panel. The provisions of the Arbitration's Act, RSO 1991 c.A.17, as amended or any successor legislation shall apply to the arbitration.
- 5.04 All decisions of the arbitrator or arbitrators, as the case may be, shall be made in writing and shall be delivered to all Parties within ten (10) days from the conclusion of the arbitration. All decisions shall be final and binding upon the Parties, their respective successors and assigns, and shall not be subject to appeal.
- 5.05 Each Party shall pay its own costs incurred in respect of the arbitration including the payment of its appointee to the arbitration panel, and in the case of a three person panel the parties agree to share the fees of the Chair and other related costs equally.

6. Notices

All notices required to be given to either of the Parties under this Agreement shall be in writing and shall be delivered by prepaid unregistered post or hand delivery to the following:

- a) to the Chief Administrative Officer at: 917 Lesperance Road, Tecumseh, Ontario, N8N 1W9
- b) to the General Manager, EPL at: 2730 Highway 3, Oldcastle, Ontario, NOR 1L0

or to such other address or individual as may be designated by written notice to the other Party. Any notice given by personal delivery shall be deemed to have been given on the day of actual delivery hereof and if sent by prepaid post, on the third day after mailing.

7. Amendments

Amendments to this Agreement shall be in writing and executed by the Parties duly authorized signing officers.

8. Headings

The headings in this Agreement are for purposes of reference only and shall not be read or construed so as to abridge or modify the meaning of any provision in the main text of this Agreement.

9. Governing Law

This Agreement shall be construed in accordance with the laws of the Province of Ontario.

10. Successors

- 10.01 This Agreement shall ensure to the benefit of and be binding upon the Parties and their successors and assigns, respectively.
- 10.02 The Parties explicitly acknowledge and agree that the term of this Agreement shall remain in full force and effect and be binding upon new business corporations incorporated under the Business Corporations Act to whom assets and liabilities will be transferred.
- 10.03 For the purposes of this Agreement, whenever the term The Town or EPL is used, the term shall be deemed to include all successor business corporations incorporated to whom assets and liabilities are transferred.

11. Regulatory Chances

The Parties acknowledge that substantial changes to legislation and regulations and government policies are likely to occur during the term of this Agreement which are likely to affect the nature of the relationship between them, and as consequence the parties hereby agree to consult and negotiate in good faith any amendments to this Agreement which may be necessitated by changes in the regulatory environment, and failing agreement to submit their differences to arbitration as provided in Article 5.

IN WITNESS WHEREOF the Parties have duly executed this Agreement on the date first above written:

The Corporation of the Town of Tecumseh

Per:

Gary McNamara, Mayor

Laura Moy, Clerk

Essex Powerlines Corporation

Per:

Ken Antaya, Chair

Joe Barile, General Manager

The Corporation of the Town of Tecumseh

By-Law Number 2018 -02

Being a by-law to authorize the execution of Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the Town of Tecumseh under the Ontario Municipal Commuter Cycling (OMCC) Program

Whereas the Province of Ontario (Province) and The Corporation of Town of Tecumseh (Town) recognize that investment in commuter cycling infrastructure is a key component in Ontario’s Climate Change Action Plan;

And Whereas the Town has applied to the Province for funds to assist the Town in completing the Projects on the Eligible Projects List and further described in Schedule “C” of the Transfer Payment Agreement (Agreement);

And Whereas the Projects support the provincial goals of implementing new or expanded commuter cycling infrastructure to support commuter and frequent cycling;

And Whereas the Province has agreed, subject to the terms and conditions set out in the Agreement, to financially contribute to the completion of the Projects;

Whereas the Agreement sets out the terms and conditions upon which the Province has agreed to provide the Town with funding towards the eligible costs of each eligible project, up to the maximum set out in the Agreement, and the Town has agreed to fund a minimum of 20% of the eligible costs of each eligible project.

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

- 1. **That** the Mayor and the Clerk be and they are hereby authorized and empowered on behalf of The Corporation of the Town of Tecumseh, to execute a Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario, dated the 30th day of January, 2018, a copy of which Transfer Payment Agreement is attached hereto and forms part of this By-law, and to do such further and other acts which may be necessary to implement the said Transfer Payment Agreement;
- 2. **That** this By-law shall come into full force and take effect on the date the third and final reading thereof.

Read a first, second and third time and finally passed this 30 day of January, 2018.

Gary McNamara, Mayor

Laura Moy, Clerk

ONTARIO MUNICIPAL COMMUTER CYCLING (OMCC) PROGRAM TRANSFER PAYMENT AGREEMENT

THIS TRANSFER PAYMENT AGREEMENT for the Ontario Municipal Commuter Cycling (OMCC) Program (the “**Agreement**”), made in quadruplicate, is effective as of the Effective Date (both “**Agreement**” and “**Effective Date**” as defined in section A1.2 (Definitions)).

B E T W E E N:

Her Majesty the Queen in right of Ontario
as represented by the Minister of Transportation for the Province of Ontario

(the “**Province**”)

- and -

The Town of Tecumseh

(the “**Recipient**”)

BACKGROUND

The Province and the Recipient (the “**Parties**”) recognize that investment in commuter cycling infrastructure is a key component in Ontario’s Climate Change Action Plan.

The Recipient has applied to the Province for funds to assist the Recipient in completing the Projects on the Eligible Projects List (“**Projects**” and “**Eligible Projects List**” as defined in section A1.2 (Definitions)) and further described in Schedule “C” (Eligible Projects List and Timelines).

The Projects support the provincial goals of implementing new or expanded commuter cycling infrastructure to support commuter and frequent cycling.

The Province has agreed, subject to the terms and conditions set out in the Agreement, to financially contribute to the completion of the Projects.

The Agreement sets out the terms and conditions upon which the Province has agreed to provide the Recipient with funding towards the Eligible Costs of each Eligible Project (“**Eligible Costs**” and “**Eligible Project**” as defined in section A1.2 (Definitions)), up to

the maximum set out in the Agreement, and the Recipient has agreed to fund a minimum of 20% of the Eligible Costs of each Eligible Project.

CONSIDERATION

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

1.0 ENTIRE AGREEMENT

1.1 Entire Agreement. The Agreement, including:

- Schedule "A" - General Terms and Conditions
- Schedule "B" - Recipient Information
- Schedule "C" - Eligible Projects List and Timelines
 - Sub-schedule "C.1" - Eligible Projects List
- Schedule "D" - Description of Annual Allocations
 - Sub-schedule "D.1" - Table of Annual Allocations
 - Sub-schedule "D.2" - Form of Annual Declaration of OMCC Participation
- Schedule "E" - Eligible and Ineligible Costs
- Schedule "F" - Reporting and Evaluation
- Schedule "G" - Communications Protocol
- Schedule "H" - Disposal of and Revenues from Assets
- Schedule "I" - Aboriginal Consultation Protocol
- Schedule "J" - Certificates and Declarations
 - Sub-schedule "J.1" - Ontario Municipal Commuter Cycling (OMCC) Program Form of Annual Funding Certificate
 - Sub-schedule "J.2" - Ontario Municipal Commuter Cycling (OMCC) Program Form of Annual Eligible Projects Declaration
 - Sub-schedule "J.3" - Ontario Municipal Commuter Cycling (OMCC) Program Form of Solemn Declaration of Substantial Completion, and

any amending agreement entered into as provided for in section 4.1 (Amendments),

constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

2.0 CONFLICT OR INCONSISTENCY

2.1 Conflict or Inconsistency. In the event of a conflict or inconsistency between any of the requirements of:

- (a) the main body of the Agreement and any of the requirements of a schedule or a sub-schedule, the main body of the Agreement will prevail;
- (b) Schedule “A” (General Terms and Conditions) and any of the requirements of another schedule or a sub-schedule, Schedule “A” (General Terms and Conditions) will prevail; or
- (c) a schedule and any of the requirements of a sub-schedule, the schedule will prevail.

3.0 COUNTERPARTS

- 3.1 **Counterparts.** The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

4.0 AMENDING THE AGREEMENT

- 4.1 **Amendments.** The Agreement may only be amended by a written agreement.
- 4.2 **Execution of Amending Agreements.** An amending agreement under section 4.1 (Amendments) must be executed by the respective representatives of the Parties listed in the signature page below.
- 4.3 **Execution of Amending Agreements - Exceptions.** Despite section 4.2 (Execution of Amending Agreements), an amending agreement under section 4.1 (Amendments) for amendments pursuant to sections C3.2 (Amending Agreement for Changes to the Eligible Projects List), D2.2 (Amending Agreement for Changes to Annual Allocations) or F7.2 (Amending Agreement for Changes to the Reporting) may be executed by the respective authorized representatives of the Parties listed in Schedule “B” (Recipient Information).

5.0 ACKNOWLEDGEMENT

- 5.1 **Acknowledgement.** The Recipient acknowledges that:
 - (a) by receiving Funds (as defined in section A1.2 (Definitions)) it may become subject to legislation applicable to organizations that receive funding from the Government of Ontario, including the *Broader Public Sector Accountability Act, 2010* (Ontario), the *Public Sector Salary Disclosure Act, 1996* (Ontario), and the *Auditor General Act* (Ontario);

- (b) Her Majesty the Queen in right of Ontario has issued expenses, perquisites, and procurement directives and guidelines pursuant to the *Broader Public Sector Accountability Act, 2010* (Ontario);
- (c) the Funds are:
 - (i) to assist the Recipient to carry out the Projects and not to provide goods or services to the Province;
 - (ii) funding for the purposes of the *Public Sector Salary Disclosure Act, 1996* (Ontario);
- (d) the Province is not responsible for carrying out the Projects; and
- (e) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Projects or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

- SIGNATURE PAGE FOLLOWS -

The Parties have executed the Agreement on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF
ONTARIO** as represented by the Minister of
Transportation for the Province of Ontario

Date

Name: **Jaime Austin**

Title: **Director, Transportation Policy Branch**

The Town of Tecumseh

Date

Name: **Mr. Gary McNamara**

Title: **Mayor**

I have authority to bind the Recipient.

Date

Name: **Mr. Tony Haddad**

Title: **Chief Administrative Officer**

I have authority to bind the Recipient.

SCHEDULE “A” GENERAL TERMS AND CONDITIONS

A1.0 INTERPRETATION AND DEFINITIONS

A1.1 Interpretation. For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the background and the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency will be in Canadian dollars and currency; and
- (e) all accounting terms not otherwise defined in the Agreement have their ordinary meanings.

A1.2 Definitions. In the Agreement, the following terms will have the following meanings:

“Aboriginal Community” has the meaning ascribed to it in section 11.1 (Definitions).

“Agreement” means this Transfer Payment Agreement for the Ontario Municipal Commuter Cycling (OMCC) Program entered into between the Province and the Recipient, all of the schedules and sub-schedules listed in section 1.1 (Entire Agreement), and any amending agreement entered into pursuant to section 4.1 (Amendments).

“Annual Allocation” means an annual allocation set out in Sub-schedule “D.1” (Table of Annual Allocations).

“Annual Declaration of OMCC Participation” means an annual declaration of OMCC participation, in the form set out in Sub-schedule “D.2” (Form of Annual Declaration of OMCC Participation).

“Annual Eligible Projects Declaration” means an annual Eligible Projects declaration, in the form set out in Sub-schedule “J.2” (Ontario Municipal Commuter Cycling (OMCC) Program Form of Annual Eligible Projects Declaration).

“Annual Financial Reports” means the Annual Financial Reports described in Article F1.0 (Annual Financial Reports).

“Annual Funding Certificate” means an Annual Funding Certificate, in the form set out in Sub-schedule “J.1” (Ontario Municipal Commuter Cycling (OMCC) Program Form of Annual Funding Certificate).

“Annual Implementation Reports” means the Annual Implementation Reports described in section F2.1 (Annual Implementation Reports).

“Asset” means any real or personal property or immovable or movable asset acquired, constructed, repaired, rehabilitated, renovated or improved, in whole or in part, with the Funds.

“Authorities” means any government authority, agency, body or department, whether federal, provincial or municipal, having or claiming jurisdiction over the Agreement or any Eligible Project, or both.

“Business Day” means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year’s Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

“Cap and Trade Program” means Ontario’s Cap and Trade Program.

“Contract” means a contract between the Recipient and a Third Party whereby the Third Party agrees to supply goods or services, or both, for an Eligible Project in return for financial consideration.

“Effective Date” means the date of signature by the last signing party to the Agreement.

“Eligible Costs” means the costs that are eligible for funding under the Agreement and that are described in Article E2.0 (Eligible Costs).

“Eligible Project” means a commuter cycling project that is listed on the Eligible Projects List.

“Eligible Projects List” means the list of Eligible Projects in Sub-schedule “C.1” (Eligible Projects List).

“Environmental Laws” means all applicable federal, provincial or municipal laws, regulations, by-laws, orders, rules, policies or guidelines respecting the protection of the natural environment, public or occupational health or safety, and the manufacture, importation, handling, transportation, storage, disposal and

treatment of environmental contaminants and include, without limitation, the *Environmental Protection Act* (Ontario), *Environmental Assessment Act* (Ontario), *Ontario Water Resources Act* (Ontario), *Canadian Environmental Protection Act, 1999* (Canada), *Canadian Environmental Assessment Act, 2012* (Canada), *Fisheries Act* (Canada) and *Navigation Protection Act* (Canada).

“ERS” means the Ontario Enterprise Registration System.

“Event of Default” has the meaning ascribed to it in section A13.1 (Events of Default).

“Expiry Date” means March 31, 2021.

“Final Report” means the Final Report described in Article F3.0 (Final Report).

“Funding Year” means:

- (a) in the case of the first Funding Year, the period commencing on the Effective Date and ending on the following March 31; and
- (b) in the case of Funding Years subsequent to the first Funding Year, the period commencing on April 1 following the end of the previous Funding Year and ending on the following March 31.

“Funds” means the money the Province provides to the Recipient pursuant to the Agreement.

“Generally Accepted Auditing Standards” means Canadian Generally Accepted Auditing Standards as adopted by the Canadian Institute of Chartered Accountants applicable as of the date on which such record is kept or required to be kept in accordance with such standards.

“GHG” means greenhouse gas.

“Government of Ontario” includes any ministry, agency or Crown corporation of the Government of Ontario.

“Indemnified Parties” means Her Majesty the Queen in right of Ontario, Her ministers, agents, appointees and employees.

“Ineligible Costs” means the costs that are ineligible for funding under the Agreement, and that are described in Article E3.0 (Ineligible Costs).

“Notice” means any communication given or required to be given pursuant to the Agreement.

“Notice Period” means the period of time within which the Recipient is required to remedy an Event of Default pursuant to paragraph A13.3(b), and includes any such period or periods of time by which the Province extends that time in accordance with section A13.4 (Recipient Not Remediating).

“OMCC” means Ontario Municipal Commuter Cycling.

“OMCC Program” means the Ontario Municipal Commuter Cycling Program.

“Parties” means the Province and the Recipient.

“Partner” means any entity, other than a Third Party, participating in and contributing to the Project, other than financially only, as described in the Recipient’s application submitted to the Province or, with the written consent of the Province, as subsequently permitted to participate or contribute to the Project.

“Partner Agreement” means a legally binding agreement between the Recipient and a Partner.

“Party” means either the Province or the Recipient.

“Projects” means, collectively, the Eligible Projects.

“Projects End Date” means, in respect of the Projects, December 30, 2020.

“Reports” means the reports described in Schedule “F” (Reporting and Evaluation).

“Requirements of Law” means all applicable requirements, laws, statutes, codes, acts, ordinances, approvals, orders, decrees, injunctions, by-laws, rules, regulations, official plans, permits, licences, authorizations, directions, and agreements with all Authorities, and includes the Environmental Laws.

“Solemn Declaration of Substantial Completion” means the Solemn Declaration of Substantial Completion, in the form set out in Sub-schedule “J.3” (Ontario Municipal Commuter Cycling (OMCC) Program Form of Solemn Declaration of Substantial Completion).

“Substantial Completion” means substantially performed, as described in and will be determined in accordance with, subsection 2(1) of the *Construction Lien Act* (Ontario) for each Eligible Project, and for the purposes of the Projects, means the substantial completion of the last Eligible Project on or before December 30, 2020.

“Substantial Completion Date” means the substantial completion date indicated on the Solemn Declaration of Substantial Completion.

“Term” means the period of time described in section A3.1 (Term).

“Third Party” means any legal entity, other than a Party, who supplies goods or services, or both, to the Recipient for any of the Eligible Projects.

“Timelines” means the date set out in section C2.1 (Timelines).

“Usage Data Report” means the Usage Data Report described in Article F4.0 (Usage Data Report).

A2.0 REPRESENTATIONS, WARRANTIES, AND COVENANTS

A2.1 General. The Recipient represents, warrants, and covenants that:

- (a) it is, and will continue to be, a validly existing legal entity with full power to fulfill its obligations under the Agreement;
- (b) it has, and will continue to have, the experience and expertise necessary to carry out the Projects;
- (c) it is in compliance with, and will continue to comply with, all Requirements of Law related to any aspect of an Eligible Project, the Funds, or both;
- (d) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds including, without limitation, information relating to any eligibility requirements and Eligible Project, and the Timelines was true and complete at the time the Recipient provided it and will continue to be true and complete;
- (e) it is registered with the ERS and the information it provided for the ERS was true and complete at the time it provided it and will continue to be true and complete;
- (f) it is not in default of any term, condition or obligation under any transfer payment or loan agreement with Her Majesty the Queen in right of Ontario or one of Her agencies; and
- (g) its past performance with respect to any project under a transfer payment agreement with Her Majesty the Queen in right of Ontario or one of Her agencies was considered satisfactory by that party.

A2.2 Execution of Agreement. The Recipient represents and warrants that it has:

- (a) the full power and authority to enter into the Agreement; and

- (b) taken all necessary actions to authorize the execution of the Agreement.

A2.3 Governance. The Recipient represents, warrants and covenants that it has, and will maintain in writing, and will follow:

- (a) a code of conduct and ethical responsibilities for all persons at all levels of the Recipient's organization;
- (b) procedures to enable the Recipient's ongoing effective functioning;
- (c) decision-making mechanisms for the Recipient;
- (d) procedures to enable the Recipient to manage Funds prudently and effectively;
- (e) procedures to enable the Recipient to complete each Eligible Project successfully;
- (f) procedures to enable the Recipient to identify risks to the completion of each Eligible Project, and strategies to address the identified risks to meet the Projects End Date, all in a timely manner;
- (g) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0 (Reporting, Accounting, and Review); and
- (h) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to carry out its obligations under the Agreement.

A2.4 Supporting Proof. Upon request of the Province and within the timelines set out in the request, the Recipient will provide the Province with proof of the matters referred to in this Article A2.0 (Representations, Warranties and Covenants).

A3.0 TERM OF THE AGREEMENT AND EXTENSION

A3.1 Term. The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article A11.0 (Termination on Notice), Article A12.0 (Termination Where No Appropriation or Funds under the Cap and Trade Program) or Article A13.0 (Events of Default, Corrective Action, and Termination for Default).

A4.0 FUNDS AND CARRYING OUT THE PROJECT

A4.1 Funds Provided. The Province will, in respect of the Projects:

- (a) provide Funds to the Recipient up to the aggregate of each Annual Allocation for the Recipient to use towards the Eligible Costs of any Eligible Project;
- (b) deposit the Funds into an account designated by the Recipient provided that the account:
 - (i) resides at a Canadian financial institution; and
 - (ii) is in the name of the Recipient.

A4.2 Limitation on Payment of Funds. Despite section A4.1 (Funds Provided):

- (a) the Province is not obligated to provide any Funds to the Recipient until the Recipient complies with the conditions precedent set out in paragraphs A32.1(a) and (b);
- (b) the Province may adjust the amount of Funds it provides to the Recipient in any Funding Year based upon any of the following:
 - (i) the Province's assessment of the information the Recipient provides to the Province pursuant to section A7.1 (Preparation and Submission);
 - (ii) the number of recipients, other than the Recipient, participating in the OMCC Program; or
- (c) if, pursuant to the *Financial Administration Act* (Ontario) or the Cap and Trade Program, the Province does not receive the necessary appropriation from the Ontario Legislature or the necessary funds for payment under the Agreement, the Province is not obligated to make any such payment, and, as a consequence, the Province may:
 - (i) reduce the amount of Funds and change the Projects; or
 - (ii) terminate the Agreement pursuant to section A12.1 (Termination Where No Appropriation or Funds under the Cap and Trade Program).

A4.3 Carry Out the Eligible Projects. The Recipient will, in respect of the Projects and each Eligible Project:

- (a) determine which Eligible Projects, from the Eligible Projects List, the Recipient will carry out;
- (b) carry out each Eligible Project in accordance with the Agreement; and
- (c) complete each Eligible Project the Recipient has chosen to carry out pursuant to paragraph A4.3(a) by the Projects End Date.

A4.4 Use of Funds and Carry out the Projects. The Recipient will, in respect of each Eligible Project, do all of the following:

- (a) use the Funds only for the purpose of carrying out the Eligible Project;
- (b) spend the Funds only in accordance with the Agreement, including the Annual Allocations;
- (c) not use the Funds to cover any cost that has or will be funded or reimbursed by one or more of any third party, ministry, agency, or organization of the Government of Ontario; and
- (d) contribute a minimum amount of 20% towards the total Eligible Costs of each Eligible Project, irrespective of any contribution received from any third party source, including any Partner.

A4.5 Interest Bearing Account. If the Province provides Funds to the Recipient before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest bearing account in the name of the Recipient at a Canadian financial institution.

A4.6 Interest. If the Recipient earns any interest on the Funds:

- (a) the Recipient may use the interest earned toward the Eligible Costs of any Eligible Project but cannot reduce the 20% minimum amount towards Eligible Costs for each Eligible Project;
- (b) the Recipient will annually declare the amount of interest earned and describe its use in the Annual Funding Certificate; and
- (c) the Province may demand from the Recipient the payment of an amount equal to any interest:
 - (i) remaining in the possession or under the control of the Recipient by the Projects End Date; or
 - (ii) the Recipient failed to use in accordance with the terms and conditions of the Agreement.

A4.7 Rebates, Credits and Refunds. The Province, in calculating Funds, will deduct from any Annual Allocation any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit or refund.

A4.8 Recipient's Acknowledgement of Responsibility for Projects. The Recipient will assume full responsibility for each Eligible Project including, without limitation:

- (a) complete, diligent and timely implementation in accordance with the terms and conditions of the Agreement;
- (b) the entire costs of the Eligible Project including, without limitation, overruns if any;
- (c) subsequent operation, maintenance, repair, rehabilitation, demolition or reconstruction, as required and as per appropriate standards, and any related costs for the full lifecycle of the Eligible Project; and
- (d) undertaking, or causing to be undertaken, any engineering and construction work in accordance with industry standards.

A4.9 Disclosure of Other Financial Assistance and Adjustments. The Recipient agrees:

- (a) to inform the Province promptly of any financial assistance received, other than from the Province pursuant to the Agreement, for any Eligible Project; and
- (b) if the Recipient receives or is owed financial assistance from the Government of Ontario, other than from the Province pursuant to the Agreement, in respect of the Eligible Costs of an Eligible Project, the Province may reduce the Funds or demand the repayment of Funds in an amount up to the financial assistance received or owed.

A4.10 Inability to Complete Eligible Projects. If, at any time during the Term, the Recipient determines that it may not be possible for it to complete an Eligible Project on or before December 30, 2020 for any reason including, without limitation, lack of funding available for the Eligible Project (the “Issue”), the Recipient will immediately notify the Province of that determination and provide the Province with a summary of the measures that the Recipient proposes to remedy the Issue. If the Province is not satisfied that the measures proposed will be adequate to remedy the Issue, then the Province may initiate any one or more of the actions provided for in section A13.2 (Consequences of Events of Default and Corrective Action).

A5.0 RECIPIENT'S ACQUISITION OF GOODS OR SERVICES, RELATED CONTRACTS AND DISPOSAL OF ASSETS

A5.1 Acquisition. If the Recipient acquires goods, services, or both with the Funds, it will:

- (a) do so through a process that promotes the best value for money; and
- (b) comply to the extent applicable with the *Broader Public Sector Accountability Act, 2010* (Ontario), including any procurement directive issued thereunder, to the extent applicable.

A5.2 Disposal. The Recipient will not, without the Province's prior written consent, sell, lease or otherwise dispose of any Asset other than in accordance with the terms and conditions set out in Schedule "H" (Disposal of and Revenues from Assets).

A5.3 Contract Provisions. The Recipient will ensure that all Contracts are consistent with, and incorporate, the applicable terms and conditions of the Agreement. More specifically, but without limiting the generality of the foregoing, the Recipient agrees to include provisions in all Contracts to:

- (a) ensure that proper and accurate accounts and records are maintained for at least 7 years after the expiry or early termination of the Agreement;
- (b) ensure compliance with all applicable Requirements of Law including, without limitation, labour and human rights legislation; and
- (c) secure the respective rights of the Province, any authorized representative and any independent auditor identified by the Province in paragraph A7.3(b), and the Auditor General in section A7.6 (Auditor General).

A6.0 CONFLICT OF INTEREST

A6.1 No Conflict of Interest. The Recipient will carry out each Eligible Project and use the Funds without an actual, potential or perceived conflict of interest.

A6.2 Conflict of Interest Includes. For the purposes of this Article A6.0 (Conflict of Interest), a conflict of interest includes any circumstances where, in respect of each Eligible Project:

- (a) the Recipient; or
- (b) any person who has the capacity to influence the Recipient's decisions,

has outside commitments, relationships or financial interests that could, or could be seen to, interfere with the Recipient's objective, unbiased and impartial judgment relating to the Eligible Project, the use of the Funds, or both.

A6.3 Disclosure to Province. The Recipient will:

- (a) disclose to the Province, without delay, any situation that a reasonable person would interpret as an actual, potential or perceived conflict of interest; and
- (b) comply with any terms and conditions that the Province may prescribe as a result of the disclosure.

A7.0 REPORTING, ACCOUNTING, AND REVIEW

A7.1 Preparation and Submission. The Recipient will:

- (a) submit to the Province at the address referred to in section A17.1 (Notice in Writing and Addresses), all Reports in accordance with the timelines and content requirements as provided for in Schedule "F" (Reporting and Evaluation), or in a form as specified by the Province from time to time;
- (b) submit to the Province at the address referred to in section A17.1 (Notice in Writing and Addresses), any other reports as may be requested by the Province in accordance with the timelines and content requirements specified by the Province;
- (c) ensure that all Reports and other reports are completed to the satisfaction of the Province; and
- (d) ensure that all Reports and other reports are signed on behalf of the Recipient by the Recipient's chief administrative officer or, as set out otherwise in the Agreement or with the consent of the Province, another authorized signing officer.

A7.2 Record Maintenance and Audit.

- (a) The Recipient will, in respect of each Eligible Project, keep and maintain:
 - (i) all financial records including, without limitation, invoices relating to the Funds or otherwise the Eligible Project in a manner consistent with generally accepted accounting principles; and
 - (ii) all non-financial documents and records relating to the Funds or otherwise to the Eligible Project, including without limitation, all Contracts and Partner Agreements.

- (b) Unless otherwise specifically set out in the Agreement, the Recipient will request and manage the undertaking of all audits for each Eligible Project by accredited external independent auditors and the delivery of corresponding audit reports, at its own expense, in accordance with Generally Accepted Auditing Standards and in the timeframe set out in the Agreement.

A7.3 Inspection and Data Collection .

- (a) The Province, any authorized representative, or any independent auditor identified by the Province may, at the Province's expense and at any time, during normal business hours, enter upon the Recipient's premises to review the progress of any Eligible Project and the Recipient's allocation and expenditure of the Funds and, for these purposes, the Province, any authorized representative, or any independent auditor identified by the Province may take one or more of the following actions:
 - (i) inspect and copy the records and documents referred to in section A7.2 (Record Maintenance and Audit);
 - (ii) remove any copies made pursuant to paragraph A7.3(a) from the Recipient's premises; and
 - (iii) conduct an audit or investigation of the Recipient in respect of the expenditure of the Funds, any Eligible Project, or both.
- (b) The Recipient will ensure all Contracts and Partner Agreements include the right of the Province, any authorized representative, any independent auditors identified by the Province, or the Auditor General to carry out the inspection and audits contemplated pursuant to the Agreement and will coordinate the access of the Province with any Third Party and Partner for the purpose of such inspections and audits.
- (c) The Province, any authorized representative, or any independent auditor identified by the Province may, at the Province's expense and at any time, during normal business hours, may direct the Recipient to undertake an intercept survey of cyclists for a completed Eligible Project.
 - (i) Where the Province exercises this right, the Recipient's must distribute a copy of intercept survey documentation to individuals cycling on completed Eligible Project.
 - (ii) The Province will be responsible for providing all required intercept survey documentation to the Recipient and for collecting any information obtained through this survey.

- (iii) The Recipient will be required to distribute the intercept survey documentation on the specified day from 07:00 and 10:00; from 12:00 and 14:00, which will be at least 12 months but no more than 24 months after Substantial Completion of an Eligible Project.
 - (d) The Province, any authorized representative, or any independent auditor identified by the Province may, at the Province's expense and at any time, during normal business hours, may undertake an intercept survey of cyclists using any completed Eligible Project.
- A7.4 **Disclosure.** To assist in respect of the rights provided for in section A7.3 (Inspection), the Recipient will disclose any information requested by the Province, any authorized representative, or any independent auditor identified by the Province, and will do so in the form requested by the Province, any authorized representative or any independent auditor identified by the Province, as the case may be.
- A7.5 **No Control of Records.** No provision of the Agreement will be construed so as to give the Province any control whatsoever over the Recipient's records.
- A7.6 **Auditor General.** The Province's rights under this Article A7.0 (Reporting, Accounting, and Review) are in addition to any rights provided to the Auditor General pursuant to section 9.1 of the *Auditor General Act* (Ontario).
- A7.7 **Calculations.** The Recipient will make all calculations and prepare all financial data to be submitted in accordance with the generally accepted accounting principles in effect in Canada. These will include, without limitation, those principles and standards approved or recommended from time to time by the Canadian Institute of Chartered Accountants or the Public Sector Accounting Board, as applicable, or any successor institute, applied on a consistent basis.

A8.0 COMMUNICATIONS REQUIREMENTS

- A8.1 **Acknowledgement of Support.** Unless otherwise directed by the Province, the Recipient will acknowledge the support of the Province as set out in Schedule "G" (Communications Protocol).
- A8.2 **Publication.** The Recipient will indicate, in any of its Projects-related publications, whether written, oral, or visual, that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

A9.0 INDEMNITY

A9.1 Indemnification. The Recipient will indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages and expenses (including legal, expert and consultant fees), causes of action, actions, claims, demands, lawsuits or other proceedings, by whomever made, sustained, incurred, brought or prosecuted, in any way arising out of or in connection with any Eligible Project or otherwise in connection with the Agreement, unless solely caused by the negligence or wilful misconduct of the Indemnified Parties.

A10.0 INSURANCE

A10.1 Recipient's Insurance. The Recipient represents, warrants and covenants that it has, and will maintain, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Projects would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury and property damage, to an inclusive limit of not less than \$2,000,000.00 per occurrence. The insurance policy will include the following:

- (a) the Indemnified Parties as additional insureds with respect to liability arising in the course of performance of the Recipient's obligations under, or otherwise in connection with, the Agreement;
- (b) a cross-liability clause;
- (c) contractual liability coverage; and
- (d) a 30-day written notice of cancellation.

A10.2 Proof of Insurance. The Recipient will:

- (a) provide the Province, prior to Funds being provided in each Funding Year, either:
 - (i) certificates of insurance that confirm the insurance coverage as provided for in section A10.1 (Recipient's Insurance); or
 - (ii) other proof that confirms the insurance coverage as provided for in section A10.1 (Recipient's Insurance); and
- (b) upon the request of the Province, the Recipient will make available to the Province a copy of each insurance policy.

A11.0 TERMINATION ON NOTICE

A11.1 Termination on Notice. The Province may terminate the Agreement at any time without liability, penalty or costs upon giving at least 30 days' Notice to the Recipient.

A11.2 Consequences of Termination on Notice by the Province. If the Province terminates the Agreement pursuant to section A11.1 (Termination on Notice), the Province may take one or more of the following actions:

- (a) cancel all further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project, and do either or both of the following:
 - (i) permit the Recipient to offset such costs against the amount owing pursuant to paragraph A11.2(b); and
 - (ii) subject to paragraph A4.1(a), provide Funds to the Recipient to cover such costs.

A12.0 TERMINATION WHERE NO APPROPRIATION OR FUNDS UNDER THE CAP AND TRADE PROGRAM

A12.1 Termination Where No Appropriation or Funds under the Cap and Trade Program. If, as provided for in paragraph A4.2(c), the Province does not receive the necessary appropriation from the Ontario Legislature or funds under the Cap and Trade Program for any payment the Province is to make pursuant to the Agreement, the Province may terminate the Agreement immediately without liability, penalty or costs by giving Notice to the Recipient.

A12.2 Consequences of Termination Where No Appropriation or Funds under the Cap and Trade Program. If the Province terminates the Agreement pursuant to section A12.1 (Termination Where No Appropriation or Funds under the Cap and Trade Program), the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand the payment of any Funds remaining in the possession or under the control of the Recipient; and

- (c) determine the reasonable costs for the Recipient to wind down the Project and permit the Recipient to offset such costs against the amount owing pursuant to paragraph A12.2(b).

A12.3 No Additional Funds. If pursuant to paragraph A12.2(c), the Province determines that the costs to wind down the Projects exceed the Funds remaining in the possession or under the control of the Recipient, the Province will not provide additional Funds to the Recipient.

A13.0 EVENTS OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT

A13.1 Events of Default. Each of the following events will constitute an Event of Default:

- (a) in the opinion of the Province, the Recipient breaches any representation, warranty, covenant or other material term of the Agreement including, without limitation, failing to do any of the following in accordance with the terms and conditions of the Agreement:
 - (i) carry out any Eligible Project;
 - (ii) use or spend Funds; or
 - (iii) provide, in accordance with section A7.1 (Preparation and Submission), Reports or such other reports as may have been requested pursuant to paragraph A7.1(b).
- (b) the Recipient's operations, its financial condition, or its organizational structure, changes such that it no longer meets one or more of the eligibility requirements of the OMCC Program;
- (c) the Recipient makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or a creditor makes an application for an order adjudging the Recipient bankrupt, or applies for the appointment of a receiver;
- (d) the Recipient ceases to operate; or
- (e) the Recipient fails to require a Partner or a Third Party to remedy an event such as an Event of Default listed above and the failure is not remedied within, at the latest and if any, the Notice Period given to the Recipient pursuant to section 13.4 (Recipient Not Remediating).

A13.2 Consequences of Events of Default and Corrective Action. If an Event of Default occurs, the Province may, at any time, take one or more of the following

actions:

- (a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of any Eligible Project;
- (b) provide the Recipient with an opportunity to remedy the Event of Default;
- (c) suspend the payment of Funds for such period as the Province determines appropriate;
- (d) reduce the amount of the Funds;
- (e) cancel further instalments of Funds;
- (f) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;
- (g) demand from the Recipient the payment of an amount equal to any Funds the Recipient used and interest earned, but did not use in accordance with the Agreement;
- (h) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient; and
- (i) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province upon giving Notice to the Recipient.

A13.3 Opportunity to Remedy. If, in accordance with paragraph A13.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will provide Notice to the Recipient of:

- (a) the particulars of the Event of Default; and
- (b) the Notice Period.

A13.4 Recipient Not Remediating. If the Province provided the Recipient with an opportunity to remedy the Event of Default pursuant to paragraph A13.2(b), and:

- (a) the Recipient does not remedy the Event of Default within the Notice Period;
- (b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or
- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions provided for in paragraphs A13.2(a), (c), (d), (e), (f), (g), (h) and (i).

A13.5 When Termination Effective. Termination under this Article A13.0 (Events of Default, Corrective Action, and Termination for Default) will take effect as provided for in the Notice.

A14.0 FUNDS AT THE END OF A FUNDING YEAR

A14.1 Funds at the End of a Funding Year. Without limiting any rights of the Province under Article A13.0 (Events of Default, Corrective Action, and Termination for Default) and subject to Article D2.0 (Changes to Annual Allocations), if the Recipient has not spent all of the Funds allocated for a Funding Year as provided for in the Annual Allocation for that year, the Province will allow the Recipient to keep the Funds in the account specified under paragraph A4.1(b) and use the Funds in any subsequent Funding Year, up to the Projects End Date, for any Eligible Project in accordance with the Agreement.

A15.0 FUNDS UPON PROJECTS END DATE

A15.1 Funds Upon Projects End Date. The Recipient will, upon the Projects End Date, pay to the Province any Funds and interest earned on the Funds remaining in its possession or under its control.

A15.2 Return of Funds for Incomplete Eligible Project. The Recipient will, if Funds have been used towards an Eligible Project and the Recipient has not completed the Eligible Project by the Projects End Date, pay to the Province an amount equal to any Funds the Recipient used for that Eligible Project.

A16.0 DEBT DUE AND PAYMENT

A16.1 Payment of Overpayment. If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds, included interest earned, from any further instalments of Funds; or
- (b) demand that the Recipient pay an amount equal to the excess Funds to the Province.

A16.2 Debt Due. If, pursuant to the Agreement:

- (a) the Province demands from the Recipient the payment of any Funds or an amount equal to any Funds; or
- (b) the Recipient owes any Funds or an amount equal to any Funds to the Province, whether or not the Province has demanded their payment,

such Funds or other amount will be deemed to be a debt due and owing to the Province by the Recipient, and the Recipient will pay the amount to the Province immediately, unless the Province directs otherwise.

A16.3 Interest Rate. The Province may charge the Recipient interest on any money owing by the Recipient at the then current interest rate charged by the Province of Ontario on accounts receivable.

A16.4 Payment of Money to Province. The Recipient will pay any money owing to the Province by cheque payable to the “Ontario Minister of Finance” and delivered to the Province as provided for in Schedule “B” (Recipient Information).

A16.5 Fails to Pay. Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

A17.0 NOTICE

A17.1 Notice in Writing and Addresses. Notice will be in writing and will be delivered by email, postage-prepaid mail, personal delivery or fax, and will be addressed to the Province and the Recipient respectively as provided for in Schedule “B” (Recipient Information), or as either Party later designates to the other by Notice.

A17.2 Notice Given. Notice will be deemed to have been given:

- (a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; or
- (b) in the case of email, personal delivery or fax, one Business Day after the Notice is delivered.

A17.3 Postal Disruption. Despite paragraph A17.2(a), in the event of a postal disruption:

- (a) Notice by postage-prepaid mail will not be deemed to be given; and

- (b) the Party giving Notice will provide Notice by email, personal delivery or by fax.

A18.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

A18.1 Consent. When the Province provides its consent pursuant to the Agreement, it may impose any terms and conditions on such consent and the Recipient will comply with such terms and conditions.

A19.0 SEVERABILITY OF PROVISIONS

A19.1 Invalidity or Unenforceability of Any Provision. The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement. Any invalid or unenforceable provision will be deemed to be severed.

A20.0 WAIVER

A20.1 Waiver Request. Either Party may, in accordance with the Notice provision in Article A17.0 (Notice) ask the other Party to waive an obligation under the Agreement.

A20.2 Waiver Applies. Any waiver a Party grants in response to a request made pursuant to section A20.1 (Waiver Request) will:

- (a) be valid only if the Party granting the waiver provides it in writing; and
- (b) apply only to the specific obligation referred to in the waiver.

A21.0 INDEPENDENT PARTIES

A21.1 Parties Independent. The Recipient is not an agent, joint venturer, partner or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any actions that could establish or imply such a relationship.

A22.0 ASSIGNMENT OF AGREEMENT OR FUNDS

A22.1 No Assignment. The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.

A22.2 Agreement Binding. All rights and obligations contained in the Agreement will

extend to and be binding on the Parties' respective heirs, executors, administrators, successors and permitted assigns.

A23.0 GOVERNING LAW

A23.1 Governing Law. The Agreement and the rights, obligations and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

A24.0 FURTHER ASSURANCES

A24.1 Agreement into Effect. The Recipient will provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains, and will otherwise do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

A25.0 JOINT AND SEVERAL LIABILITY

A25.1 Joint and Several Liability. Where the Recipient is comprised of more than one entity, all such entities will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

A26.0 RIGHTS AND REMEDIES CUMULATIVE

A26.1 Rights and Remedies Cumulative. The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

A27.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS

A27.1 Other Agreements. If the Recipient:

- (a) has failed to comply with any term, condition or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a "**Failure**");
- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;

(c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and

(d) such Failure is continuing,

the Province may suspend the payment of Funds for such period as the Province determines appropriate.

A28.0 SURVIVAL

A28.1 Survival. The following Articles, sections and paragraphs, and all applicable cross-referenced Articles, sections, paragraphs, Schedules, and Sub-schedules, will continue in full force and effect for a period of 7 years from the date of expiry or termination of the Agreement: Articles 1.0 (Entire Agreement), 3.0 (Counterparts), and A1.0 (Interpretation and Definitions) and any other applicable definitions, paragraphs A2.1(a) and A4.2(c), sections A4.6 (Interest), A4.8 (Recipient's Acknowledgement of Responsibility for Projects), A5.2 (Disposal), A7.1 (Preparation and Submission) (to the extent that the Recipient has not provided the Reports to the satisfaction of the Province), A7.2 (Record Maintenance and Audit), A7.3 (Inspection), A7.4 (Disclosure), A7.5 (No Control of Records), A7.6 (Auditor General), and A7.7 (Calculations), Articles A8.0 (Communications Requirements), and 9.0 (Indemnity), sections A11.2 (Consequences of Termination on Notice by the Province), A12.2 (Consequences of Termination Where No Appropriation or Funds Under the Cap Trade Program), A12.3 (No Additional Funds), and A13.1 (Events of Default), paragraphs A13.2(d), (e), (f), (g) and (h), Articles A15.0 (Funds Upon Projects End Date), A16.0 (Debt Due and Payment), A17.0 (Notice), and A19.0 (Severability of Provisions), section A22.2 (Agreement Binding), Articles A23.0 (Governing Law), A25.0 (Joint and Several Liability), A26.0 (Rights and Remedies Cumulative), and A27.0 (Failure to Comply with Other Agreements), this Article A28.0 (Survival), and Articles 29.0 (Aboriginal Consultation), A30.0 (Partners), and Article A31.0 (Agreements for Use of Land).

A29.0 ABORIGINAL CONSULTATION

A29.1 Aboriginal Consultation Protocol. The Parties agree to be bound by the terms of the Aboriginal Consultation Protocol set out in Schedule "I" (Aboriginal Consultation Protocol).

A29.2 Funding Conditional upon Meeting Aboriginal Consultation Obligations. The Recipient agrees that the funding under the Agreement is conditional upon the Province being satisfied that its obligations with respect to the legal duty to consult and, if applicable, accommodate Aboriginal Communities have been met.

A30.0 PARTNERS

A30.1 Recipient Representation re. Partner Agreements. If the Recipient has one or more Partners for any Eligible Project, the Recipient:

- (a) warrants that it is entitled to represent each of its Partners, and represents that each Partner has committed itself to undertake all steps necessary to support the Recipient in fulfilling its obligations as specified in the Agreement; and
- (b) agrees to bind each of its Partners to the applicable terms and conditions of the Agreement including, without limitation, those listed in section A5.3 (Contract Provisions) through a Partner Agreement.

A30.2 Copy of Partner Agreement. The Recipient agrees to make accessible to the Province at all times and, upon the Province's request, provide the Province with a copy of any Partner Agreement.

A30.3 Responsibilities of Recipient. Despite having one or more Partners for any Eligible Project and entering into a Partner Agreement with each of its Partners, the Recipient assumes the sole responsibility towards the Province for the implementation, management and coordination of the entire Eligible Project and the fulfilment of all obligations arising from the Agreement. Accordingly, the Recipient agrees that it bears the financial and legal responsibility for the entire Eligible Project and for each of its Partners. The Recipient will be held liable, in the same way as for its own conduct, if obligations as laid out in the Agreement or in applicable Requirements of Laws are not fulfilled by any of its Partners.

A30.4 Liability. Without limiting the requirements of the indemnity and insurance obligations under the Agreement, the Recipient agrees to ensure that each Partner agrees that the Province will not, under any circumstances or for any reason whatsoever, be held liable for damage or injury sustained by the staff or property of the Partner while any of the Eligible Project is being carried out. The Province can therefore not accept any claim for compensation or increases in payment in connection with such damage or injury.

A30.5 Public Disclosure. The Recipient will ensure that each Partner agrees to the Province publicly disclosing, in communications concerning any Eligible Project, any of the Recipient's Partner's name and address, and the purpose and amount of funds, if any, provided to the Partners.

A31.0 AGREEMENTS FOR USE OF LAND

A31.1 Agreements with Land Owners or Lessees. If the Recipient does not own the land on which an Eligible Project is located, either in whole or in part, the Recipient agrees to enter into a legally binding agreement with each of the land owners or lessees that sets out the terms and conditions under which the land owner or lessee, as applicable, agrees to allow the Recipient to use the land for the Project until, at a minimum, 5 years from the Eligible Project start date.

A31.2 Agreements with Lessees. If an agreement described in paragraph (a) is with a lessee, the agreement shall include representations and warranties that the lessee has the right, pursuant to its agreement with the lessor, or has obtained the necessary consent from the lessor to allow the Recipient to use the land for the Project until, at a minimum, 5 years from the Eligible Project start date.

A32.0 CONDITIONS PRECEDENT

A32.1 List of Conditions Precedent. The Province's funding under the Agreement is conditional upon each of the following conditions precedent being met to the Province's satisfaction:

- (a) on or before the Effective Date and annually thereafter, the Recipient providing the Province with, in form and substance satisfactory to the Province:
 - (i) a copy of the annual enabling by-law(s) and, if applicable, any council resolution(s) confirming that the council approves each Eligible Project and the Agreement including, without limitation, the Recipient's contribution under the Agreement, and confirming the authorized representatives of the Recipient for the Agreement;
 - (ii) if the authorized representatives under paragraph (i) are not the head of council and clerk of the municipality, or it is unclear, in the Province's opinion, from the by-law(s) and, if applicable, council resolution(s) that the council has approved each Eligible Project and the Agreement, or both, a legal opinion from the Recipient's legal counsel confirming such authorized representatives and any approval;
 - (iii) the certificate(s) of insurance or other proof as the Province may request pursuant to section A10.2 (Proof of Insurance); and
 - (iv) an Annual Declaration of OMCC Participation; and
- (b) prior to any Funds being provided to the Recipient:

- (i) the necessary information, pursuant to section A4.5 (Interest Bearing Account), to facilitate an electronic funds transfer to an interest bearing account in the name of the Recipient at a Canadian financial institution; and
 - (ii) written confirmation of the street address at which Projects documents are kept at both the premises of the Recipient and each of the Partners; and
- (c) prior to the Recipient using any Funds for an Eligible Project:
 - (i) written confirmation that the Recipient has entered into a Partner Agreement with each of its Partners, if any, for the Eligible Project;
 - (ii) if the Recipient does not own the land on which an Eligible Project is located, written confirmation that the Recipient has entered into a legally binding agreement as described in Article A31.0 (Agreements for Use of Land); and
 - (iii) to the extent that any environmental assessment or any other approval is required for an Eligible Project for which Funds were received, a warranty that the assessment has been completed and the approval has been obtained.

For greater certainty, if the Province provides any Funds to the Recipient prior to any of the conditions set out in this Article A32.0 (Conditions Precedent) having been met, and has not otherwise waived compliance with such condition as set out in Article A20.0 (Waiver), the Province may initiate any one or more of the actions provided for in section A13.2 (Consequences of Events of Default and Corrective Action).

- END OF GENERAL TERMS AND CONDITIONS -

SCHEDULE "B"
RECIPIENT INFORMATION

Contact information for the purposes of Notice to the Province	Position: Manager, Division Services and Program Management Office Address: Division Services and Program Management Office Ontario Municipal Commuter Cycling (OMCC) Program Ontario Ministry of Transportation 777 Bay Street, 30th Floor Toronto ON M7A 2J8 Phone: 1-844-671-7438 Fax: 416-585-7204 Email: cycling@ontario.ca
Contact information for the purposes of Notice to the Recipient	Position: Ms. Laura Moy Director Corporate Services & Clerk Address: 917 Lesperance Road Tecumseh, ON N8N 1W9 Phone: (519) 735-8791 Mobile: (519) 816-0274 Email: lmoy@tecumseh.ca

Authorized Representative of the Province for the purpose of sections C3.2 (Amending Agreement for Changes to the Eligible Projects List), D2.2 (Amending Agreement for Changes to Annual Allocations) and F7.2 (Amending Agreement for Changes to the Reporting)	Position: Manager, Division Services and Program Management Office Address: Division Services and Program Management Office Ontario Municipal Commuter Cycling (OMCC) Program Ontario Ministry of Transportation 777 Bay Street, 30th Floor Toronto ON M7A 2J8 Phone: 1-844-671-7438 Fax: 416-585-7204 Email: cycling@ontario.ca
Authorized Representative of the Recipient for the purpose of sections C3.2 (Amending Agreement for Changes to the Eligible Projects List), D2.2 (Amending Agreement for Changes to Annual Allocations) and F7.2 (Amending Agreement for Changes to the Reporting)	Position: Mr. Gary McNamara Mayor Address: 917 Lesperance Road Tecumseh, ON N8N 1W9 Phone: (519) 735-2184 x115 Fax: n/a Email: gmcnamara@tecumseh.ca

Senior Financial Officer of the Recipient	Position: Mr. Luc Gagnon Director of Financial Services Address: 917 Lesperance Road Tecumseh, ON N8N 1W9 Phone: (519) 735-2184 x119 Fax: n/a Email: lgagnon@tecumseh.ca
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SCHEDULE “C”

ELIGIBLE PROJECTS LIST AND TIMELINES

C1.0 ELIGIBLE PROJECTS LIST

C1.1 Eligible Project Eligibility Requirements. To be eligible for funding under the OMCC Program and to be considered for approval as an Eligible Project by the Province for the Eligible Projects List, a project must, in addition to being listed in section C1.2 (Eligible Cycling Infrastructure Project Types), meet all of the following requirements:

- (a) be primarily for and increase commuter cycling, as opposed to being primarily for recreational or touring, and reduce vehicle trips;
- (b) reduce GHGs;
- (c) connect to significant trip origins and destinations, in the opinion of the Province, with commuter cycling infrastructure;
- (d) have its cycling infrastructure designed in accordance with the guidelines in the Ontario Traffic Manual - Book 18 - Cycling Facilities;
- (e) if the Recipient has a population of 15,000 individuals or greater, be identified on a municipal council approved i) cycling plan, or ii) active transportation plan;
- (f) be a standalone infrastructure project or an identifiable commuter cycling component of a larger infrastructure project; and
- (g) if the project impacts provincial or federal transportation infrastructure, it must have received all necessary prior approvals from the provincial or federal government prior to its implementation.

C1.2 Eligible Cycling Infrastructure Project Types. The following types of commuter cycling infrastructure projects, if they meet the eligibility requirements set out under section C1.1 (Eligible Project Eligibility Requirements), may be approved by the Province for the Eligible Projects List:

- Shared roadway with signed bicycle route;
- Signed bicycle route with paved shoulder;
- Conventional bicycle lane;
- Contraflow bicycle lane;
- Separated bicycle lane (with painted buffer or physical barrier);
- Raised cycle track;
- Bicycle priority street;

- Construction/modification of bridges, tunnels and access ramps for cycling;
- Bike specific signage, signalling and pavement markings;
- Automated bike counters;
- Bicycle-only facility;
- Intersection modification;
- Bike racks or other bike storage;
- Off-road multi-use paths; and
- Any other project the Province may, at its sole discretion, approve.

C1.3 Projects on the Eligible Projects List. Subject to a project meeting the requirements set out in section C1.1 (Eligible Project Eligibility Requirements) and any applicable terms and conditions of the Agreement, and being one of the types listed under section C1.2 (Eligible Cycling Infrastructure Project Types), a project listed in Sub-schedule “C.1” (Eligible Projects List) is considered an Eligible Project.

The Recipient is responsible for submitting Eligible Projects that meet any applicable terms and conditions of the Agreement. The Ministry, may, at its sole discretion, approve any or all projects submitted by the Recipient for the Eligible Projects List.

C2.0 TIMELINES

C2.1 Timelines. The Recipient will complete any Eligible Project it chooses to implement no later than December 30, 2020.

C3.0 CHANGES TO THE ELIGIBLE PROJECTS

C3.1 Changes to the Eligible Projects List. Subject to Section C3.2 (Amending Agreement for Changes to the Eligible Projects List) and unless the Province agrees otherwise, the Recipient can request changes to the Eligible Projects List:

- (a) in the case of the first Funding Year, by February 1, 2018; and
- (b) in the case of Funding Years subsequent to the first Funding Year, by May 1 and October 1.

C3.2 Amending Agreement for Changes to the Eligible Projects List. Any change made to the Eligible Projects List, pursuant to section C3.1 (Changes to the Eligible Projects List), must be documented through a written agreement executed as set out in section 4.3 (Execution of Amending Agreements - Exceptions).

SUB-SCHEDULE "C.1"
ELIGIBLE PROJECTS LIST
Ontario Municipal Commuter Cycling (OMCC) Program
2017 Application - Tecumseh
Potential Eligible Project List

ELIGIBLE PROJECT TITLE	ELIGIBLE PROJECT DESCRIPTION	ELIGIBLE PROJECT LOCATION AND LENGTH	POTENTIAL START DATE	POTENTIAL COMPLETION DATE	POTENTIAL COMMUTER RIDERSHIP OF COMPLETED ELIGIBLE PROJECT	COMMUTER OR FREQUENT CYCLING BENEFITS	MAJOR ORIGIN/DESTINATION
Lesperance Bike Lanes	Dedicated on road bike lane payment markings	Lesperance Road	Bike lanes	29-Sep-17	30-Dec-20	100-150	
Gnatchio Trail	Extension of Gnatchio trail from Windsor city limits	Riverside drive extension of Ganatchip Trial from Windsor City Limits to Manning Road	off road trail	29-Sep-17	30-Dec-20	100-150	
Riverside trail	Construction of trail connection between two existing trails on other side of beach Grove Golf and Country Club	Riverside Drive from Arlington Boulevard to Beach Grove and Country Club	off road trail	29-Sep-17	30-Dec-20	100-150	
Rehabilitation	Rehabilitation of existing trail and construction of connection from outer limits of Tecumseh to downtown	Tecumseh Road from Lesperance Toad east to Brighton Road	off road trail	29-Sep-17	30-Dec-20	100-150	

Trail to 401	Construction of new off road / multi use trail	Walker Road North Talbot Road to Highway 401	off road trail	29-Sep-17	30-Dec-20	20-25	
Old Castle Trail	Construction of new off road / multi use trail	Old Castle Road from North Talbot Road to Highway 3	off road trail	29-Sep-17	30-Dec-20	15 -20	

SCHEDULE “D”
DESCRIPTION OF ANNUAL ALLOCATIONS

D1.0 ANNUAL ALLOCATIONS

- D1.1 Annual Declaration of OMCC Participation.** The Recipient will provide to the Province, on or before the Effective Date and annually thereafter, regardless of whether or not the Recipient chooses to participate in the OMCC Program in any Funding Year, an Annual Declaration of OMCC Participation in the form set out in Sub-schedule “D.2” (Form of Annual Declaration of OMCC Participation).
- D1.2 Province’s Review and Approval of Annual Declaration of OMCC Participation.** Upon receipt, the Province will review the Annual Declaration of OMCC Participation, together with any other declarations, reports or documents received from the Recipient pursuant to the Agreement, and may take one of the following actions: 1) approve it; 2) request for it to be modified and resubmitted for approval; or 3) refuse to approve it. Upon approval, at the Province’s sole discretion, Sub-schedule “D.1” (Table of Annual Allocations) will be amended and the Table of Annual Allocations deleted and replaced with a new table to capture any required changes.
- D1.3 Annual Allocation Maximum Amount.** The Annual Allocation in any Funding Year will be up to the amount set out in the updated Table of Annual Allocations, pursuant to section D1.2 (Province’s Review and Approval of Annual Declaration of OMCC Participation), for that Funding Year.

D2.0 CHANGES TO ANNUAL ALLOCATIONS

- D2.1 Changes to Annual Allocations.** Subject to section D2.2 (Amending Agreement for Changes to Annual Allocations), the Parties agree that changes including, without limitation, the deletion and replacement of the Table of Annual Allocations in Sub-schedule “D.1” (Table of Annual Allocations) on a yearly basis pursuant to section D1.2 (Province’s Review and Approval of Annual Declaration of OMCC Participation) will be made to the Annual Allocations.
- D2.2 Amending Agreement for Changes to Annual Allocations.** Any change made to the Annual Allocations, pursuant to section D2.1 (Changes to Annual Allocations), must be documented through a written agreement executed as set out in section 4.3 (Execution of Amending Agreements - Exceptions).

SUB-SCHEDULE "D.1"
TABLE OF ANNUAL ALLOCATIONS

FUNDING YEAR	PARTICIPATION IN THE OMCC PROGRAM FOR THE FUNDING YEAR (YES/NO)	ANNUAL ALLOCATION FOR THE PROJECTS	RECIPIENT CONTRIBUTION	OTHER FINANCIAL CONTRIBUTION
2017-2018	Yes	\$ 106,096.75		
2018-2019				
2019-2020				
2020-2021				
TOTAL		\$ 106,096.75		

SUB-SCHEDULE "D.2"
FORM OF ANNUAL DECLARATION OF OMCC PARTICIPATION

ANNUAL DECLARATION OF OMCC PARTICIPATION

TO: Transportation Policy Branch
Ontario Ministry of Transportation
777 Bay Street, 30th Floor
Toronto, ON M7A 2J8
Telephone: 1-844-671-7438
Facsimile: (416) 585-7204
E-mail: cycling@ontario.ca

FROM: Name/Title: [Enter the name and title of the authorized representative of the Recipient.]
Address: [Enter the address of the authorized representative of the Recipient.]
Telephone: [Enter the telephone number of the authorized representative of the Recipient.]
Facsimile: [Enter the facsimile number of the authorized representative of the Recipient.]
Email: [Enter the email address of the authorized representative of the Recipient.]

RE: Ontario Municipal Commuter Cycling Program ("OMCC Program") - Annual Declaration of OMCC Participation

In the matter of the Ontario Municipal Commuter Cycling (OMCC) Program Transfer Payment Agreement entered into between Her Majesty the Queen in right of Ontario, represented by the Minister of Transportation for the Province of Ontario, and the [Enter the legal name of the municipality.] (the "Recipient"), on _____, _____ (the "Agreement").

I, _____ [Enter the name and title of the authorized representative of the Recipient listed in Schedule "B" (Recipient Information).], having made such inquiries as I have deemed necessary for this declaration, hereby certify that to the best of my knowledge, information and belief:

1. The Recipient will participate in the OMCC Program for the [Enter the Funding Year.] and requests funding for each of the projects listed in this declaration.

2. The Recipient has a population, as indicated in the applicable box at the end of each of the following statements:

a) of 15,000 individuals or greater.

☐ yes

☐ no

b) less than 15,000 individuals.

☐ yes

☐ no

3. The Recipient, as indicated in the applicable box at the end of each of the following statements:

a) has a municipal council approved cycling plan, a copy of which can be accessed at **[Enter the link.]** or is attached to this declaration, or both, and all the projects listed in this declaration for consideration for OMCC funding are supported by this plan.

☐ yes

☐ no

b) if the Recipient's answer under a) above is no, will develop a cycling plan. Once the municipal council has approved the plan, the Recipient will submit a copy of it to the Province. The Recipient will then also provide to the Province a list of projects supported by the plan for the Province's consideration for OMCC funding.

☐ yes

☐ no

4. If the Recipient has a population of 15,000 individuals or greater, the Recipient has not and will not use OMCC Funds for any project until the municipal council has approved the cycling plan under which the project is supported, and the Province has approved and added the project on the Eligible Projects List.
5. The Recipient is submitting the following projects for the Province's consideration for OMCC funding for the **[Enter the Funding Year.]**:

PROJECT TITLE	PROJECT LOCATION AND LENGTH	POTENTIAL START DATE	POTENTIAL COMPLETION DATE	CURRENT ESTIMATED WEEKDAY RIDERSHIP IN PROJECT AREA	POTENTIAL COMMUTER RIDERSHIP OF COMPLETED PROJECT	COMMUTER OR FREQUENT CYCLING BENEFITS	MAJOR ORIGIN/ DESTINA- TION	POTENTIAL VEHICLE TRIP REDUCTION

Declared at _____ (city), in the Province of Ontario, this _____ day of _____, 20____.

(Signatures)

Name:

Title:

Witness Name:

Title:

SCHEDULE “E” ELIGIBLE AND INELIGIBLE COSTS

E1.0 DEFINITION

E1.1 Definition. For the purposes of this Schedule “E” (Eligible and Ineligible Costs):

“Eligible Costs Date of Effect” means:

- (a) the Effective Date; or
- (b) in the case of the 2017-18 Funding Year for Eligible Projects included in applications submitted by September 8, 2017, May 30, 2017.

E2.0 ELIGIBLE COSTS

E2.1 Eligible Costs Date of Effect. Eligible Costs can begin to accrue as of the Eligible Costs Date of Effect.

E2.2 Scope of Eligible Costs. Eligible Costs are the direct capital costs which are, in the Province’s opinion, properly and reasonably incurred and paid by the Recipient for the design and construction of an Eligible Project. Eligible Costs include, unless the Province otherwise provides in writing, only the following capital costs that are directly attributable to the commuter cycling component of the Eligible Project:

- (a) municipal council approved initial cycling plan and any update to the initial plan, up to a maximum of 80% of the total Funds to be provided under the Agreement towards the Eligible Costs of the Projects;
- (b) municipal council approved active transportation plan, up to a maximum of 80% of the total Funds to be provided under the Agreement towards the Eligible Costs of the Projects;
- (c) design and engineering;
- (d) materials to construct an Eligible Project;
- (e) labour to construct an Eligible Project; and
- (f) costs not listed in paragraphs E2.2 (a), (b), (c), (d) and (e) that the Province considers necessary for the successful implementation of an Eligible Project and which have received the prior written approval of the Province.

E3.0 INELIGIBLE COSTS

E3.1 Scope of Ineligible Costs. Unless a cost is considered an Eligible Cost pursuant to Article E2.0 (Eligible Costs), all other costs will be considered an Ineligible Cost. Without limitation, indirect costs listed in section E3.2 (Indirect Costs), the costs that are over and above the OMCC Program scope listed in section E3.3 (Costs Above Projects Scope), and the following costs will be considered, at the sole discretion of the Province, Ineligible Costs:

- (a) planning costs;
- (b) data collection;
- (c) tourism cycling infrastructure;
- (d) recreation cycling infrastructure;
- (e) low frequency cycling infrastructure;
- (f) multi-use infrastructure, unless it is primarily for commuter cycling and not primarily for other cycling, active transportation or other modes of transportation;
- (g) planning;
- (h) property acquisition, property costs, ancillary property acquisition costs and any interest in land;
- (i) administration/overhead by the Recipient, municipal staff and municipal project management;
- (j) legal;
- (k) maintenance or minor capital improvements to existing commuter cycling infrastructure;
- (l) landscaping;
- (m) maintenance work;
- (n) roadway works (if constructed at the same time as the Eligible Project, only the Eligible Project's Eligible Costs will be funded);
- (o) operational costs;
- (p) data collection required for the Usage Data Report;
- (q) communications events, including educational or promotional signage;
- (r) roadway lighting not specifically for commuter cycling infrastructure;
- (s) end of route or in-route support facilities, including but not limited to showers, change rooms, benches for resting;
- (t) data collection (other than capital costs associated with purchasing automatic bicycle counters) costs;
- (u) Recipient's regular business costs;
- (v) environmental assessment and other approval costs;
- (w) storage costs for projects which extend for more than one year;
- (x) financing charges;
- (y) pedestrian-only or motor vehicle infrastructure;
- (z) GIS mapping;
- (aa) in-kind contributions, including labour and materials;
- (bb) work initiated prior to May 30, 2017;

- (cc) non-commuter cycling infrastructure or other works located on or adjacent to the Eligible Project that is part of an Eligible Project;
- (dd) addition/modification of roadways, intersections or turning lanes for motor vehicles and that are not part of an Eligible Project;
- (ee) infrastructure additions/modifications that do not increase commuter cycling (e.g., decorative lighting and paving); and
- (ff) any other costs which are not specifically listed as Eligible Costs in section E2.2 (Scope of Eligible Costs) and which, in the opinion of the Province, are considered to be ineligible.

E3.2 Indirect Costs. Without limitation, the following indirect costs are Ineligible Costs and are not eligible for funding under the OMCC Program:

- (a) applying for provincial funding;
- (b) OMCC Program evaluation and audit, unless otherwise explicitly set out in the Agreement;
- (c) office space in a facility, including a maintenance and storage facility;
- (d) obtaining necessary approvals, licenses or permits where the Recipient is the entity providing the approval, license or permit;
- (e) costs associated with planning studies and project planning, other than those specified in the Eligible Projects List, including the Recipient's Official Plan and Transportation Master Plan;
- (f) salaries and other employment benefits of any employees, overhead costs as well as other direct or indirect operating or administrative costs of the Recipient, and more specifically these costs as related to planning, engineering, architecture, supervision, management and other services provided by the Recipient's permanent staff and funded under the Recipient's operating budget;
- (g) any activities that are part of the regular operation and maintenance of municipal assets, including operation and maintenance costs related to the Projects;
- (h) carrying costs incurred on the funding share of any funding partner;
- (i) municipal staff travel;
- (j) litigation costs, including any litigation costs, incurred by the Recipient in proceedings against the Province or the Recipient;
- (k) costs not expressly approved by the Province; and
- (l) refundable portion of the Harmonized Sales Tax (HST) or other taxes and fees.

E3.3. Costs Above Projects Scope. The Province will not fund expenditures related to activities undertaken as part of the Projects that are over and above the scope

of the Projects on the Eligible Projects List. These costs include, but are not limited to:

- (a) upgrading municipal services and utilities;
- (b) relocating municipal services and utilities unless specifically required for the Eligible Project;
- (c) upgrades to materials beyond pre-existing municipal standards; and
- (d) costs for Eligible Projects not completed by December 30, 2020.

SCHEDULE “F” REPORTING AND EVALUATION

F1.0 ANNUAL FINANCIAL REPORTS

- F1.1 Annual Financial Reports.** Unless the Province otherwise specifies in writing to the Recipient, the Recipient will submit to the Province an Annual Financial Report, in the form provided in section F5.3 (Form of Annual Financial Reports), on or before January 28 of each Funding Year. The Annual Financial Report will:
- (a) be certified by the senior financial officer of the Recipient listed in Schedule “B” (Recipient Information), and identify any actual or potential financial issues in carrying out any of Eligible Projects, and corresponding mitigating strategies;
 - (b) account for all Eligible Costs incurred for each Eligible Project completed or in the process of being completed, and include appropriate confirmation that the Recipient has provided its 20% share of Eligible Costs for each Eligible Project;
 - (c) declare any interest earned on the Funds and the use of that interest for the implementation of any Eligible Project; and
 - (d) include, if required pursuant to section I3.1 (Requirements for Aboriginal Consultation Record), an Aboriginal Consultation Record and any update to it.

F2.0 ANNUAL IMPLEMENTATION REPORTS

- F2.1 Annual Implementation Reports.** Unless the Province specifies otherwise in writing to the Recipient, the Recipient will submit to the Province an Annual Implementation Report, in the form provided in section F5.2 (Form of Annual Implementation Reports and Final Report) certified by the senior financial officer of the Recipient identified in Schedule “B” (Recipient Information) and a professional engineer, identifying any actual or potential project, its current status and implementation issues in carrying out any Eligible Project and corresponding mitigating strategies, on or before January 28 in each Funding Year.
- F2.2 Annual Eligible Projects Declaration.** The Recipient will submit, together with each Annual Implementation Report, an Annual Eligible Projects Declaration in accordance with Article J3.0 (Annual Eligible Projects Declaration).

F3.0 FINAL REPORT

F3.1 Final Report. Unless the Province otherwise specifies in writing to the Recipient, the Recipient will submit to the Province a Final Report, in the form provided in section F5.2 (Form of Annual Implementation Reports and Final Report), on or before February 28, 2021.

F3.2 Aboriginal Consultation Reporting. The Final Report will also include, if required pursuant to section I3.1 (Requirements for Aboriginal Consultation Record), an Aboriginal Consultation Record, as defined in section I1.1 (Definitions), and any update to it.

F4.0 USAGE DATA REPORTING

F4.1 Completion of post-project Evaluation.

- (a) Unless the Province otherwise agrees, at its sole discretion and in writing, the Recipient agrees to conduct a post-project evaluation of each Eligible Project for the first 24 months after each Eligible Project is opened for use.
- (b) The purpose of the post-project evaluations in paragraph (a) is to assist the Province in assessing the increase in commuter cycling resulting from each Eligible Project and the resultant GHG benefits.

F4.2 Usage Data Reports.

- (a) An Eligible Projects Usage Data Report will be submitted after each Eligible Project within 30 days of completing the required counts.
- (b) The Recipient will submit to the Province a Final Usage Data Report that summarizes all Eligible Projects Usage Data Reports no later than 60 days after March 31, 2023. Despite the above, if all of the data collection requirements in the Agreement have been met, the Recipient can submit the Final Usage Data Report earlier.
- (b) The Recipient will, in accordance with section F4.3 (Required Counts for an Eligible Projects Usage Data Report) and for the purpose of the Usage Data Reports, count the number of cyclists using the infrastructure built for each Eligible Project.
- (c) For each collection period, the Recipient will specify the day of the week, date and time of day the count was conducted, as well as the weather conditions at the time of the count.
- (d)
- (e) The Recipient must submit two Eligible Projects Usage Data Report for each Eligible Project, one for first 12 months of operation and one for the second

12 months of operation.

- (d) If the Recipient already has an established counting program, the Recipient can use it and submit extra data.

F4.3 Required Counts for an Eligible Projects Usage Data Report. The Recipient will collect the data for an Eligible Projects Usage Data Report using the following counting methods:

Automated Counters (Permanent and Portable)

- (a) If automated counters are installed for any Eligible Project, the Recipient will collect data for that Eligible Project using the automated counters.
- (b) The Recipient will collect data, under (a) above, on a 24-hour daily continuous basis for the timeframes specified in F4.4 (Data Collection Timeframe).

Manual Counts

If manual counts are carried out for a completed Eligible Project, the Recipient agrees to complete 3 counts in the same month for the timeframes specified in F4.4 (Data Collection Timeframe) as follows:

- (a) one count on a Tuesday, Wednesday or Thursday between 07:00 and 10:00;
- (b) a second count on the Tuesday, Wednesday or Thursday used for paragraph F4.3(a) for any two consecutive hours between 15:00 and 19:00; and
- (c) a third count on the Saturday preceding or following the counts in paragraphs F4.3(a) and (b) between 12:00 and 14:00.

F4.4 Data Collection Timeframe. The Recipient will collect data for the Usage Data Report after Substantial Completion of each Eligible Project. The Recipient will submit an Eligible Projects Usage Data Report for that Eligible Project to the Province at .

Automated Counters (Permanent and Portable)

- (a) Recipients with automated counters will collect data for 24 consecutive months after an Eligible Project is opened for use, and aggregate those data as directed by the Province.
- (b) Recipients with permanent automated counters on the site of an Eligible

Project will collect data continuously for the first 24 months.

- (c) Recipients with portable automated counters, whether purchased with Funds or not, will collect data continuously 24 hours per day for 7 consecutive days, twice in the first 12 months of operation at least five months apart, and twice in the second 12 months of operation at least five months apart..

Manual Counts

- (a) The Recipient will collect data as follows:
 - (i) If the Recipient's population is less than 15,000 individuals, the Recipient will collect data in September and May or July of each year for 24 months.
 - (ii) If the Recipient's population is 15,000 individuals or greater, the Recipient will collect data once per season (4 times per year) for 24 months.

F4.5 Costs. The Recipient will be responsible for its own costs in relation to the data collection, and the preparation and submission of the Usage Data Report.

F5.0 ADMINISTRATIVE PROCEDURE AND FORM

F5.1 Administrative Procedures. The Recipient will, when submitting Reports, follow the administrative procedures specified by the Province.

F5.2 Form of Annual Implementation Reports and Final Report. The Annual Implementation Reports and Final Report will be in a form satisfactory to the Province and will include all of the following:

- (a) a detailed description and status of work for each Eligible Project, whether under development or completed, for which Funds will be or have been used, including photographs;
- (b) projected completed date of each Eligible Project under construction or for which Funds are projected to be used to complete the Eligible Project by December 30, 2020;
- (c) how the communications requirements set out in Schedule "G" (Communications Protocol) have been implemented or applied in the Funding Year;
- (d) copies of certificates of Substantial Completion for each Eligible Project;

- (e) a warrant for each Eligible Project that any required approval including, without limitation, land approval has been obtained and complied with;
- (f) details of how the objectives of the Province have been met;
- (g) if required pursuant to section I3.1 (Requirements for Aboriginal Consultation Record), an Aboriginal Consultation Record, as defined in section I1.1 (Definitions), and any update to it; and
- (h) any other information respecting the Projects the Province may, at its sole discretion, request.

F5.3 Form of Annual Financial Report. The Annual Financial Report will be in a form satisfactory to the Province and will include all of the following:

- (a) the Funds spent on each Eligible Project;
- (b) Eligible Costs of each Eligible Project;
- (c) funding provided by the Recipient and received from third party sources for each Eligible Project;
- (d) the amount of Funds in the interest bearing account at the beginning and end of each Funding Year;
- (e) the interest earned on the Funds and the use of the interest for the Eligible Costs of Eligible Projects;
- (f) Funds remaining in the interest bearing account by December 30, 2020; and
- (g) details on how the Province's interests, with respect to climate change by reducing vehicle trips and GHGs through increased commuter cycling, have been met.

F6.0 PUBLIC DOCUMENTS

F6.1 Public Documents. The Recipient acknowledges and agrees that the Reports and any other report will be public documents.

F7.0 CHANGES TO REPORTING

- F7.1 **Changes to the Reporting.** Subject to section F7.2 (Amending Agreement for Changes to the Reporting), the Parties agree that changes, as determined by the Province at its sole discretion, may be made to the reporting.
- F7.2 **Amending Agreement for Changes to the Reporting.** Any change made to the reporting, pursuant to section F7.1 (Changes to the Reporting), must be documented through a written agreement executed as set out in section 4.3 (Execution of Amending Agreements - Exceptions).

SCHEDULE “G” COMMUNICATIONS PROTOCOL

G1.0 PURPOSE

- G1.1 **Purpose.** This Schedule “G” (Communications Protocol) describes the Recipient’s responsibilities and financial obligations involved in communications activities and products to recognize the contributions of the Government of Ontario and the Recipient.

G2.0 GENERAL PRINCIPLES

- G2.1 **Promotion.** The Recipient must promote each Eligible Project when opened for use by cyclists through communications activities and products as being funded by the province through Climate Action Plan funding. The Recipient must also promote that each Eligible Project’s purpose is to support GHG reduction by supporting increase commuter cycling.
- G2.2 **Joint Communications.** The Recipient agrees to obtain the Province approval for all communications products and to undertake joint communications activities and collaborate on products to ensure open, effective, and proactive communications.
- G2.3 **Recognition and Prominence.** Unless the Province specifies otherwise, the financial contribution of the Province will receive equal recognition and prominence in any Eligible Project related communications, including when logos, symbols, flags, and other types of identification are incorporated into events signs.
- G2.4 **Announcements and Ceremonies.** All announcements and ceremonies will be organized jointly with equal participation from the Recipient and the Province.
- G2.5 **Electronic Media.** All communications through electronic media such as web sites or management information systems are subject to the terms and conditions of this Schedule “G” (Communications Protocol).
- G2.6 **Communications Protocol and Other Requirements.** All events and signage will follow the communications protocols set out in this Schedule “G” (Communications Protocol) and any other requirements that may be specified by the Province from time to time.
- G2.7 **Approval of Province.** All communications must reference the Government of Ontario and must be submitted a minimum of 15 days in advance and approved by the Province prior to release.

G3.0 PROJECT COMMUNICATIONS

G3.1 **General.** All written communications concerning the Agreement and any Eligible Project will be prepared in a manner that supports the communications objectives and branding of each Party to the Agreement.

G3.2 **Provincial Funding Statement.** All public information material made by the Recipient concerning the Agreement and any Eligible Projects will clearly indicate that the Eligible Project is partially funded by the Government of Ontario.

G3.3 Project Promotion.

- (a) The Recipient is responsible for the promotion and its activities and objectives within their jurisdiction. The Recipient will provide for each Eligible Project, as appropriate, project communications such as: a project web site, print, audiovisual and other communications about the Eligible Project as it proceeds. The Recipient will inform the Province of any such promotional communication a minimum of 15 days before it takes place. The Recipient will also ensure appropriate recognition of the Province's contribution in annual reports, speeches or other opportunities, as appropriate.
- (b) The Recipient is solely responsible for operational communications including calls for tender, construction, design, property, emergency and public safety notices.
- (c) The Recipient will share information promptly with the Province on significant emerging media and stakeholder issues concerning the Agreement and any Eligible Project. The Province will advise the Recipient, where appropriate, about media inquiries.
- (d) The Recipient and the Province reserve the right to refer to the Funding provided in their own separate, and non-OMCC Program specific communications. Each commits to acknowledging the other's involvement in the OMCC Program.
- (e) The Recipient will provide, whenever possible, professional quality audio-visual material about each Eligible Project to the Province to support wider communications about the provincial funding.

G4.0 COMMUNICATING WITH THE PUBLIC

G4.1 General.

- (a) The Recipient will provide Notice to and consult with the Province, a

minimum of 15 days in advance, about all proposed news releases, new media communications activities, or public announcements relating to any Eligible Project. This is to provide the Province with sufficient notice of key communications and, if the Province so desires, the time that is necessary to determine a course of action, line up principals and prepare joint material. Notwithstanding the advance Notice requirement, the Province will not unreasonably withhold its consent if the Recipient must issue a news release or public announcement in less than 15 days due to unforeseeable circumstances, including matters of public safety or the need for emergency response.

- (b) The Recipient will advise the Province regularly of upcoming public events or community relations activities relating to the Agreement. The Recipient commits to acknowledging the Province's involvement.
- (c) The Province will monitor the Recipient's performance with respect to the communications provisions of the Agreement and order appropriate remedies, as it sees fit, where deficiencies are found.
- (d) In the event of an election call that affects a riding that a completed Eligible Project is located in, whether federal, provincial or municipal, no public announcements will be permitted. For clarification, this does not include announcements and communications made under paragraph G3.3(b).

G4.2 Signing of the Agreement. The Recipient and the Province may issue a joint news release when the Agreement is signed. The Recipient and the Province agree to hold, where appropriate, an official ceremony on this occasion.

G4.3 Public Information Kits. The Recipient and the Province may develop joint information kits, brochures, public reports, new media products, and web site material to inform the public about the OMCC Program and any Eligible Project. Such material will be prepared in a manner consistent with this Schedule "G" (Communications Protocol) and any core messages developed by the Recipient or the Province. The choice of colour will be neutral in nature and not identified with any political party.

G4.4 News Releases. The Recipient and the Province will issue joint news releases at relevant times in the life of each Eligible Project. In all such news releases, the Recipient and the Province will receive equal prominence and all will mutually agree on the use of quotes from the designated representatives of the Province or the Recipient in the news releases.

G4.5 News, Conferences, Public Announcements, Official Events or Ceremonies.

- (a) The Recipient and the Province agree to hold news conferences at the

request of the other. The designated representative of each of the Recipient and the Province will be provided the opportunity to participate in such news conferences.

- (b) No public announcement relating to any Eligible Project, with the exception of those Notices described in paragraph G3.3(b), will be made by the Recipient without the prior consent of the Province.
- (c) The Recipient and the Province will cooperate in the organization of announcements or ceremonies. Messages and public statements for such events should be mutually agreed upon. The Province may recommend special events and ceremonies be held where and when appropriate.

G4.6 Signage.

- (a) Prior to initiating construction and after the signing of the Agreement, the Recipient agrees to produce and erect temporary signage acknowledging the Province's contribution to each Eligible Project. The signage will be at least equivalent in size and prominence to the Recipient's and other contributors' signage. The signage will remain in place until 90 days after construction is completed.
- (b) The Recipient will provide and install, upon completion of each Eligible Project, where feasible, a plaque, permanent sign or other suitable identifier bearing an appropriate inscription. The design, wording and specifications of such permanent signs will respect the general provisions of the Agreement for two years after the completion of the Eligible Project.
- (c) Except for signage acknowledging any Eligible Project funding, traffic control, safety devices, contractor signage, retail signage or normal construction related signage, no additional signage will be erected at each site by the Recipient.

G4.7 Communications Events. Subject to the terms of the Agreement, the Recipient or the Province may, at its own costs and upon 90 days Notice to the other Party prior to the event, carry out project-related communications events, including educational and promotional signage.

G4.8 Joint Communications Events. If the Parties agree to carry out a joint communications event, the costs of such event will be shared equally between the Province and the Recipient.

G4.9 **Monitoring and Compliance.** The Province will monitor the Recipient's compliance with this Schedule "G" (Communications Protocol), and may, at its discretion, advise the Recipient of issues and required adjustments.

SCHEDULE “H” DISPOSAL OF AND REVENUES FROM ASSETS

H1.0 DEFINITION

H1.1 **Definition.** For the purposes of this Schedule “H” (Disposal of and Revenues from Assets):

“**Local Government**” means a single-tier, lower-tier or upper-tier municipality established by or under an Ontario provincial statute, and also includes a municipal service corporation established by such a single-tier, lower-tier or upper-tier municipality.

H2.0 DISPOSAL OF ASSETS

H2.1 **Payment If Early Disposal.** The Recipient undertakes to notify the Province in writing, 180 days in advance, if at any time on or before December 30, 2031, the Recipient proposes to sell, lease, encumber or use any Asset in a manner other than described in the Agreement, or otherwise dispose of, directly or indirectly, any Asset other than to the Province, a Local Government or a Crown agent of the Province. Upon disposal of the Asset, the Recipient hereby undertakes to pay an amount equal to the percentage of Funds received from the Province for the Asset, forthwith on demand, as set out in the table below:

DISPOSAL PERIOD	PERCENTAGE OF FUNDS (IN CURRENT DOLLARS)
On or before December 30, 2022	100%
After December 30, 2022 and on or before December 30, 2025	75%
After December 30, 2025 and on or before December 30, 2029	50%
After December 30, 2029 and on or before December 30, 2031	25%
After December 30, 2031	0%

SCHEDULE “I” ABORIGINAL CONSULTATION PROTOCOL

I1.0 DEFINITIONS

I1.1 **Definitions.** For the purposes of this Schedule “I” (Aboriginal Consultation Protocol):

“**Aboriginal Consultation Plan**” means the Aboriginal Consultation Plan described in section I2.1 (Development of Plan).

“**Aboriginal Consultation Record**” means a document that records and describes, as the Province may require, the consultation activities carried out during the Project and the results of that consultation.

“**Aboriginal Community**” includes First Nation, Métis and Inuit communities or peoples of Canada.

I2.0 ABORIGINAL CONSULTATION PLAN

I2.1 **Development of Plan.** The Province, based on the scope and nature of the Project, may require the Recipient to, in consultation with the Province, develop and comply with an Aboriginal consultation plan (“**Aboriginal Consultation Plan**”).

I2.2 **Procedural Aspects of Consultation.** If consultation with Aboriginal Communities is required, the Province may:

- (a) delegate certain procedural aspects of the consultation to the Recipient; and
- (b) provide the Recipient with an initial list of the communities the Recipient may consult.

I2.3 **Provision of Plan to Province.** If, pursuant to section I2.1 (Development of Plan), the Province provides Notice to the Recipient that an Aboriginal Consultation Plan is required, the Recipient will, within the timelines provided in the Notice, provide the Province with a copy of the Aboriginal Consultation Plan.

I2.4 **Changes to Plan.** The Province, in the Province’s sole discretion and from time to time, may require the Recipient to make changes to the Aboriginal Consultation Plan.

I3.0 ABORIGINAL CONSULTATION RECORD

- I3.1 Requirements for Aboriginal Consultation Record.** If consultation with Aboriginal Communities is required, the Recipient will maintain an Aboriginal Consultation Record and provide such record to the Province, and any update to it, as part of its reporting to the Province pursuant to paragraph F1.1(d), subsection F3.2 (Aboriginal Consultation Reporting) and paragraph F5.2(g).

I4.0 RESPONSIBILITIES OF THE RECIPIENT

- I4.1 Notification to and Direction from the Province.** The Recipient will immediately notify the Province:
- (a) of contact by any Aboriginal Communities regarding the Project; or
 - (b) if any Aboriginal archaeological resources are discovered in the course of the Project,
- and, in either case, the Province may direct the Recipient to take such actions as the Province may require. The Recipient will comply with the Province's direction.
- I4.2 Direction from the Province and Contracts.** The Recipient will provide in any Contract and Partner Agreement for the Recipient's right and ability to respond to direction from the Province as the Province may provide in accordance with section I4.1 (Notification to and Direction from the Province).

SCHEDULE “J” CERTIFICATES AND DECLARATIONS

J1.0 PROCEDURES

- J1.1 **Procedures.** The Recipient agrees that this Schedule “J” (Certificates and Declarations) will apply to the Projects.

J2.0 ANNUAL FUNDING CERTIFICATES

- J2.1 **Timing and Documents.** The Recipient will submit Annual Funding Certificates to the Province, in the form provided in Sub-schedule “J.1” (Ontario Municipal Commuter Cycling (OMCC) Program Form of Annual Funding Certificate), signed by the senior financial of the Recipient identified in Schedule “B” (Recipient Information) and completed to the Province’s satisfaction, attesting, amongst other matters, that all Funds have been spent on Eligible Projects and Eligible Costs.
- J2.2 **Timing of Annual Funding Certificate.** The Recipient will submit an Annual Funding Certificate to the Province, together with the Annual Financial Report, in each Funding Year.

J3.0 ANNUAL ELIGIBLE PROJECTS DECLARATION

- J3.1 **Timing and Documents.** The Recipient will submit an Annual Eligible Projects Declaration to the Province, in the form provided in Sub-schedule “J.2” (Ontario Municipal Commuter Cycling (OMCC) Program Form of Annual Eligible Projects Declaration), signed by an approved Recipient representative and completed to the satisfaction of the Province.
- J3.2 **Timing of Annual Eligible Projects Declaration.** The Recipient will submit the Annual Eligible Projects Declaration as a component of the Annual Implementation Report to the Province.

J4.0 SOLEMN DECLARATION OF SUBSTANTIAL COMPLETION

- J4.1 **Timing and Documents.** The Recipient will submit to the Province, in the form provided in Sub-schedule “J.3” (Ontario Municipal Commuter Cycling (OMCC) Program Form of Solemn Declaration of Substantial Completion), a Solemn Declaration of Substantial Completion for each Eligible Project. The Recipient will include all of the documentation required in the Solemn Declaration of Substantial Completion and fully complete and execute the declaration.

J4.2 **Submission of Declarations of Substantial Completion.** The Recipient will submit the declaration(s) in each Funding Year as attachment(s) to the Annual Implementation Reports.

J5.0 FINAL ADJUSTMENTS

J5.1 **Final Adjustments.** After the Recipient has submitted its Final Report and before the Expiry Date, the Parties will jointly carry out a final reconciliation of all Funds in respect of the Project and make any adjustments required in the circumstances.

SUB-SCHEDULE "J.1"
ONTARIO MUNICIPAL COMMUTER CYCLING (OMCC) PROGRAM
FORM OF ANNUAL FUNDING CERTIFICATE

ANNUAL FUNDING CERTIFICATE

TO: Transportation Policy Branch
Ontario Ministry of Transportation
777 Bay Street, 30th Floor
Toronto, ON M7A 2J8
Telephone: 1-844-671-7438
Facsimile: (416) 585-7204
E-mail: cycling@ontario.ca

FROM: Name/Title: [Enter the name and title of the Senior Financial Officer of the Recipient.]
Address: [Enter the address of the Senior Financial Officer of the Recipient.]
Telephone: [Enter the telephone number of the Senior Financial Officer of the Recipient.]
Facsimile: [Enter the facsimile number of the Senior Financial Officer of the Recipient.]
Email: [Enter the email address of the Senior Financial Officer of the Recipient.]

ON BEHALF OF: [Enter the Recipient's name.]

RE: Ontario Municipal Commuter Cycling (OMCC) Program -
Annual Funding Certificate

In the matter of the Ontario Municipal Commuter Cycling (OMCC) Program Transfer Payment Agreement entered into between Her Majesty the Queen in right of Ontario, represented by the Minister of Transportation for the Province of Ontario, and the [Enter the legal name of the municipality.] (the "Recipient"), on _____, _____ (the "Agreement").

I, _____ [Enter the name and title of the senior financial officer of the Recipient listed in Schedule "B" (Recipient Information).], an authorized representative of the Recipient, having made such inquiries as I have deemed

necessary for this certificate, hereby certify that to the best of my knowledge, information and belief for Funding Year **[Enter the Funding Year.]**:

On and as of the date set out below:

1. Funds have only been expended on Eligible Projects listed on the Eligible Projects List, as described in Sub-schedule “C.1” (Eligible Projects List) of the Agreement, and the Eligible Projects funded this Funding Year are as listed in Appendix A (Eligible Projects for Funding Year) to this certificate.
2. Funds were solely used towards the Eligible Costs of implementing the Eligible Projects listed in Appendix A (Eligible Projects for Funding Year) to this certificate.
3. The Eligible Projects listed in Appendix A (Eligible Projects for Funding Year) to this certificate will be completed by December 30, 2020.
4. The work undertaken for Eligible Projects conforms with the requirements set out in paragraph A4.8(d) of Schedule “A” (General Terms and Conditions) of the Agreement to comply with industry standards.
5. Any Funds the Recipient received before the Recipient’s immediate need were placed in an interest bearing account in accordance with section A4.5 (Interest Bearing Account) of the Agreement, and any interest earned on the Funds is noted in Appendix A (Eligible Projects Funding Year) to this certificate and was used only as noted in the appendix.

Declared at _____ (city), in the Province of Ontario, this _____ day of _____, 20____.

(Signatures)

Name:

Title:

Witness Name:

Title:

APPENDIX A
ELIGIBLE PROJECTS FOR FUNDING YEAR [Note: Enter the Funding Year.]

FUNDING YEAR	ELIGIBLE PROJECT	ELIGIBLE PROJECT START DATE	ELIGIBLE PROJECT END DATE	ELIGIBLE COSTS		RECIPIENT FUNDS EXPENDED		FUNDING FROM OTHER SOURCES USED		TOTAL ELIGIBLE PROJECT COSTS
				\$	% of Funds	\$	% of Total Eligible Project Costs	\$	% of Total Eligible Project Costs	
Total										

INTEREST ON FUNDS

- (a) The interest earned on the Funds for the Funding Year to which this Annual Funding Certificate relates is **[\$x dollars]**.
- (b) The interest earned on the Funds since the Effective Date of the Agreement is **[\$x dollars]**.
- (c) The interest used towards the Eligible Costs of Eligible Projects in the Funding Year to which this Annual Funding Certificate relates is **[\$x dollars]**.
- (d) The interest used for the Eligible Costs of Eligible Projects since the Effective Date of the Agreement is **[\$x dollars]**.

**SUB-SCHEDULE “J.2”
ONTARIO MUNICIPAL COMMUTER CYCLING (OMCC) PROGRAM
FORM OF ANNUAL ELIGIBLE PROJECTS DECLARATION**

ANNUAL ELIGIBLE PROJECTS DECLARATION

TO: Transportation Policy Branch
Ontario Ministry of Transportation
777 Bay Street, 30th Floor
Toronto, ON M7A 2J8
Telephone: 1-844-671-7438
Facsimile: (416) 585-7204
E-mail: cycling@ontario.ca

FROM: Name/Title: [Enter the name and title of the authorized representative of the Recipient.]
Address: [Enter the address of the authorized representative of the Recipient.]
Telephone: [Enter the telephone number of the authorized representative of the Recipient.]
Facsimile: [Enter the facsimile number of the authorized representative of the Recipient.]
Email: [Enter the email address of the authorized representative of the Recipient.]
Email: [Enter the email address of the authorized representative of the Recipient.]

RE: Ontario Municipal Commuter Cycling Program - Annual Eligible Projects Declaration

In the matter of the Ontario Municipal Commuter Cycling (OMCC) Program Transfer Payment Agreement entered into between Her Majesty the Queen in right of Ontario, represented by the Minister of Transportation for the Province of Ontario, and the **[Enter the legal name of the municipality.]** (the “Recipient”), on _____, _____ (the “Agreement”).

I, _____ **[Enter the name and title of the authorized representative of the Recipient listed in Schedule “B” (Recipient Information).]**, having made such inquiries as I have deemed necessary for this declaration, hereby certify that to the best of my knowledge, information and belief:

1. On and as of the date set out below:

- a. all representations and warranties contained in Article A2.0 (Representations, Warranties, and Covenants) of Schedule "A" (General Terms and Conditions) to the Agreement are true and correct;
- b. the Recipient is in compliance with all the terms and conditions of the Agreement and no event of default, as described in the Agreement, has occurred and is continuing;
- c. and prior to the Recipient having used any of the Funds for an Eligible Project, the Recipient has complied with all of the requirements set out in paragraphs A32.1(c)(i), (ii) and (iii).
- d. the Recipient has attached a valid certificate of insurance for the current Funding Year;
- e. the Recipient has attached the municipal council approved enabling by-law for the current Funding Year;
- f. the Recipient has met the 20% funding requirements for each Eligible Project implemented with Funds;
- g. the Recipient has complied with all provisions of the *Construction Lien Act* (Ontario) and is not aware of any claims for liens under that Act.

2. Funds were solely used towards the Eligible Costs of implementing the Eligible Projects listed on the Eligible Projects List

Declared at _____ (city), in the Province of Ontario, this _____ day of _____, 20____.

(Signatures)

Name:

Witness Name:

Title:

Title:

**SUB-SCHEDULE “J.3”
ONTARIO MUNICIPAL COMMUTER CYCLING (OMCC) PROGRAM
FORM OF SOLEMN DECLARATION OF SUBSTANTIAL COMPLETION**

SOLEMN DECLARATION OF SUBSTANTIAL COMPLETION

TO: Transportation Policy Branch
Ontario Ministry of Transportation
777 Bay Street, 30th Floor
Toronto, ON M7A 2J8
Telephone: 1-844-671-7438
Facsimile: (416) 585-7204
E-mail: cycling@ontario.ca

FROM: Name/Title: [Enter the name and title of the professional engineer.]
Address: [Enter the address of the professional engineer.]
Accreditation: [Enter the accreditation number of the professional engineer.]
Telephone: [Enter the telephone number of the professional engineer.]
Facsimile: [Enter the facsimile number of the professional engineer.]
Email: [Enter the email address of the professional engineer.]

RE: Ontario Municipal Commuter Cycling Program - Solemn Declaration of Substantial Completion

In the matter of the Ontario Municipal Commuter Cycling (OMCC) Program Transfer Payment Agreement entered into between Her Majesty the Queen in right of Ontario, represented by the Minister of Transportation for the Province of Ontario, and the [Enter the legal name of the municipality.] (the “Recipient”), on _____, _____ (the “Agreement”).

I, _____ [Enter the name and title of the professional engineer.], a professional engineer duly licensed in the Province of Ontario, having made such inquiries as I have deemed necessary for this certificate, hereby certify that to the best of my knowledge, information and belief:

On and as of the date set out below:

1. I am the _____ [Enter the title, department, or

organization.], and as such have knowledge of the matters set forth in this declaration.

2. The projects listed below in this declaration are listed in Sub-schedule “C.1” (Eligible Projects List) to the Agreement as Eligible Projects. These Eligible Projects have reached Substantial Completion, as defined in the Agreement, as follows:

ELIGIBLE PROJECT NAME	ELIGIBLE PROJECT DESCRIPTION	ELIGIBLE PROJECT LOCATION	SUBSTANTIAL COMPLETION DATE FOR THE ELIGIBLE PROJECT

3. The value of the Eligible Costs for substantially completed work on each Eligible Project listed in section 2 above is as noted below:

ELIGIBLE PROJECT NAME	ELIGIBLE COSTS FOR THE ELIGIBLE PROJECT	RECIPIENT'S CONTRIBUTION TOWARDS THE ELIGIBLE COSTS OF THE ELIGIBLE PROJECT

4. The work for all Eligible Projects described in this declaration:

- was supervised and inspected by qualified staff;
- conforms with the plans, specifications and other documentation for the work;
- conforms with the Environmental Laws (as defined in the Agreement), and appropriate mitigation measures have been implemented; and
- conforms with the requirements set out in paragraph A4.8(d) of Schedule “A” (General Terms and Conditions) of the Agreement to comply with industry standards.

Declared at _____ (city), in the Province of Ontario, this _____ day of _____, 20____.

(Signatures)

Name:

Witness Name:

Title:

Title:

The Corporation of the Town of Tecumseh

By-Law Number 2018 -03

Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Congregation of the order Antonin Maronite in Ontario and AMICO Infrastructures Inc.

Whereas The Corporation of the Town of Tecumseh (Town) has expropriated lands owned by the Congregation of the order Antonin Maronite (Owner) arising from the registration of Expropriation Plan CE736571 shown as Part 1 on Plan 12R-26617 (the Lands) in accordance with the *Expropriations Act, R.S.O. 1990, c.E.26* (the Act) to accommodate construction of a recreational trail (the Trail);

And Whereas the Town and the Owner have concluded negotiations respecting the compensation to be paid to the Owner and otherwise resolving all claims payable under section 13 of the Act and any and all other possible claims arising from the taking of the lands;

And Whereas AMICO owns PT S1/2 LT 305 CON STR SANDWICH EAST AS IN R929193 (SECONDLY); S/T R1326125, R586335, R592568, SS8064, SS8178, SS8525; TECUMSEH (AMICO lands) and wishes to make arrangements to transfer a certain portion of the AMICO lands described as Parts 11 to 31 (both inclusive) (the New Lands) on a draft reference Plan dated September 13, 2017 bearing Plan File no. 137R-3 and excerpted on Schedule A (the Plan) to the Town to accommodate relocation of a portion of the Trail on the New Lands and outside of a part of the Lands which part is shown as Part 33 (the Surplus Lands);

And Whereas in exchange for both AMICO conveying to the Town the New Lands and the Town, in turn, conveying, back to the Owner, the Surplus Lands; the Owner has agreed to pay to AMICO a portion of the compensation originally paid by the Town to the Owner, accept a reconveyance of the Surplus Lands and otherwise settle and finalize its compensation payable by the Town under the *Expropriation Act* all as set out in this Agreement;

And Whereas pursuant to the *Municipal Act, S.O. 2001, c.25 s.5(3)*, the powers of a municipality shall be exercised by by-law.

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

1. **That** the Mayor and the Clerk be and they are hereby authorized and empowered on behalf of The Corporation of the Town of Tecumseh, to execute an Agreement dated the 30th day of January, 2018, between The Corporation of the Town of Tecumseh and Congregation of the order Antonin Maronite in Ontario and AMICO Infrastructures Inc., a copy of which Agreement is attached hereto and forms part of this by-law, and to do such further and other acts which may be necessary to implement the said Agreement.
2. **That** this by-law shall come into full force and take effect on the date of the third and final reading thereof.

Read a first, second and third time and finally passed this 30th day of January, 2018.

Gary McNamara, Mayor

Laura Moy, Clerk

LAND EXCHANGE AND COMPENSATION AGREEMENT

Pursuant to section 24,
Expropriations Act, R.S.O. 1990, c. E.26

Made Effective this ____ day of _____, 2017

BETWEEN:

THE CORPORATION OF THE TOWN OF TECUMSEH,
hereinafter called the "Municipality" or "Town"

OF THE FIRST PART

-and-

CONGREGATION OF THE ORDER ANTONIN MARONITE IN ONTARIO

hereinafter called the "Owner" or "Church"

OF THE SECOND PART

-and-

AMICO INFRASTRUCTURES INC.

hereinafter called "Amico"

OF THE THIRD PART

ARTICLE 1

RECITALS

WHEREAS the Town has expropriated lands owned by the Owner arising from the registration of Expropriation Plan CE736571 shown as Part 1 on Plan 12R-26617 (herein "the Lands") in accordance with the Expropriations Act, R.S.O. 1990, c. E.26 (herein the Act) to accommodate construction of a recreational trail (the "Trail");

AND WHEREAS the Town and the Owner have concluded negotiations respecting the compensation to be paid to the Owner and otherwise resolving all claims payable under section 13 of the Act and any and all other possible claims arising from the taking of the lands;

AND WHEREAS AMICO owns PT S1/2 LT 305 CON STR SANDWICH EAST AS IN R929193 (SECONDLY); S/T R1326125, R586335, R592568, SS8064, SS8178, SS8525; TECUMSEH (herein the "Amico Lands") and wishes to make arrangements to transfer a certain portion of the Amico Lands described as Parts 11 to 31 (both inclusive) (herein "the New Lands") on a draft reference Plan dated September 13, 2017 bearing Plan File no. 137R-3 and excerpted on Schedule A (herein "the Plan") to the Town to accommodate relocation of a portion of the Trail on the New Lands and outside of a part of the Lands which part is shown as Part 33 on (herein the "Surplus Lands");

AND WHEREAS in exchange for both Amico conveying to the Town the New Lands and the Town, in turn, conveying, back to the Church, the Surplus Lands; the Church has agreed to pay to Amico a portion of the compensation originally paid by the Town to the Church, accept a reconveyance of the Surplus Lands and otherwise settle and finalize its compensation payable by the Town under the Expropriations Act all as set out

below in this Agreement;

NOW THEREFORE in consideration of the covenants contained herein, the parties hereto agree as follows:

ARTICLE 2

DEFINITIONS AND CORRECTNESS OF RECITALS

2.1 Each Party represents and warrants to the other Party that the recitals to this Agreement, insofar as they relate to the Party, are true and correct.

2.2 Definitions

"Business Day" means every day except Saturdays, Sundays and statutory holidays in the Province of Ontario.

ARTICLE 3

SETTLEMENT TERMS

3.1 Conveyances to Occur

The surveyor Andrew Mantha of VSHBB Inc., is hereby authorized and directed by the parties to register the Plan. Upon registration of the Plan, the solicitor for the Town, Edwin C. Hooker of Wolf Hooker Professional Corporation, is hereby authorized and directed by all parties to attend to preparation and electronic registration of the following conveyances and this shall be sufficient stand alone authority to so proceed:

Conveyance 1

Amico shall transfer the New Lands to the Town;

Conveyance 2

The Town shall transfer the Surplus Lands to the Church;

The transferring parties to the conveyances covenant with all parties receiving a conveyance of land that such conveyance shall be free and clear of any registered encumbrances save and except any easements identified on the Plan.

3.2 Payment

The Church acknowledges payment of \$12,700 previously paid by the Town in respect of the expropriation of the Lands and agrees, upon a reconveyance by the Town of the Surplus Lands, to pay to Amico \$ 9,297.49 as calculated on Schedule B.

3.3 Release under the Expropriations Act

In consideration of the Town re-conveying Part 33 to the Church, the Church hereby releases the Town from any and all claims for any amount owing by reason of the expropriation of the Lands by the Town including any compensation falling within the meaning of section 13 of the Act and any and all other possible claims, actions, demands, or rights accruing to the Owner or otherwise arising from the taking of title and possession of the Lands.

3.4 Payment of Owner's Reasonable Legal Costs

Each of the Owner and Amico are encouraged to obtain legal advice from a lawyer other than that used by the Town prior to executing this agreement. Town agrees to pay the reasonable legal costs of the Owner in reviewing this agreement with your legal counsel. Amico and the Town shall each be solely responsible for its own legal costs. The Each party acknowledges: having had a reasonable opportunity to review the terms of this Agreement, understands the provisions of this agreement and has executed the document freely and willingly and without threat or compulsion.

ARTICLE 4

MISCELLANEOUS

4.1 COMMUNICATION

All communications provided for or permitted hereunder shall be in writing, personally delivered to an officer of the addressee or sent by registered and receipted mail, charges prepaid, or by facsimile transmission or other means of recorded telecommunication, charges prepaid, to the applicable address set forth below or to such other address as either party hereto may from time to time designate to the other in such manner.

Communications sent to the Party of the First Part shall be addressed to:

917 Lesperance Road, Tecumseh, Ontario N8N 1W9

Communications sent to the Party of the Second Part shall be addressed to:

5700 Outer Drive Windsor, ON N9A 6J3

Communications sent to the Party of the Third Part shall be addressed to:

2199 Blackacre Dr, Oldcastle, ON N0R 1L0

Any communication so personally delivered shall be deemed to have been validly and effectively given on the date of such delivery. Communications so sent by registered and receipted mail shall be deemed to have been validly and effectively given on the 5th Business Day after posting, as evidenced by the postal receipt. Communications so sent by facsimile transmission or other means of recorded telecommunication shall be deemed to have been validly and effectively given on the Business Day next following the day on which it is sent. Any party may from time to time change his or its address for service on written notice to the others.

4.2 TIME OF ESSENCE

Time shall be of the essence of this Agreement and of every part thereof.

4.3 WAIVER

No waiver by any party of a breach of any of the covenants, conditions and provisions herein contained shall be effective or binding upon such party unless the same shall be expressed in writing and any waiver so expressed shall not limit or affect such party's rights with respect to any other future breach.

4.4 FURTHER ASSURANCES

Each of the Parties covenants and agrees that he, his heirs, executors, administrators, successors and assigns will sign such further agreements, assurances, waivers and documents, and influence, do and perform or cause to be done and performed such further and other acts and things as may be necessary or desirable from time to time in order to give full effect to this Agreement and every part thereof.

4.5 SUCCESSORS AND ASSIGNS

This Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns. It is specifically acknowledged by the Owner that the Town may assign any or all of its' rights and obligations under this Agreement to the Essex Region Conservation Authority. Upon either the Town or ERCA notifying the Owner in writing of the Town's assignment and ERCA's corresponding acknowledgement of assumption of such right or obligation ERCA shall be deemed to be a party for such right or obligation as if it was an original party to the Agreement. To the extent any such obligation of the Town is assigned to and assumed by ERCA (notice of which has been provided to the Owner), the Town shall thereafter stand released of performing such obligation and ERCA shall stand in its place in respect of such obligation. Any notice shall stipulate ERCA's address for service.

4.6 SEVERABILITY

If any covenant or provision contained herein is determined to be in whole or in part, invalid or unenforceable by reason of any rule of law or public policy, such invalidity or unenforceability shall not affect the validity or enforceability of any other covenant or provision contained herein and, in the case of partial invalidity or unenforceability of a covenant or provision, such partial invalidity or unenforceability shall not affect the validity or enforceability of the remainder of such covenant or provision, and such invalid or unenforceable covenant or provision or portion thereof, as the case may be, shall be severable from the remainder of this Agreement.

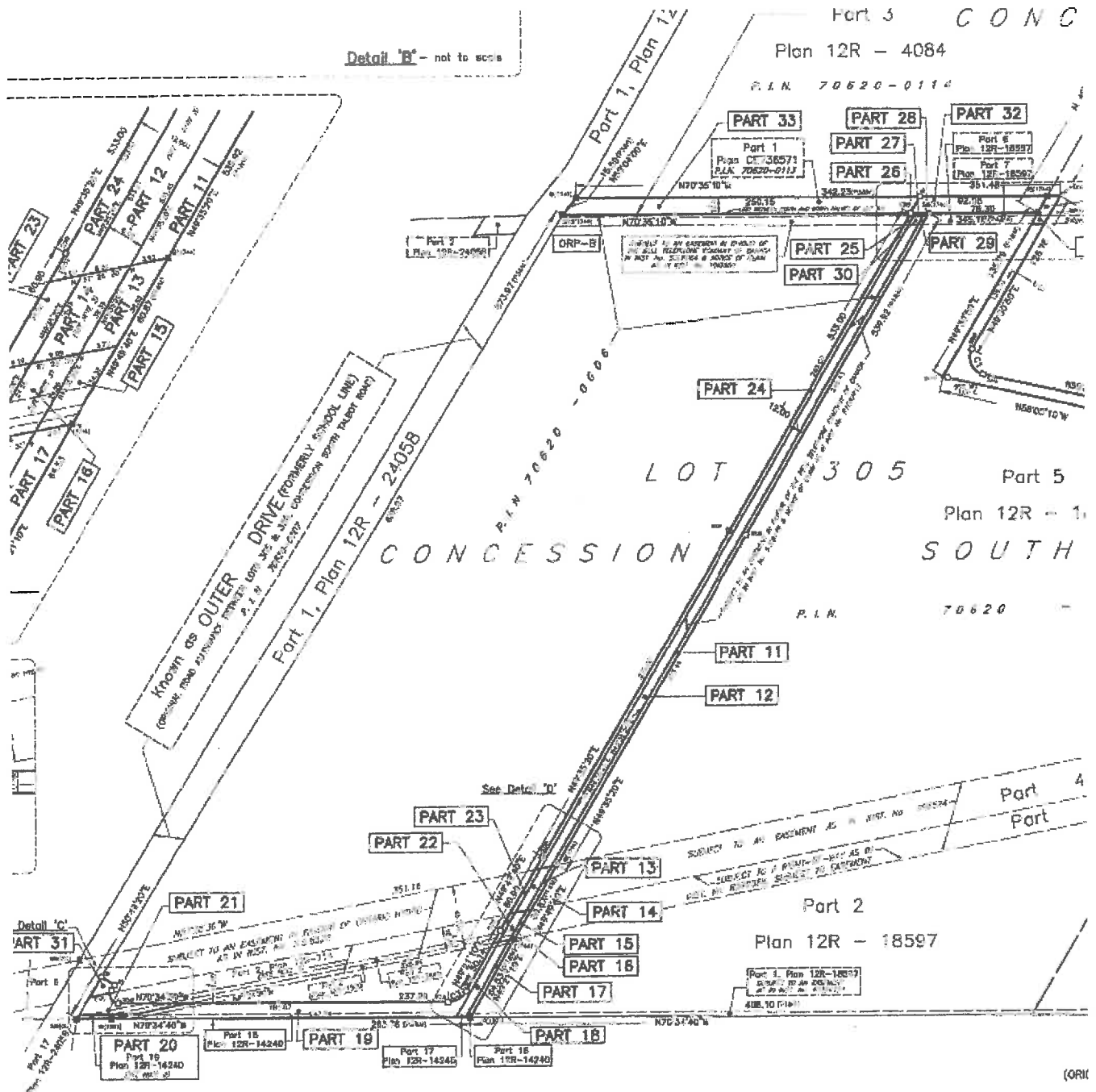
4.7 ENTIRE AGREEMENT

This Agreement expresses the final agreement among the parties hereto with respect to all matters herein and no representations, inducements, promises or agreements or otherwise among the parties not embodied herein shall be of any force and effect. This Agreement shall not be altered, amended or qualified except by a memorandum in writing, signed by all the parties hereto, and any alteration, amendment or qualification thereof shall be null and void and shall not be binding upon any such party unless made and recorded as aforesaid. **The parties acknowledge that the doctrine of "contra proferentem" shall not apply to any of the terms of this Agreement.**

4.8 EXECUTION IN COUNTERPARTS

This Agreement may be executed in one or more counterparts, by Telefax, electronically scanned copy or similar

Schedule A



Schedule B

Calculation of payment for Surplus Lands of CONGREGATION OF THE ORDER ANTONIN MARONITE IN ONTARIO

Total Land taken Parts 32 and 33 on Plan		4125.2
Area Part 32	1105.2	
Area Part 33 shown in m2	3020	
Area of Part 33 expressed as a precentage of total		73%
Compensation paid for total by Town	\$12,700.00	
Compensation payable by Church to Amico	\$ 9,297.49	

The Corporation of the Town of Tecumseh

By-Law Number 2018-04

A By-law to amend By-law No. 2003-14 being a By-law to regulate parking on private property for persons displaying Disabled Parking Permits.

Whereas pursuant to Section 101 of the *Municipal Act*, S.O. 2001, Chapter 25, as may be amended, by-laws may be passed by the councils of local municipalities for prohibiting parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property;

And Whereas the Council of The Corporation of the Town of Tecumseh adopted By-law No. 2003-14, being a by-law to regulate parking on private property for persons displaying Disabled Parking Permits;

And Whereas the Council of the Town of Tecumseh is desirous of amending By-law No. 2003-14, as previously amended, as requested by A Healthy Way, located at 1041 Lesperance Road;

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

- 1. **That** Schedule “B” of By-law No. 2003-14 and any other by-law inconsistent with this by-law are hereby repealed and replaced with Schedule “B” annexed hereto.
- 2. **And That** this By-law shall come into force and take effect upon third reading thereof.

Read a first, second and third time and finally passed this 30th day of January, 2018.

Gary McNamara, Mayor

Laura Moy, Clerk

Schedule B

BY-LAW 2003 - 14 As amended by By-law No. 2016-17

PRIVATE PROPERTY PARKING PROHIBITION FOR DISABLED PERSONS

<u>Street Address</u>	<u>Part Legal Description</u>	<u>Currently known as</u>
348 Manning Road	Part Gore Lot Concession West Pike Creek Parts 1-6 and 9-10, Plan 12R-11702	Village Grove Plaza
12050 Arbour Street	Part Lot 150 Concession No. 2	Windsor-Essex Catholic District School Board (St. Anne High)
2451 St. Alphonse Street	Lots 64-75, 1005-116, 210-221 Part Lots 63, 117, 209 Plan 1380	Windsor-Essex Catholic District School Board (St. Peters School)
644 Lacasse Blvd.	Lot 4, North Part Lot 3 Plan 741	Windsor-Essex Catholic District School Board (St. Pius X School)
13404 through 13598 Tecumseh Road	Part Lot 1, Plan 12R14186	RIOCAN Holdings Inc. (St. Clair Beach Plaza)
13275 Tecumseh Road	Part Lot 156 Pt Part Lot 1, Plan 12R9498 Part 1, Plan 12R17391	MLR Group Inc. Rocco Tullio (Lifestyle Fitness Centre)
500 Manning Road Plaza	Conc. Wpc Pt Lot 2 Pt Blk 9, Plan 12M133 Parts 1 & 3, Plan 12R20920 Part 3, Plan 12R21364	St. Clair Development Rocco Tullio (Shoppers Drug Mart)
11934 Arbour St	Part Lot 148, Con 2 Part 1, Reg Plan 12R-1520	Community Housing Corporation
13300 Tecumseh Road	Con. 1, Part Lot 156, RP 12R1561 Parts 4 to 6	Green Valley Plaza (Petrovec Investments Ltd)
1071 Lesperance Road	Plan 526 Lot 2 PT Lot 3 12R19087 Part 2	Akasaka Restaurant
4040 County Rd 46	Part Lot 12 & 13 Concession 17	Windsor Husky Travel Centre (1425626 Ontario Inc.)
13278 Tecumseh Road	Part Lot 156 Concession 1	Tecumseh Medical Clinic (TMC)
1041 Lesperance Road	PLAN 526 LOT 5	A Healthy Way

The Corporation of the Town of Tecumseh

By-Law Number 2018-05

Being a by-law to authorize the execution of a Letter of Agreement between The Corporation of the Town of Tecumseh and Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation for Ontario relating to funding under the Dedicated Gas Tax Funds for Public Transportation program

Whereas the Province of Ontario established a Dedicated Gas Tax Fund for Public Transportation Program to increase public transportation ridership to support the development of strong communities;

And Whereas funding to municipalities by the Minister of Transportation for the Province of Ontario (MTO) will be provided in accordance with the terms and conditions set out in a Letter of Agreement and the Dedicated Gas Tax Funds for Public Transportation Program 2017/2018 Guidelines and Requirements;

And Whereas the Council of The Corporation of the Town of Tecumseh is desirous of entering into a Letter of Agreement for the provision of funding under the Dedicated Gas Tax Funds for Public Transportation Program, aligning the program year with the Provincial fiscal year, running from April 1, 2017 to March 31, 2018;

And Whereas under Section 5 of the Municipal Act 2001, S.O. 2001 c.25, the powers of a municipality shall be exercised by its Council by by-law.

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

1. **That** the Mayor and Director Financial Services & Treasurer be and they are hereby authorized and empowered on behalf of The Corporation of the Town of Tecumseh, to execute a Letter of Agreement between The Corporation of the Town of Tecumseh and Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation for the Province of Ontario, a copy of which Letter of Agreement is attached hereto and forms part of this by-law and to do such further and other acts which may be necessary to implement the said Letter of Agreement for the provision of funding under the Dedicated Gas Tax Funds for Public Transportation Program for 2017/2018.
2. **That** this by-law shall come into force and take effect upon on the date of the third and final reading thereof.

Read a first, second and third time and finally passed this 30 day of January, 2018.

Gary McNamara, Mayor

Laura Moy, Clerk

The Corporation of the Town of Tecumseh

By-Law Number 2018 -06

Being a by-law to authorize the execution of a Site Plan Control Amending Agreement between The Corporation of the Town of Tecumseh (Municipality) and TRI-LIUNA Labourers' Local 625 Training Centre (Owner)

Whereas TRI-LIUNA Labourers' Local 625 Training Centre (Owner) owns and has developed a certain parcel or tract of lands and premises, situate, lying and being in the Town of Tecumseh (Subject Lands);

And whereas a site plan control agreement (Original Agreement) between the Owner and The Corporation of the Town of Tecumseh (Town) 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. R1284103 on August 25, 1994;

And whereas 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*;

And whereas the Original Agreement is hereby amended as set out herein, all of which is hereinafter referred to as "the Site Plan Agreement" and the amendment affects all of the Subject Lands;

And whereas 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;

And whereas under Section 5 of the *Municipal Act 2001*, S.O. 2001 c.25, the powers of a municipality shall be exercised by its Council by by-law.

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

1. **That** the Mayor and the Clerk be and they are hereby authorized and empowered on behalf of The Corporation of the Town of Tecumseh, to execute a Site Plan Control Amending Agreement between The Corporation of the Town of Tecumseh and TRI-LIUNA Labourers' Local 625 Training Centre, dated the 30th day of January, 2018, a copy of which Site Plan Control Amending Agreement is attached hereto and forms part of this by-law and to do such further and other acts which may be necessary to implement the said Site Plan Control Amending Agreement.
2. **That** this by-law shall come into force and take effect upon on the date of the third and final reading thereof.

Read a first, second and third time and finally passed this 30th day of January, 2018.

Gary McNamara, Mayor

Laura Moy, Clerk

THE CORPORATION OF THE TOWN OF TECUMSEH

SITE PLAN CONTROL AMENDING AGREEMENT

THIS AGREEMENT made in triplicate this ____ day of December, 2017.

B E T W E E N :

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

Of the First Part,

- and -

TRI-LIUNA LABOURERS’ LOCAL 625 TRAINING CENTRE
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 “B” attached ;
- 2) A site plan control agreement (the “Original Site Plan Control Agreement” “Original Agreement”) between the Owner and The Town 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. R1284103 on August 25, 1994 respecting said development;
- 3) 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;
- 4) The Original Agreement is hereby amended as set out herein, all of which is hereinafter referred to as “the Site Plan Agreement” and the amendment affects all of the lands described in Schedule “B” hereto, which lands are herein called the “subject lands”.
- 5) 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) Schedule “A” is hereby added to the Site Plan Control Agreement Amendment, 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 “A” hereinafter “the Site Plan” and shall replace Schedule “A” of the Original Agreement.
- 2) The parties agree that paragraph 4 (b) of the Original Site Plan Control Agreement be and is hereby amended by deleting the words “subsection (11) of Section 41 of the Planning Act, R.S.O. 1990, as amended, Section 325 of the Municipal Act” and replacing them with the words “Section 446 of the Municipal Act, 2001 S.O. 2001”.

3) 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 agreement, the Original Agreement, and in accordance with the Site Plan (all of which are hereinafter collectively called the “Services”).

4) Security

4.1 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 \$10,000.00 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.

4.2 In as much as the Owner is obligated at the Owner's entire expense and not at the expense of the Municipality, to make improvements to the municipal infrastructure, the Owner shall deposit with the Municipality, in order to satisfy the requirements of Section 17(4) of the Construction Lien Act, R.S.O. 1990, c.C.30 and amendments thereto, cash or a letter of credit in form satisfactory to the Municipality and its Solicitor and in an amount of the holdbacks (under Part IV of the Construction Lien Act, R.S.O. 1990, c.C.30 and amendments thereto) that would have been required were the improvements made at the expense of the Municipality. The Owner may, at its option, obtain a single letter of credit with respect to its responsibilities pursuant to Paragraph 4.1 of this Article, provided that the Municipality and its solicitor is satisfied that the Municipality's security under each paragraph, if read separately, would not be compromised by the Letter of Credit proposed by the Owner.

4.3 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.

5) CONDITIONS

5.1 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 4.1;
- b) Construction lien deposit pursuant to Paragraph 4.2 if applicable;

5.2 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 its option elect to terminate this Agreement:

- a) Workers' Compensation Board Clearance Certificate issued if required;
 - b) Proof of Insurance is provided pursuant to Paragraph 6.4 if required;
 - c) Due registration against the title of the land of this Agreement;
 - d) Postponement to this Agreement by all encumbrances;
 - e) Receipt of the opinion of the Owner's lawyer confirming 5.2(c) and 5.2(d) if required by the Town;
- 6) 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.

- 7) 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.
- 8) 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.
- 9) 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 section 427 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.
- 10) 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.
- 11) 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.
- 12) The owners agree to obtain a postponement of any mortgages or other encumbrances which may affect the Lands.
- 13) The owner agrees to sign Local Improvement petitions for, and agrees not to oppose, any municipal services proposed by the Municipality to be constructed pursuant to
 - a) the provisions of the Municipal Act S.O., 2001, c.25, including but not limited to Ontario Regulation 119/03, or
 - b) the Drainage Act of Ontario R.S.O. 1990 c.D.17 and amendments thereto, which shall directly or indirectly benefit 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.

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

Signed, sealed and delivered	)	THE CORPORATION OF THE
	)	TOWN OF TECUMSEH
in the presence of:	)	
	)	Per:_____
	)	Name: Gary McNamara
	)	Title: Mayor
	)	
	)	c/s
	)	Per:_____
	)	Name: Laura Moy
	)	Title: Clerk
	)	
	)	TRI-LIUNA LABOURERS’ LOCAL 625
	)	TRAINING CENTRE
	)	
	)	Per:_____
	)	Name: Robert Petroni
	)	Title: Authorized Signing Officer
	)	c/s
	)	“I have authority to bind the Corporation”

Schedule “B”
Subject Lands

Legal Description: Part S1/2 Lot 304 Con. NTR Sandwich East Pat 57 & 58 Plan 12R-10334
 s/t R1111082; Tecumseh

PIN: 70621-0164

The Corporation of the Town of Tecumseh
By-Law Number 2018 -07

Being a temporary use by-law pertaining to 7035 10th Concession Rd.
(D19 LEON – Mr. William Leon and Mrs. Joanne Leon)

WHEREAS Sections 34 and 39 of the *Planning Act, R.S.O. 1990* authorize the passing of temporary use by-laws;

AND WHEREAS, the Council of the Corporation of the Town of Tecumseh passed Temporary Use By-law 2012-63 on October 9, 2012;

AND WHEREAS application was made 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*;

AND WHEREAS the Council of the Corporation of the Town of Tecumseh deems it necessary and in the best interest of proper planning to pass this by-law;

AND WHEREAS this by-law conforms to the Official Plan in effect for the Town of Tecumseh for lands in the former Township of Sandwich South;

Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:

1. **That** notwithstanding By-law 85-18, as amended, the Zoning By-law in effect for the Town of Tecumseh for lands in the former Township of Sandwich South, one Garden Suite (as defined in Section 39 of the *Planning Act*) is permitted for a period of time not to exceed three years from the date of passing of this by-law on a 9.6 hectare property located on the west side of 10th Concession Road, approximately 600 metres north of County Road 8, and having a municipal address of 7035 10th Concession Road, as shown on Schedule “A” attached hereto and forming part of this by-law, in accordance with the following regulations:

Garden Suite Regulations

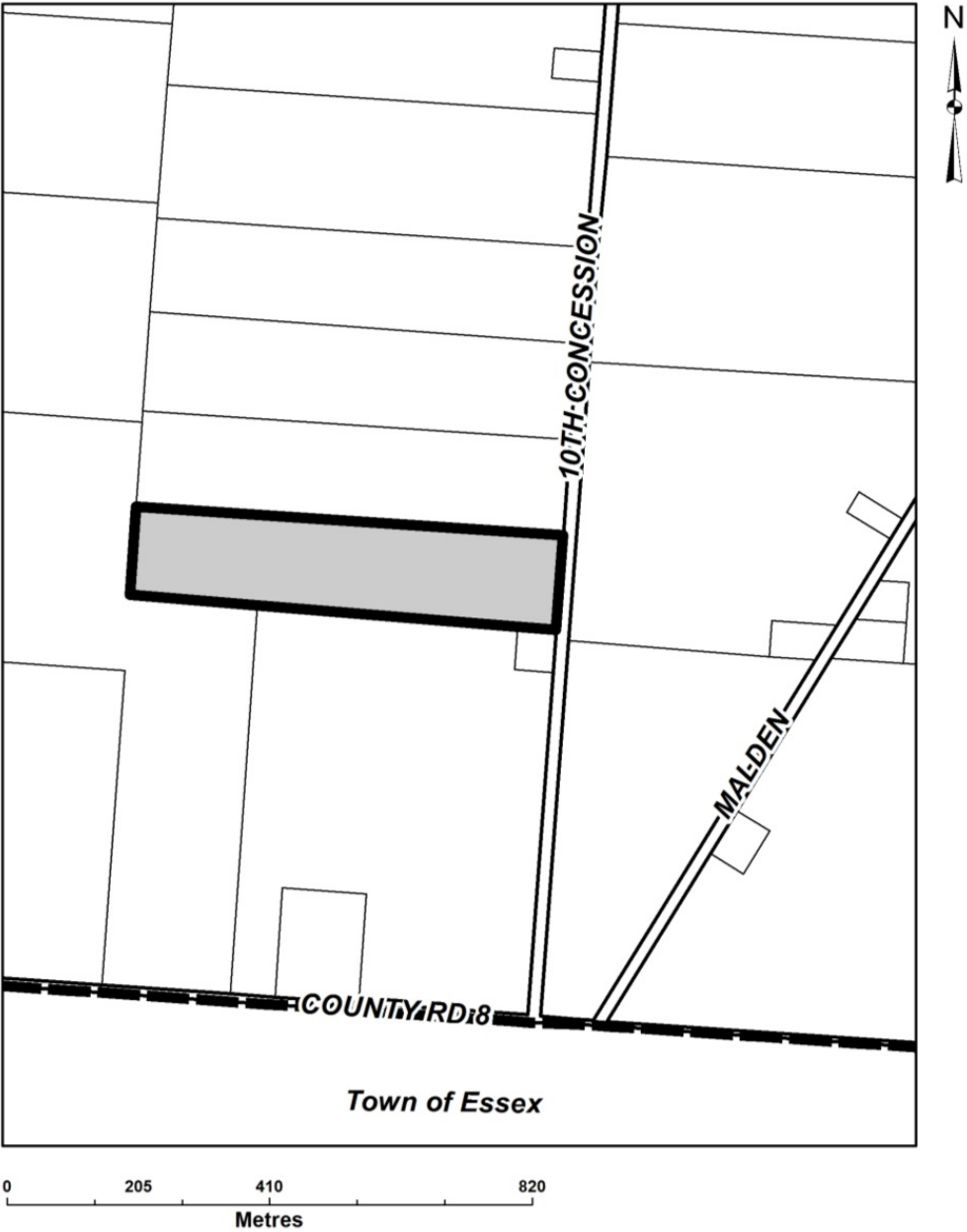
- | | |
|-------------------------------|-----------------------------------|
| i. Maximum Height | 6 metres (19.68) |
| ii. Maximum Floor Area | 110 square metres (1184 sq. feet) |
| iii. Minimum Front Yard Depth | 40.0 metres (131.2') |
| iv. Minimum Side Yard Depth | 35.0 metres (114.8') |
| v. Minimum Rear Yard Depth | 590.0 metres (1935.6') |
2. This by-law shall take effect from the date of passage by Council and shall come into force in accordance with Sections 34 and 39 of the *Planning Act, R.S.O. 1990*.

Read a first, second and third time and finally passed this 30th day of January, 2018.

Gary McNamara, Mayor

Laura Moy, Clerk

SCHEDULE "A"
PART OF LOT 2, CONCESSION 9
7035 10TH CONCESSION ROAD
TOWN OF TECUMSEH



 Area Affected by the Temporary Use By-law

This is Schedule "A" to By-law No. 2018-07.
Passed the 30th day of January, 2018.

Signed

Mayor

Clerk

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	
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	
26/17	December 12, 2017		Hill at Green Acres Optimist Park	A request for a report on the environmental history of the hill located at Green Acres Optimist Park. The report should include an option to remove the hill to accommodate a soccer field or other sports related field	Parks	
27/17	December 12, 2017		OMB Hearing Costs	A request is made for the financial costs of the OMB Ward Boundary hearing, in addition to the Del Duca and Maidstone Hamlet OMB Hearings.	Finance	

The Corporation of the Town of Tecumseh

By-Law Number 2018 -08

Being a by-law to confirm the proceedings of the **January 30, 2018** 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 **January 30, 2018**, 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 **January 30, 2018**, 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 30th day of January, 2018.

Gary McNamara, Mayor

Laura Moy, Clerk