

**Regular Council Agenda**  
**AGENDA**

Tuesday, March 13, 2018, 7:00 pm  
Tecumseh Town Hall  
[www.tecumseh.ca](http://www.tecumseh.ca)

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**16. Next Meeting - March 27, 2018**

5:30 pm Public Council Meeting RE: ZBA 154 Hayes Ave

6:00 pm Court of Revision Re: 7th Concession Drain

7:00 pm Regular Council Meeting

**17. Adjournment**

**Minutes of a Public Meeting of  
The Council of the Town of Tecumseh**

Tecumseh Council meets in Public Session on Tuesday, February 27, 2018, in the Council Chambers, 917 Lesperance Road, Tecumseh, Ontario at 5:00 pm.

**1. Call to Order**

The Mayor calls the meeting to order at 5:02 pm.

**2. Roll Call**

**Present:**

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

**Also Present:**

Chief Administrative Officer	Tony Haddad
Public Works & Environmental Services	Phil Bartnik
Deputy Clerk & Manager of Legislative Services	Jennifer Alexander
Manager Planning Services	Chad Jeffery
Administrative Assistant	Sue White

**3. Disclosure of Pecuniary Interest**

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

**4. Delegations**

The Manager of Planning Services presents the application of the Zoning By-law Amendment for 12334 Arbour Street to the members of Council. The proposed semi-detached dwelling provides a greater mix of housing and promotes affordability in the area. There was no response from the community on this application and no affected property owners in attendance.

**5. Communications**

a. Notice of Public Meeting

Re: Proposed Zoning By-Law Amendment 12334 Arbour Street

**Motion: PCM-05/18**

Moved By Councillor Andrew Dowie

Seconded By Councillor Brian Houston

**That** the Communications listed as Item A, on the February 27, 2018 Public Council Meeting Agenda, be received.

**Carried**



**6. Reports**

- a. PSB-2018-01, ZBA 12334 Arbour Street D19 12334ARB

**Motion: PCM-06/18**

Moved By Deputy Mayor Joe Bachetti

Seconded By Councillor Brian Houston

**That** Report PSB-2018-01, ZBA 12334 Arbour Street D19 12334ARB, be received.

**Carried**

**7. Adjournment**

**Motion: PCM-07/18**

Moved By Councillor Bill Altenhof

Seconded By Councillor Tania Jobin

**That** there being no further business to discuss, the February 27, 2018 Public Meeting of the Council of the Town of Tecumseh adjourn at 5:08 pm.

**Carried**

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Gary McNamara, Mayor

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Jennifer Alexander, Deputy Clerk

**Minutes of a Public Meeting of  
The Council of the Town of Tecumseh**

Tecumseh Council meets in Public Session on Tuesday, February 27, 2018, in the Council Chambers, 917 Lesperance Road, Tecumseh, Ontario at 6:00 pm.

**1. Call to Order**

The Mayor calls the meeting to order at 6:00 pm.

**2. Roll Call**

**Present:**

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

**Also Present:**

Chief Administrative Officer	Tony Haddad
Director Fire Services & Fire Chief	Doug Pitre
Deputy Clerk & Manager of Legislative Services	Jennifer Alexander
Manager Public Works & Environmental Services	Phil Bartnik
Drainage Superintendent	Sam Paglia
Administrative Assistant to Director Corporate Service & Clerk	Sue White

**3. Disclosure of Pecuniary Interest**

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

**4. Delegations**

The Drainage Superintendent discusses the PWES-2018-05 report regarding the 7th Concession Drain and updates Council on correspondence received on the drain with specifics regarding the culvert on the Dunn Lands. The Essex Region Conservation Authority (ERCA) raised a concern with the level of service in the culvert design. Through consultations with ERCA, the examining Engineer has submitted the design level of service to ERCA and there is no further response on this matter. The Drainage Engineer, Halliday Pearson, P. Eng., of Baird AE is present and available to address any questions.

There are no affected property owners in attendance.

**5. Communications**

- a. Notice of Meeting to Consider the 2nd Reconsideration of the 7th Concession Drain
- b. 2nd Reconsidered Drainage Report
- c. Baird AE Reconsidered Drainage Report

**Motion: PCM-08/18**

Moved By Councillor Andrew Dowie

Seconded By Deputy Mayor Joe Bachetti

**That** the Communications listed as Items A through C on the February 27, 2018 Public Council Meeting Agenda, be received.

**Carried****6. Reports**

- a. PWES-2018-05, 7th Concession Drain Reconsider Engineer's Drainage Report

**Motion: PCM-09/18**

Moved By Councillor Rita Ossington

Seconded By Councillor Brian Houston

**That** the 2nd Reconsidered Drainage Report and specifications for the 7th Concession Drain (Drain) as prepared by Baird AE, dated November 23, 2017 (Drainage Report) be received;

**And that** consideration be given to first and second readings of a new provisional by-law to adopt the Drainage Report and repeal provisional By-law No. 2017-15;

**And further that** notice be given to all affected landowners of the Court of Revision to be held on March 27, 2018, at 6:00 pm in accordance with Section 46(1) of the *Drainage Act* subject to adoption of the provisional by-law.

**Carried****7. Adjournment****Motion: PCM-10/18**

Moved By Councillor Brian Houston

Seconded By Councillor Bill Altenhof

**That** there being no further business to discuss, the February 27, 2018, Public Meeting of the Council of the Town of Tecumseh adjourn at 6:05 pm.

**Carried**

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Gary McNamara, Mayor

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Jennifer Alexander, Deputy Clerk

**Minutes of a Regular Meeting of  
The Council of the Town of Tecumseh**

Tecumseh Council meets in regular session on Tuesday, February 27, 2018, in the Council Chambers, 917 Lesperance Road, Tecumseh, Ontario at 7:00 pm.

**1. Order**

The Mayor calls the meeting to order at 7:00 pm.

**2. Moment of Silence**

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

**3. National Anthem**

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

**4. Roll Call**

**Present:**

Mayor

Deputy Mayor

Councillor

Councillor

Councillor

Councillor

Councillor

Gary McNamara

Joe Bachetti

Bill Altenhof

Andrew Dowie

Brian Houston

Tania Jobin

Rita Ossington

**Also Present:**

Chief Administrative Officer

Director Parks & Recreation Services

Director Information & Communication Services

Director Planning & Building Services

Director Fire Services & Fire Chief

Deputy Clerk & Manager Legislative Services

Manager of Engineering Services

Deputy Treasurer & Tax Collector

Manager Water & Wastewater

Manager Planning Services

Manager Recreation Programs & Events

Manager Building Services & Chief Building Official

Administrative Assistant to the Director Corporate  
Services & Clerk

Tony Haddad

Paul Anthony

Shaun Fuerth

Brian Hillman

Doug Pitre

Jennifer Alexander

Phil Bartnik

Tom Kitsos

Denis Berthiaume

Chad Jeffery

Kerri Rice

Mike Voegeli

Sue White

**5. Disclosure of Pecuniary Interest**

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

**6. Minutes**

**Motion: RCM - 54/18**

Moved By

Councillor Andrew Dowie

Seconded By

Deputy Mayor Joe Bachetti

**That** the Minutes of the February 13, 2018 Regular Meeting of Council, and the Minutes of the February 13, 2018 Public Meeting of Council, as were duplicated and delivered to the members, are adopted.

**Carried**

**7. Supplementary Agenda Adoption**

- a. Friends of Oldcastle Development correspondence - February 27, 2018

Re: Santarossa ZBA and Draft Plan Approval, Planning Report  
PBS-2018-07.

**Motion: RCM - 55/18**

Moved By Councillor Tania Jobin  
Seconded By Councillor Bill Altenhof

**That** the Friends of Oldcastle Development correspondence dated February 27, 2018 be adopted as a supplementary agenda item.

**Carried**

**8. Communications for Information**

- a. Windsor Essex County 2018 Accessibility Awards

Re: Call for Nominations

**Motion: RCM - 56/18**

Moved By Councillor Brian Houston  
Seconded By Councillor Bill Altenhof

**That** the Windsor Essex County Accessibility Awards, Call for Nominations be received; and that a copy be shared with the Tecumseh Accessibility Advisory Committee.

**Carried**

**9. Communications Action Required**

- a. Town of Essex - dated February 1, 2018

Re: Resolution to support offering surplus school properties to municipalities to purchase for a dollar.

A Member raises a concern with the potential financial impact to school boards and municipalities with capital asset management planning. The opportunity for municipalities to purchase surplus school lands may benefit municipalities; however, school boards may request the same opportunity to purchase surplus municipal properties. The revenue from the sale of surplus municipal properties assist municipal budgets and future planning. The Chief Administrative Officer addresses Council providing background information from the Association of Municipalities of Ontario's research on this issue.

**Motion: RCM - 57/18**

Moved By Deputy Mayor Joe Bachetti  
Seconded By Councillor Bill Altenhof

**That** the resolution from the Town of Essex, dated February 1, 2018, to send a request to the Association of Municipalities of Ontario (AMO), the Rural Ontario Municipal Association (ROMA), and other municipalities, requesting that when schools boards make decisions to close schools, that they offer municipalities the opportunity to purchase the sale of surplus properties for a dollar, be received.

**Carried**

- b. Essex Region Conservation Foundation – dated February 15, 2018

Re: 30th Annual Golf Tournament

**Motion: RCM - 58/18**

Moved By Councillor Rita Ossington  
Seconded By Councillor Tania Jobin

**That** the Town's Essex Region Conservation Authority (ERCA) representatives (or alternate Members of Council should they be unable to attend) be authorized to attend the Essex Region Conservation Foundation's 30th Annual Golf Tournament, on July 12, 2018, subject to funding in the 2018 budget and the provisions of the Town's Travel and Professional Development Policies.

**Carried**

**10. Committee Minutes**

- a. Youth Advisory Committee – February 12, 2018

**Motion: RCM - 59/18**

Moved By Councillor Brian Houston  
Seconded By Councillor Bill Altenhof

**That** the February 12, 2018 minutes of the Youth Advisory Committee, as duplicated and delivered to the Members of Council, are accepted.

**Carried**

**11. Reports**

- a. Parks & Recreation Services

1. PRS-2018-01 Optimist Club's Victoria Day Weekend Fireworks  
2018

**Motion: RCM - 60/18**

Moved By Councillor Brian Houston  
Seconded By Councillor Bill Altenhof

**That** the rental fees associated with use of the Optimist Community Centre and Green Acres Park for the Optimist Club of St. Clair Beach's 2018 Victoria Day Fireworks Display, at a cost of \$197 be waived;

**And that** the fees associated with the fireworks permit as regulated under By-law Number 2013-50, a by-law to regulate the sale and use of fireworks, at a cost of \$50, be waived;

**And further that** the Ontario Provincial Police schedule officers to walk through the park the evening of the fireworks display.

**Carried**

**b. Planning & Building Services**

1. PBS-2018-04 Encroachment Agreement, 1130 Lesperance Road

**Motion: RCM - 61/18**

Moved By Deputy Mayor Joe Bachetti  
 Seconded By Councillor Rita Ossington

**That** a by-law authorizing the execution of an Encroachment Agreement with the Owner of 1130 Lesperance Road, as drafted by Mr. Edwin Hooker, Solicitor, which will permit the continued encroachment of a 4.8 square metre (52 square foot) portion of the existing one-storey commercial building located at 1130 Lesperance Road (Amloze Pizza), be adopted, in accordance with Condition 6 of Consent Application B-15/17, subject to the Owner executing the Encroachment Agreement prior to the Town's execution of the Agreement;

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

**Carried**

2. PBS-2018-05 Potential One-Year Moratorium on Commercial Development and Hotel Building Permit Fees

A member of Council addresses the financials implications of this moratorium in the report. The Chief Administrative Officer responded that there would be 100 percent loss for collecting these fees for 2018. For the amount of fees waived, there is the potential investment to the community.

A member requested that Administration communicate this endeavor to our stakeholders in the community.

**Motion: RCM - 62/18**

Moved By Deputy Mayor Joe Bachetti  
 Seconded By Councillor Rita Ossington

**That** the Planning and Building Services Report PBS-2018-05 Potential One-Year Moratorium on Building Permit Fees, be received;

**And that** a one-year moratorium on commercial development and hotel building permit fees, and that any shortfall in building permit revenue that results be off-set by the Tax Rate Stabilization Reserve.

**Carried**

3. PBS-2018-06 2017 Year End Permit Report

**Motion: RCM - 63/18**

Moved By Councillor Brian Houston  
 Seconded By Councillor Bill Altenhof

**That** Planning and Building Services Report No. PBS-2018-06, 2017 Year End Permit Report, be received.

**Carried**

4. PBS 2018-07 D19 SANTA, Santarossa ZBA and Plan of Subdivision

The Friends of Oldcastle Development (F.O.O.D) correspondence dated February 27, 2018, in support of the Santarossa Zoning Amendment Application and Plan of Subdivision is read by a Member of Council.

**Motion: RCM - 64/18**

Moved By Deputy Mayor Joe Bachetti  
Seconded By Councillor Tania Jobin

**That** a by-law amending the Sandwich South Zoning By-law 85-18 for a 7.7 hectare (19.2 acre) portion of a 29.0 hectare (71.6 acre) parcel of land situated at the north-east corner of the 8th Concession Road/County Road 42 intersection from "Holding – Business Park Zone (H)BP" to "Parks and Open Space Zone (P)" to zone the 7.7 hectare (19.2 acre) portion that is to be used for the stormwater management facility to be constructed in relation to the development of the lands for a business park subdivision and to zone the existing woodlot/natural area for its preservation, be adopted;

**And that** the Draft Plan of Subdivision Approval by the County of Essex (the Approval Authority) for the application submitted by 1061160 Ontario Inc. (County Application: 37-T-17003, as revised on February 8, 2018) for a business park subdivision comprising five business park lots, a block containing an existing woodlot/natural area and associated buffer and a block containing a proposed stormwater management facility on a 29.0 hectare (71.6 acre) parcel of land situated at the north-east corner of the 8<sup>th</sup> Concession Road/County Road 42 intersection, subject to the inclusion of appropriate conditions as noted in Report PBS-2018-07, be supported;

**And further that** the County of Essex be advised of Council's support for County Application: 37-T-17003, as revised on February 8, 2018, along with the associated requested conditions of Draft Plan of Subdivision Approval, as noted in Report PBS-2018-07.

**Carried**

**c. Public Works & Environmental Services**

1. PWES-2018-07 Various 2018 Watermain Improvement Projects - Tender Award

**Motion: RCM - 65/18**

Moved By Councillor Bill Altenhof  
Seconded By Councillor Brian Houston

**That** the tender for the Various 2018 Watermain Improvement Projects in the amount of \$742,725 excluding HST be awarded to Sherway Contracting (Windsor) Ltd, be approved;

**And that** the Mayor and Clerk be authorized to execute an agreement, satisfactory in form to the Town's Solicitor, with Sherway Contracting (Windsor) Ltd.;

**And further that** project funding allocations, reflecting a \$251,100 decrease, be adjusted as follows: Watermain Reserve Fund - decrease from \$1,196,900 to \$945,800.

**Carried**



2. PWES-2018-10 2017 Tecumseh Distribution System - Inspection Report 2

**Motion: RCM - 66/18**

Moved By Councillor Brian Houston  
Seconded By Deputy Mayor Joe Bachetti

**That** the Ministry of the Environment and Climate Change inspection report for the Tecumseh Distribution System dated January 12, 2018, be received.

**Carried**

3. PWES-2018-11 Source Protection Municipal Implementation Funding (SPMIF) Agreement Amendment No. 4

**Motion: RCM - 67/18**

Moved By Councillor Rita Ossington  
Seconded By Councillor Brian Houston

**That** By-law No. 2018-15 be adopted to authorize the Mayor and Clerk to execute the Source Protection Municipal Implementation Fund (SPMIF) Amendment No.4 and any future SPMIF amendments.

**Carried**

4. PWES-2018-12 Drinking Water Quality Management System Operational Plan Version 8

**Motion: RCM - 68/18**

Moved By Councillor Brian Houston  
Seconded By Councillor Tania Jobin

**That** the Drinking Water Quality Management System Operational Plan Version 8 be endorsed and committed to by Council.

**Carried**

## 12. By-Laws

**Motion: RCM - 69/18**

Moved By Deputy Mayor Joe Bachetti  
Seconded By Councillor Bill Altenhof

**That** By-Law 2018-13 being a by-law to provide for the repair and improvements to the 7th Concession Drain;

**And that** By-Law 2018-14 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Farid Icho Youssouf;

**And that** By-Law 2018-15 being a by-law to authorize the execution of an Amendment to the Grant Funding Agreement between The Corporation of the Town of Tecumseh and Her Majesty the Queen in Right of Ontario as represented by the Minister of the Environment and Climate Change (Source Protection Municipal Implementation Fund);

**And further that** By-Law 2018-16 being a by-law to amend By-Law 85-18, the Town's Comprehensive Zoning By-Law for those lands in the former Township of Sandwich South, Con. 8, W Pt Lot 12 (Santarossa Business Park);

Be given first and second reading.

**Carried**

**Motion: RCM - 70/18**

Moved By                      Councillor Rita Ossington  
Seconded By                Councillor Bill Altenhof

**That** By-Law 2018-14 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Farid Icho Youssouf;

**And that** By-Law 2018-15 being a by-law to authorize the execution of an Amendment to the Grant Funding Agreement between The Corporation of the Town of Tecumseh and Her Majesty the Queen in Right of Ontario as represented by the Minister of the Environment and Climate Change (Source Protection Municipal Implementation Fund);

**And further that** By-Law 2018-16 being a by-law to amend By-Law 85-18, the Town's Comprehensive Zoning By-Law for those lands in the former Township of Sandwich South, Con. 8, W Pt Lot 12 (Santarossa Business Park);

Be given third and final reading.

**Carried**

**13. Unfinished Business**

The Members receive the Unfinished Business listing.

**14. New Business****Community Safety Zones**

A member of Council requests to amend Bylaw 2012-50, being a bylaw to designate community safety zones within the Town of Tecumseh, to include St. Mary's Elementary School on County Road 34 and extend to Malden Road.

**Rain Event**

The Mayor addresses the serious flooding in Southwestern Ontario in the past few weeks. The Town had a quick snowmelt coupled with a large rain event last week and asked Administration if there was any flooding reports. Manager of Engineering Services indicated that the municipal drains and sewers were at capacity and responded well to the change of weather. There are no reports of flooded basements.

**15. Motions****Motion: RCM - 71/18**

Moved By                      Councillor Brian Houston  
Seconded By                Councillor Bill Altenhof

**That** By-Law 2018-17 being a by-law to confirm the proceedings of the Tuesday, February 27, 2018, regular meeting of the Council of The Corporation of the Town of Tecumseh be given first, second, third and final reading.

**Carried**

**16. Notices of Motion**

None.

**17. Next Meeting**

The next Regular Council meeting will be held at 7:00 pm on Tuesday, March 13, 2018.

**18. Adjournment**

**Motion: RCM - 72/18**

Moved By                      Councillor Rita Ossington  
Seconded By                Councillor Brian Houston

**That** there being no further business, the Tuesday, February 27, 2018 meeting of Regular Council now adjourn at 7:34 pm.

**Carried**

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Gary McNamara, Mayor

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Jennifer Alexander, Deputy Clerk

Town of Tecumseh Business Improvement Area

2018 PROPOSED BUDGET

		as of Jan. 11, 2017		as of Jan 3, 2018				
Account		Budget 2016	Actuals 2016	Budget 2017	Actuals 2017	Budget 2018	Budget 2019	Budget 2020
REVENUE								
40100	Levy <sup>1</sup> *	\$ 109,000	\$ 109,887	\$ 109,000	\$ 109,000	\$ 109,000	\$ 109,000	\$ 109,000
	Levy Adjustments <sup>2</sup>	\$ 2,000	\$ (3,012)	\$ 2,000	\$ 413	\$ 700	\$ 700	\$ 700
10500	Transfer from Reserve **				\$ -	\$ -	\$ -	\$ -
	Events & Sponsor Revenue <sup>4</sup>	\$ 9,000	\$ 8,664	\$ 9,000	\$ 9,694	\$ 10,500	\$ 11,000	\$ 11,500
49300	Tecumseh Dollars Revenue	\$ 1,000	\$ 495	\$ 600	\$ 1,073	\$ 1,200	\$ 2,000	\$ 2,500
49200	Misc. Revenue	\$ -	\$ -	\$ -	\$ 53	\$ 50	\$ 50	\$ 50
12550	HST Rebate Recoverable	\$ -	\$ -	\$ -	\$ 2,664	\$ 2,650	\$ 2,750	\$ 2,825
49100	Interest Revenue	\$ 900	\$ 994	\$ 1,000	\$ 1,199	\$ 1,200	\$ 1,200	\$ 1,200
	TOTAL	\$ 121,900	\$ 117,028	\$ 121,600	\$ 124,094	\$ 125,300	\$ 126,700	\$ 127,775
EXPENSE ALLOCATIONS								
ADMINISTRATION								
50350	Permits/Licenses	\$ 1,000	\$ 667	\$ 1,000	\$ 939	\$ 950	\$ 950	\$ 950
55100	Professional Fees	\$ 800	\$ 778	\$ 850	\$ -	\$ 800	\$ 800	\$ 800
50500	Clothing Expense (Board & Volunteers)				\$ -	\$ 250	\$ 500	\$ 500
56320	Lunch-Dinner Meetings (Board)				\$ 433	\$ 500	\$ 500	\$ 500
58500	Education/Seminars/Conferences	\$ 1,500	\$ 1,238	\$ 1,800	\$ 1,362	\$ 1,500	\$ 1,500	\$ 1,500
56600	Memberships/Associations	\$ 500	\$ 481	\$ 500	\$ 505	\$ 505	\$ 535	\$ 535
	Office Supplies <sup>6</sup>	\$ 3,000	\$ 1,303	\$ 1,700	\$ 2,148	\$ 2,200	\$ 1,750	\$ 1,750
	Office Equipment <sup>7</sup>	\$ 1,000	\$ 257	\$ 1,800	\$ -	\$ 2,100	\$ 100	\$ 100
	Telecommunications <sup>8</sup>	\$ 2,500	\$ 2,443	\$ 2,100	\$ 2,472	\$ 2,975	\$ 2,100	\$ 2,975
	Travel	\$ 1,700	\$ 573	\$ 2,000	\$ 1,832	\$ 1,700	\$ 1,800	\$ 1,800
	Wages & Benefits	\$ 50,461	\$ 53,522	\$ 55,500	\$ 51,738	\$ 53,154	\$ 54,296	\$ 55,202
	Sub Total	\$ 63,961	\$ 62,608	\$ 69,250	\$ 61,429	\$ 66,634	\$ 64,831	\$ 66,612
ADVERTISING & MARKETING								
	General Advertising & Signage	\$ 15,000	\$ 15,418	\$ 6,000	\$ 2,024	\$ 1,300	\$ 1,400	\$ 1,400
55600	Membership Marketing <sup>9</sup>	\$ 3,000	\$ 4,213	\$ 18,000	\$ 15,554	\$ 13,400	\$ 13,400	\$ 13,400
55620	Community Sponsorships <sup>10</sup>	\$ 1,000	\$ 2,024	\$ 1,500	\$ 5,000	\$ 2,500	\$ 2,500	\$ 2,500
55520	Printing/Publications (directory, newsletters)	\$ 5,500	\$ 5,479	\$ 800	\$ -	\$ -	\$ -	\$ -
55690	Tecumseh Dollars Reimbursed	\$ 3,000	\$ 3,390	\$ 3,500	\$ 2,075	\$ 3,000	\$ 2,500	\$ 3,000
58300	Meet & Greet - Guest Speakers				\$ -	\$ -	\$ -	\$ -
	Sub Total	\$ 27,500	\$ 30,524	\$ 34,600	\$ 24,653	\$ 37,400	\$ 37,100	\$ 37,600
BEAUTIFICATION & EVENTS								
59150	Streetscaping/Beautification Projects <sup>4</sup>	\$ 10,000	\$ 8,654	\$ 10,000	\$ 4,820	\$ 3,025	\$ 9,800	\$ 9,900
59300	BIA Special Projects <sup>15</sup>	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
59350	BIA Parkette					\$ 5,200	\$ -	\$ -
53800	BIA Events	\$ 4,000	\$ 2,062	\$ 14,000	\$ 19,964	\$ 13,000	\$ 13,000	\$ 13,000
	Sub Total	\$ 26,500	\$ 20,873	\$ 26,500	\$ 24,784	\$ 21,225	\$ 22,800	\$ 22,900
EXPENDITURES TOTAL		\$ 117,961	\$ 114,004	\$ 130,350	\$ 110,867	\$ 125,259	\$ 124,731	\$ 127,112
YEAR END SURPLUS / DEFICIT		\$ 3,939	\$ 3,024	\$ (8,750)	\$ 13,227	\$ 41	\$ 1,969	\$ 663
	Transfer from/(to) Operating Reserve			\$ (8,750)	\$ 13,227	\$ 41	\$ 1,969	\$ 663
	Actual BIA Operating Reserve			\$ 50,980	\$ 59,730	\$ 46,503	\$ 46,462	\$ 43,830
	Transfer (from)/to Special Project Reserve			\$ -	\$ 32,730	\$ 19,503	\$ 19,462	\$ 16,830
	Actual BIA Special Project Reserve Account			\$ 3,132	\$ 13,239	\$ 32,782	\$ 54,213	\$ 72,369
	Year End BIA Special Project Reserve Account				\$ 32,741	\$ 52,244	\$ 71,706	\$ 89,199
	Year End Total BIA Operating Reserve Account			\$ 27,000	\$ 27,000	\$ 27,000	\$ 27,000	\$ 27,000

\*NOTE: Levy - Change in the 2016 levy due to amended geographical boundary in 2015.

\*\*NOTE: Transfer of Reserve - Goal is to maintain a reserve of 25% of levy (\$27,000) for operating expenses every 1st QTR.

\*\*\*NOTE: Reserve Account is to hold surplus of funds that are earmarked for BIA Special Project(s)

See overleaf for Account Descriptions and additional 2018 budget comments

Board prepare first draft for AGM:	TOTBIA Budget
1st draft forwarded to membership	13-Dec-2017
At AGM; review and discuss by members and Board:	30-Jan-2018
Submitted to Town Council for approval at RCM	21-Feb-2018
Approved by Council:	26-Feb-18



Essex Region Conservation  
*the place for life*

## 2017 Annual Report



Essex Region  
Conservation Authority  
*sustaining the place for life*





## MESSAGE FROM THE CHAIR

As Canada celebrated its 150<sup>th</sup> anniversary from coast to coast to coast, Essex Region Conservation implemented many projects to enrich and sustain the Windsor-Essex County-Pelee Island region as the Place for Life. Trails were one of the great local news stories of the year, as we opened the Cypher Systems Group Greenway and the Rotary (1918) Centennial Hub, bringing our community's vision of a region connected by trails to fruition. As well, the entire Chrysler Canada Greenway was re-surfaced thanks to a contribution from the Ontario Trillium Foundation. In total, over the past 18 months, \$2.6 million dollars have

been fundraised through our Foundation and invested in our regional trail system.

We continue to express our most sincere gratitude to our partners, volunteers, donors, and colleagues in all levels of government for your ongoing commitment to making our region the Place for Life.

Sincerely,

A handwritten signature in blue ink that reads "Rick M. Fryer".

Rick Fryer

Chair/Councillor, Town of Amherstburg



## MESSAGE FROM THE GENERAL MANAGER

In December 2017, the Province of Ontario passed into law Bill 139, the "Building Better Communities and Conserving Watersheds Act, 2017" which modernizes the Conservation Authorities Act. ERCA, and the entire Conservation Authorities network, worked vigilantly over the last 2 years to ensure the new Act recognizes the wide variety of science-based, watershed management programs and services that we have delivered for more than 70 years.

Through monitoring and watershed management programs, ERCA and other Conservation Authorities see the growing impacts of climate change on a daily basis. This includes more frequent flooding,

stressed biodiversity, and reduced water levels and flow in streams and rivers.

We were well prepared to respond to this legislation with the launch of our Place for Life Policies earlier in the year. This comprehensive approach will allow us to operationalize our Strategic Plan while positioning us to capitalize on opportunities associated with these pending changes; all the while, ensuring that our region remains the Place for Life.

Yours in Conservation,

**Richard J. H. Wyma**  
General Manager/Secretary-Treasurer



## PLACE FOR LIFE POLICIES

In 2017, ERCA launched the comprehensive Place for Life Policies. This initiative encompasses all five key strategic directions identified in our 2016 – 2025 Strategic Plan – Sustaining the Place for Life. The policies combine existing Board-approved programs and related initiatives, as well as policies and principles that respond to the current conservation challenges identified in ERCA's Strategic Plan. These policies include direction related to climate change, Great Lakes, natural heritage protection and restoration, sustainable places, outdoor education, recreation and cultural heritage appreciation.





# 2017 WATERSHED HIGHLIGHTS

We continued to implement the priorities identified in our Strategic Plan. As part of a team of Conservation Authorities, we worked with the Province of Ontario on the modernization of the **Conservation Authorities Act**, which addresses the roles, responsibilities and governance of our organizations in resource management and environmental protection. The Act was passed into law in December, 2017.

The following highlights are a snapshot of the projects and programs implemented this year to enrich and sustain the Essex Region as the Place for Life.



## Climate Change

*We are continuing to observe a changing climate. While efforts to slow climate change must continue, we also need to help our partner communities adapt to its impacts. This year, ERCA:*



- Aided municipalities in responding to the **most significant recorded rainfall** in Windsor's history, which caused widespread surface and basement flooding. This marked the second 1:100 year flood in less than a year, and insured damages exceeded \$300 million.
- Initiated steps to develop a regional **Climate Change Strategy** to address the ongoing impacts associated with a changing climate.
- Continued to coordinate the **Regional Stormwater Guidelines** in partnership with all municipalities to ensure consistent and complete application of stormwater requirements.
- Issued a record 38 advisories ranging from **water safety conditions statements** to **flood warnings**.
- Provided significant technical assistance to landowners for breakwall and shoreline protection requests as the third highest lake levels in history were recorded in this region.
- Worked with the City of Windsor, Town of Tecumseh and Town of LaSalle on a number of projects to **prevent flooding** in new and existing developments. These included improvements to the Lennon Drain, Upper Little River Watershed, Bouffard and North Roseland Subdivisions.

# Great Lakes

*The Great Lakes are our most significant natural resource. Our 2012 Watershed Report Card identified failing grades for surface water quality in virtually every watershed. More must be done to protect and improve water quality, and this year, ERCA:*



- Implemented **51 water quality improvement projects** across the region to protect soil health and water resources.
- Conducted year-round **water quality monitoring** at 58 surface water, ground water, and benthos monitoring stations across the region to collect data about land and weather-based influences on our rivers and streams.
- Worked with the Great Lakes Institute for Environmental Research to resolve issues related to **microbial contamination** along our beaches and with the provincial and federal governments to monitor and estimate sources of phosphorus entering Lake Erie.
- Partnered with academic researchers at the University of Waterloo and the University of Guelph, to research the effectiveness of **phosphorus-reducing Best Management Practices**.
- Collaborated with the University of Windsor's Chemistry Department to develop a new off grid **phosphorous filter** for installation in a wetland in 2018. This new filter is being designed to remove soluble Phosphorus from local waterways.
- Showcased best management practices and innovative technologies that will conserve soil, maintain productivity, improve water quality and quantity, and illustrate that farming and the environment can coexist at the **Essex County Demonstration Farm**, in collaboration with the Essex Soil & Crop Improvement Association, OMAFRA extension personnel, and AAFC scientists.
- Hosted the **Western Lake Erie Student Conference** to bring together 100 secondary school Special High Skills Major students to learn about the challenges associated with Lake Erie, and to engage them in helping to find solutions.
- Protected sources of drinking water by providing Risk Management Services on behalf of all of our member municipalities. As well, significant progress was made in implementing the policies in the **Essex Region Source Protection Plan**.
- Provided 200 people with the opportunity to better appreciate and connect with the Detroit River as a Canadian Heritage River at the **Eau Canada Paddling Event**, hosted in celebration of Canadian Rivers Day. Participants learned about the human and natural heritage and recreational values of the Detroit River, as well as all of the efforts being made towards its environmental restoration.
- Worked with senior levels of government toward finalizing the **Domestic Action Plan**, a national strategy to reduce Harmful Algae Blooms in Lake Erie. To date, ERCA has been at the forefront of experimental programs such as the Great Lakes Agricultural Stewardship Initiative (GLASI) to inform this strategy and reduce phosphorus loadings throughout our region.







# Sustainable Communities

*Our urban areas will continue to grow and expand: ERCA will need to continue to work with all partners to plan sustainable communities that reduce urban sprawl, are walkable, have a healthy food supply and incorporate green infrastructure. This year, ERCA:*



- Assisted five partner municipalities with **Official Plans** updates to ensure the delegated responsibility for Natural Hazards is being properly incorporated into municipal planning documents and continued to advise on Natural Heritage issues for the region
- Began construction of new **boardwalks at Maidstone Conservation Area** to improve environmental sustainability and accessibility.
- Advocated for improvements to the **Esseltine Drain** to ensure development and hazard issues were properly addressed.
- Worked with the **Municipality of Leamington** to address drainage matters and environmental sustainability associated with new development.
- Initiated a **Junior Curator Program** at the John R. Park Homestead to allow students to engage with their local cultural heritage in a four week, hands-on, behind the scenes museum program which culminated with the participants each curating their own small exhibit.
- Assisted Pelee Island with shoreline dyke assessments and preliminary ingress and egress strategies to reduce isolation.
- Aided a record **1042 landowners** in ensuring homes and new developments were protected from the dangers of flooding and erosion through permit reviews.
- Opened the **Holiday Beach cottage**, earning rave reviews from visitors to this beautiful new facility who enjoyed the natural environment of the Place for Life.
- Engaged over **12,000 students** in outdoor and conservation education programs, to provide curriculum-based experiences that teach young people about protecting our environment and preserving heritage.







- Opened the **Cypher Systems Group Greenway**, a 22 kilometre multi-use trail to support active living, promote economic diversity, and provide meaningful outdoor experiences for a healthier, more sustainable community. More than \$1.1 million dollars was raised for this project, and as part of the Place for Life campaign, Essex Region Conservation will continue to raise funds to establish new community entrances and trail connections.
- Resurfaced and graded the **Chrysler Canada Greenway** to improve accessibility and user experience, thanks to funding of \$200,000 from the Ontario Trillium Foundation, which was matched through ERCA's capital plan reserves.
- Completed the **Rotary (1918) Centennial Hub** to connect the Herb Gray Parkway trails, the Town of Tecumseh, the Town of LaSalle and the Chrysler Canada Greenway. The Hub is part of the County Wide Active Transportation System (CWATS) and the Trans Canada Trail. Partners included the Ontario Ministry of Transportation, the Town of Tecumseh, the Rotary Club of Windsor (1918), the Trans Canada Trail Foundation, Arbor Memorial, and the Essex Region Conservation Foundation.





## Landscapes & Habitats

*Our landscapes and habitats are among the most significant in Canada, and, while we have planted more than 6 million trees and achieved 8.5% natural areas coverage, more action is needed to reach our 12% target. This year, ERCA:*



- Planted and distributed **92,500 trees** and restored **70 acres** of habitat to natural area.
- Utilized a new specialized prairie seed drill to restore four acres of **prairie habitat** in the Cedar Creek Watershed.
- Created 15 acres of new **wetlands and adjacent riparian areas** to help improve our water quality while simultaneously creating new habitat for hundreds of species, including animals that are nationally recognized as endangered.
- Initiated a feasibility study with Ducks Unlimited to design and operate a new **70 acre controlled wetland** adjacent to the Canard River.
- Enhanced terrestrial and aquatic habitat, increased wetland habitat and softened the shoreline of the abandoned marina in Sturgeon Creek to create the **Sturgeon Creek Wetland**, in partnership with the Caldwell First Nation.
- Restored sections of **Spring Garden Prairie** habitat, owned by the City of Windsor, by removing invasive species such as Autumn Olive and Phragmites. This restoration project will enhance habitat for multiple species-at-risk.

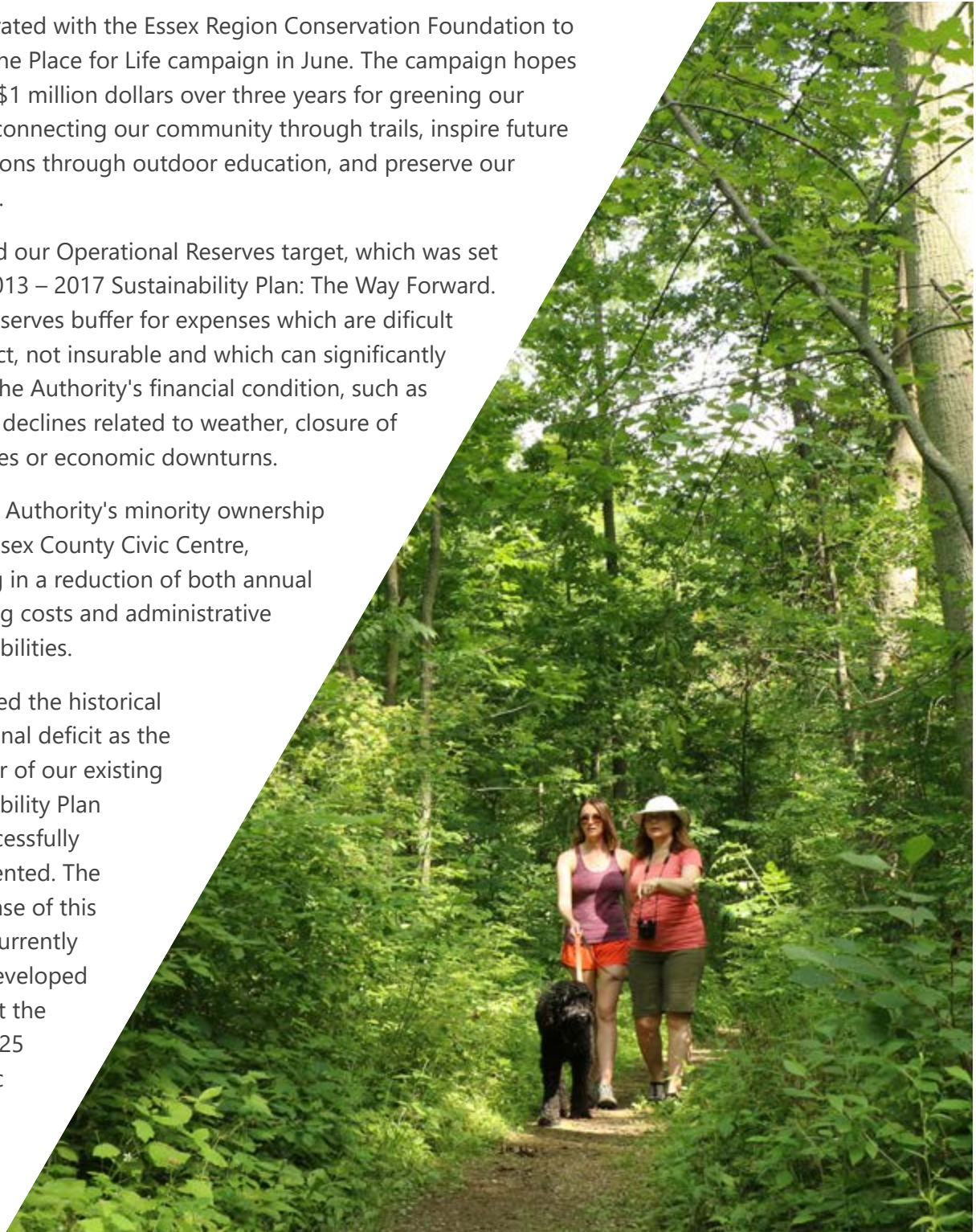




## A Strong, Resilient Organization

*ERCA is a sustainable, resilient and valued agency. Since 1973, ERCA has been striving to achieve a state of sustainability for the Essex Region. In 2017, we worked toward organizational sustainability in the following ways:*

- Collaborated with the Essex Region Conservation Foundation to launch the Place for Life campaign in June. The campaign hopes to raise \$1 million dollars over three years for greening our region, connecting our community through trails, inspire future generations through outdoor education, and preserve our heritage.
- Achieved our Operational Reserves target, which was set in the 2013 – 2017 Sustainability Plan: The Way Forward. These reserves buffer for expenses which are difficult to predict, not insurable and which can significantly impact the Authority's financial condition, such as revenue declines related to weather, closure of properties or economic downturns.
- Sold the Authority's minority ownership in the Essex County Civic Centre, resulting in a reduction of both annual operating costs and administrative responsibilities.
- Eliminated the historical operational deficit as the final year of our existing Sustainability Plan was successfully implemented. The next phase of this plan is currently being developed to reflect the 2016-2025 Strategic Plan.



# ERCA ACCOUNTABILITY 2017

The following provides a three-year 'by the numbers' comparison of achievements. This report follows the priorities identified in our Strategic Plan, and these actions help ensure Windsor-Essex County-Peel Island are the Place for Life.



## Climate Change

		2015	2016	2017
Permits Requested		753	983	1,042
Permits Issued		560	808	1,005
Clearances Issued		100	97	135
Request for Information Letters Issued		242	273	392
Permits to Take Water Applications		3	4	5
Appeals		13	15	10
Appeals in CA favour		13	15	10
Violations Issued		14	19	34
Average Response time for permits	Minor Development	15 days	10 days	9.13 days
	Major Development	30 days	21 days	34 days
	Alteration to Waterways	15 days	9 days	8.2 days
Number of structures located in the floodplain		10,000	10,000	10,000
Kilometres of watercourses with floodplain mapping completed		609	609	609
Hectares (area) digitally mapped delineating the CA Regulation Limit		38,304	38,304	38,304
Hectares (area) digitally mapped delineating the flooding hazard limit (flood plains)		38,304	38,304	38,304
Metres of shoreline protected from flooding and erosion		250	245	250
\$ Value of Water/Infrastructure Contributions to Municipalities		772,500	287,500	120,000
Flood Messages	Watershed Conditions	6	2	13
	Flood Watches	10	7	11
	Flood Warnings	3	3	4
	Wind Warnings	0	0	1



## Landscapes & Habitats

		2015	2016	2017
Total Landholdings (Hectares)		1,669.6	1,669.6	1,735
Hectares of recreational land owned and managed		1,036.8	1,036.8	1,056.8
Total hectares under forest management plans		44.39	44.39	44.39
Total Taxes for CA Landholdings		\$49,166	\$75,290	\$66,661
Land Acquisition in Reporting Year (in acres)		51	0	160
Value of acquisitions (Fair Market Value)		\$508,000	0	\$1,562,250
Total Acres of Habitat Restored		142.5	103.5	92.5
Number and Acres of Trees	trees	125,450	101,000	92,500
	115 ac		87 ac	70 ac
Number and Acres of Wetlands	4 wetlands		5 wetlands	6 wetlands
	5 ac		5 ac	15 ac
Number and Acres of Prairie	8 sites /		8 sites/	5 sites/
	22.5 ac		11.5 ac	7.5 ac
Number of landowners involved in restoration		209	214	222
Trees planted by volunteers		2,912	2,603	2,973
Native plants planted by volunteers		1,669	3,858	1,610



## Great Lakes



		2015	2016	2017
Water Quality Improvement Projects Implemented	Agriculture/Other (total)	26	88	28
	Detroit River Watersheds	6	10	10
	Lake Erie Watersheds	10	19	13
	Lake St. Clair Watersheds	10	12	5
	Great Lakes Agricultural Priority Subwatershed Stewardship Initiative	-	47	23
Number of wells decommissioned		4	9	5
Number of landowners participating	Agriculture/Other	30	58	23
Number of surface water quality monitoring stations		71	77	58
Number of ground water quality monitoring stations		8	8	8
Number of benthos monitoring stations		15	8	20

## Sustainable Communities



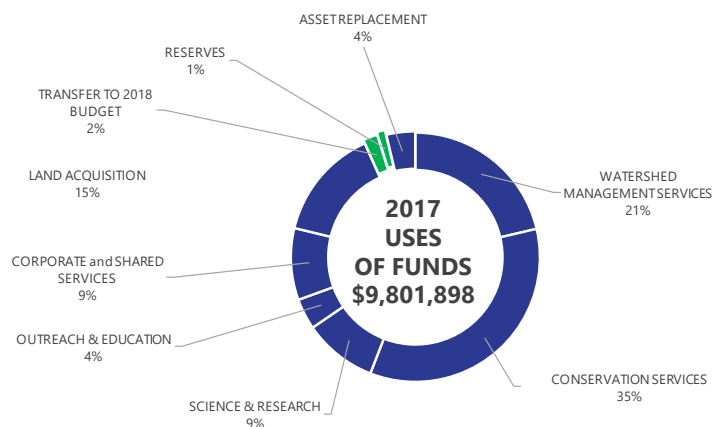
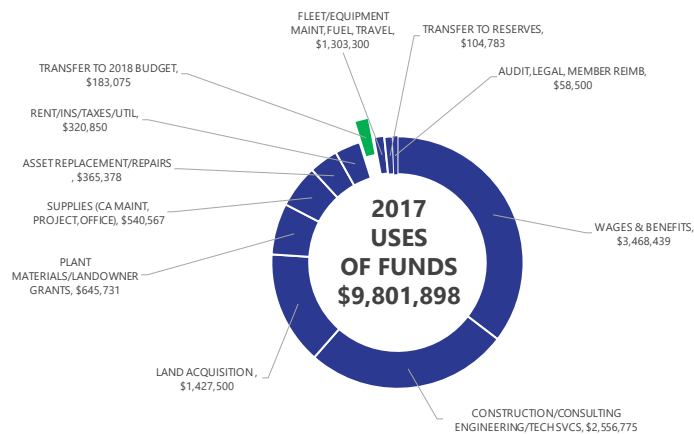
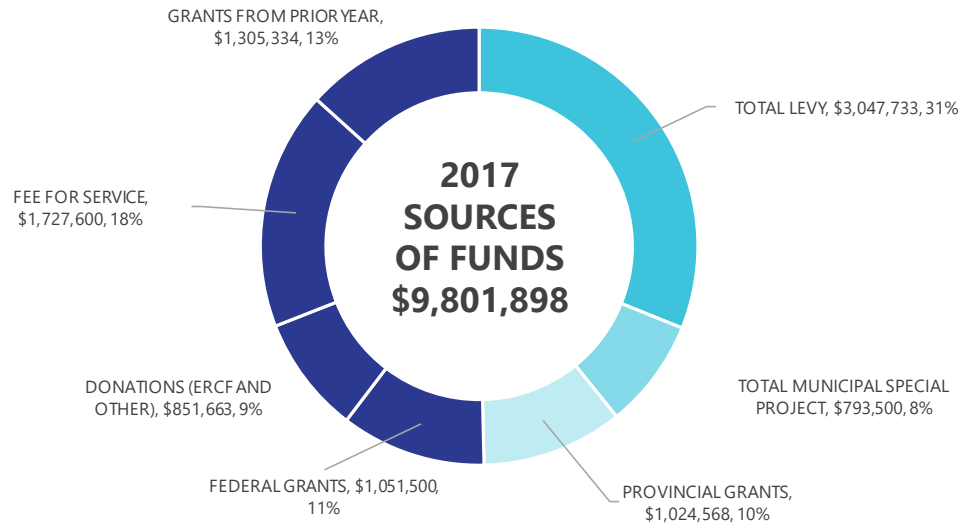
	2015	2016	2017
Planning Services - transactions/year	597	689	822
Kilometres of Trails owned, managed & developed	79.6	95.1	98
Number of volunteers	2,580	1,904	2,064
Number of outreach events	33	35	19
Number of schoolyard naturalization projects	7	3	2
ERCA hosted special events	38	36	29
Number of schools	78	96	71
Number of unique education programs	285	294	434
Number of students	9,538	9,986	12,224
Number of public meetings/workshops	16	19	31
Day Use Visitors to JRPH (estimated)	10,895	11,190	11,830
Day Use Visitors to HBCA (estimated)	5,985	9,000	12,588
Number of seasonal campsites purchased	72	69	67

## A Strong, Resilient Organization



	2015	2016	4,2017
Area of CA Jurisdiction	1,681.3 sq km	1,681.3 sq km	1,681.3 sq km
Watershed Population	332,350	326,105	325,351
Staff - Permanent and Long-Term Contract	34	36	36
Staff - Special Grant and Short-Term Full Time Equivalent Contract	9	8	10
Average Full Time Staff Length of Service	9	10	12
Number of Local Committees, Boards and Advisory Panels with ERCA representation	25	27	29
Number of Provincial Committees, Boards and Advisory Panels with ERCA representation	26	26	28
Number of research studies with ERCA involvement	8	8	8
Number of unique visitors to our website	55,000	68,591	70,997
Number of Facebook followers	1,617	2,424	2,948
Number of Twitter followers	2,003	2,428	2,676
Number of Instagram followers (launched October 2016)		90	225
Number of Youtube video views		2,134 views 4,334 min	2,550 views 4,893 min

# 2017 FINANCIAL REVIEW



**Note:** The 2017 Sources and Uses of Funds graphs are based on information available as of January 15th, 2018 and as such the numbers are subject to change. The graphs depict the expenses incurred by the Authority both by type and by program, and how those expenses were funded. The graphs are not intended to replace audited Financial Statements and readers interested in the financial condition of the Authority should consult Financial Statements, prepared in accordance with GAAP. Audited Financial Statements are available annually after June 30th and include all statements and schedules required for public sector entities.

# 2017 AT A GLANCE

Great places don't just happen...



**92,500**

**Trees** planted to increase green space.



**2,064**

Awesome **volunteers** helped enrich & sustain the Place for Life.



**51**

Projects implemented to improve **water quality**.



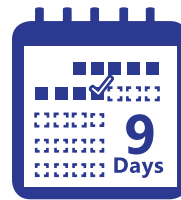
**81**

**Events** and **workshops** hosted to connect people with the Place for Life.



**12,224**

**Students** educated through outdoor education programs.



**9 days**

Average **permit response times** for minor developments.



**92.5**

**Acres** of forest, tall grass prairie, and wetlands restored.



**78**

Surface, ground and benthos water quality sites **monitored**.



**1,042**

**Permits** requested and reviewed to ensure landowner protection.



**\$2.6 million**

invested in **trails** to connect communities to natural landscapes.



Essex Region Conservation  
the *place* for life



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[@EssexRegionConservation](https://www.instagram.com/EssexRegionConservation)



[@EssexRegionCA](https://twitter.com/EssexRegionCA)



[youtube.com/TheEssexRegionCA](https://youtube.com/TheEssexRegionCA)

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## 2018 BUDGET



Essex Region  
Conservation Authority  
*sustaining the place for life*

## SUSTAINING THE PLACE FOR LIFE

The Essex Region Conservation Authority is one of 36 Conservation Authorities across Ontario. The role of Conservation Authorities and their relationship to various partners, including member municipalities and the provincial government derives primarily from their enabling legislation, the *Conservation Authorities Act* of Ontario.

This *Act* provides a broad mandate which allows Conservation Authorities to set priorities in collaboration with member municipalities. Our programs demonstrate an ongoing and consistent response to real and serious problems and challenges in the region - land degradation, natural area coverage, and flooding and erosion – the same challenges we faced upon establishment. Today, new issues such as water quality and the Great Lakes, climate adaptation, and sustainable communities must be considered in meeting the needs of municipalities.

Building from our successes, ERCA's focus continues to be in finding new ways to leverage resources which more effectively address provincial and watershed priorities. Given our daily reliance on our natural resources, the projects, programs and priorities implemented by ERCA are critically important to ensuring the Windsor/Essex/Peel Island region will continue to be **the Place for Life**.

### The **Essex Region Conservation**

**Authority** was established in 1973 to protect, restore and manage the natural resources of the Windsor-Essex region. In keeping with the *Conservation Authorities Act*, ERCA works in partnership with residents, municipalities, the Province of Ontario, Government of Canada, and other agencies to increase natural area coverage through tree planting and habitat restoration, improve water quality across our watersheds and our Great Lakes, protect people and property from flooding and erosion, and further our understanding of the environment through science and education. Our goal is a sustainable future which improves our local environment, helps create a community we can all be proud of, and a more vibrant economy that makes this region **The Place for Life**.



## 2018 WATERSHED ACTIONS

ERCA has consistently demonstrated a strong business case to member municipalities, and is unique from other organizations and agencies in our ability to leverage funds and partnerships to complete projects in our region. The following are some project highlights for 2018.



### WATERSHED MANAGEMENT SERVICES

- **Climate Change [1.1].** A new Climate Change Specialist position will lead the development of a Regional Climate Change Strategy addressing identified impacts and vulnerabilities; implementation needs, priorities, and potential funding supports.
- **Floodline Mapping [2.1].** ERCA will explore the needs and options for updating Floodline Mapping for the region, and consider the need to ensure mapping reflects overland and rainfall-based flooding.
- **Place for Life Policies [11.2].** ERCA will complete consultation and finalize development of its Place for Life Policies which will integrate ERCA's planning, development, and program policies.
- **Watershed Engineering [2.3].** A new Regulations/Engineering Technician will provide added support for stormwater reviews, drainage reviews, and related engineering and infrastructure reviews.
- **Client Services [12.3].** In response to growth in the region and continued increases in numbers of planning and permit applications, existing administrative support will focus on planning and regulatory functions.
- **Flood Forecasting [2.1/11.3/12.3/12.3].** ERCA will work with partners to develop a shared climate station network to assist in providing more timely advance warnings, response, and reporting on storm events
- **Plan Review [10.2].** Complete Official Plan updates for Lakeshore, Kingsville, Tecumseh, Leamington and provide advice and direction to all member municipalities on over 750 Planning Act applications.
- **Development Review [12.1].** Complete reviews of over 1,000 Section 28 permit applications for stormwater management; commercial, industrial and residential development; and large scale greenhouse developments;

over 150 Municipal Drainage Act reviews, and respond to 1,300 general water resource related requests.

- **Water and Erosion Control [11.3].** Apply for WECl funding for projects in the City of Windsor, and Lakeshore, and continue to manage the \$3.2 million Lennon Drain improvement project for the City of Windsor.

### CONSERVATION SERVICES

- **Conservation Area Operations [9.2].** The Budget includes additional support for operations and maintenance of ERCA's expanded Greenway network.
- **Capital Plan/Tangible Capital Asset Report [13.1].** ERCA will update its Tangible Capital Asset Report and Capital Plan based on replacement schedules and asset needs as part of the next 5-Year Sustainability Plan.
- **Management Planning [9.2].** ERCA will complete the development of a Management Plan for Cedar Creek Conservation Area and associated properties
- **Business Planning [8.1].** ERCA will develop Business Plans for John R. Park Homestead and Holiday Beach Conservation Areas to identify and support investments in infrastructure and visitor services.
- **Land Acquisition [7.3].** The 2018 Budget restores Clean Water~Green Spaces acquisition funding to support securement of key lands with partnership funding in keeping with the Land Securement Strategy.
- **Restoration and Stewardship [6.1].** ERCA will restore 100 acres of upland habitat and create at least 5 acres of wetland, and complete the Sturgeon Creek Wetland with Caldwell First Nations.
- **Innovation [5.1].** ERCA will complete construction of a 10 acre wetland at Hillman Marsh to enhance habitat reduce phosphorus levels getting into Lake Erie, and monitor water quality improvements with University of Windsor.

- [Source Water Protection \[4.3\]](#). ERCA will prepare Annual Report on behalf of all implementing bodies and consult on updates to the Source Protection Plan including need for additional technical work and potentially new policies and consultations. ERCA will also continue to undertake Risk Management Services on behalf of municipalities.
- [Watershed Science \[5.1/5.2\]](#). The budget includes new supports for research, monitoring, and partnerships; and for managing and maintaining data information systems which is critical for evidence-based decision making.
- [Watershed Reporting \[5.3\]](#). ERCA will release its 2018 Watershed Report Card, which provides a snapshot of health of our watersheds based on a suite of watershed health indicators, communicates trends and highlights watershed actions, and encourages action where improvements are needed most.
- [Domestic Action Plan \[4.1\]](#). Conservation Authorities are the most effective delivery agent for many aspects of the Lake Erie Domestic Action Plan for reducing Phosphorus levels in Lake Erie and Lake St. Clair. The 2018 budget includes funding from the provincial and federal governments to assist in the ongoing monitoring and science associated with this plan.
- [Great Lakes Water Quality \[5.2/14.2\]](#). ERCA will develop a new shoreline management strategy and plans for a 70 acre wetland rehabilitation project on the Canard River.

## COMMUNITY OUTREACH SERVICES

- [Communications \[14.2\]](#). ERCA will launch a new website to improve customer service, usability and accessibility, while continuing to build on its Place for Life brand.
- [Education and Outreach \[8.3\]](#). ERCA will continue to coordinate outreach projects in the Region with partners and provide curriculum-based outdoor education for more than 10,000 elementary and secondary school students, including delivery of the Special High Skills Major Certifications to allow students to graduate with specialized environmental skills.
- [Program Integration \[14.2\]](#). ERCA and the ERCF will continue to integrate communications, outreach and events to enhance the region as the Place for Life, and build on the strength of this partnership in support of the \$1 million dollars/3 year Place for Life campaign.
- [Regional Collaboration \[15.3\]](#). ERCA will continue to work with Tourism and Economic Development partners and Regional CAOs to share information on ERCA programs

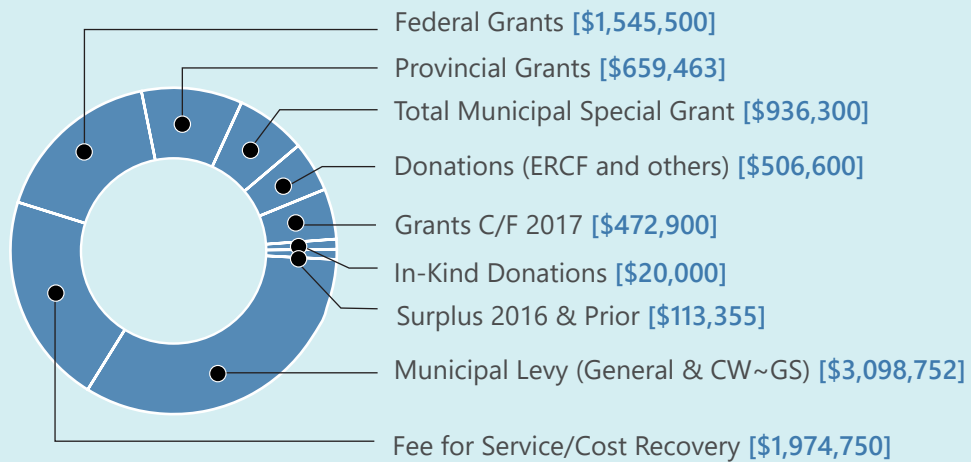
and services and other agencies and partners to ensure programs reflect regional needs and priorities.

## CORPORATE SERVICES

- [Customer Service \[14.1\]](#). A new administrative position provides enhanced Client/Customer Service, front desk/reception and related corporate administrative functions.
- [File management \[13.2\]](#). Refine records classification system and records policy/retention schedule to support MFIPPA and other obligations; and begin implementation of new records management system.
- [Operational Policies \[13.3/14.3\]](#). Continue to review, update and centralize all operational and administrative policies to ensure consistency with legislation; public-sector best practice; Authority practices, and develop a new Employee Handbook to promote a fair and equitable workplace.
- [Data Management \[15.2\]](#). Review open data ability and feasibility in context of new website functionality.
- [Sustainability Plan \[13.1\]](#). Develop new 5-Year Sustainability Plan to support initiatives identified in the Strategic Plan and to ensure that ERCA has the appropriate resources, and is managed in the most effective and efficient way, to support watershed outcomes.



## WHERE DOES THE MONEY COME FROM?



## FUNDING THE PLACE FOR LIFE

Creating the Place for Life is not our work alone. It is what we do together with municipalities, our neighbours, our universities, our donors, our local and regional agencies, and the many other organizations we partner with.

ERCA's 2018 Budget totals \$9,271,600, and includes a total levy contribution of \$3,148,752 - an increase of \$101,019, or \$0.09 per household (to \$16.00). Of that, \$51k is allocated for operations, and \$50k for future asset replacement.

The Budget also includes over \$4.2 million in leveraged funding for projects described above. This represents 40% of the total ERCA budget. When combined with fee for service revenues, 72% of ERCA's budget is funded through non-levy sources of funding.

ERCA's annual revenues for programs and services ranks consistently in the top 10 of all 36 Conservation Authorities. At the same time, ERCA's operational levy funds less than 30% of its operations, placing ERCA in the bottom five of all Conservation Authorities, and well below the provincial average (approx. 45%). For comparison in 2016, while the average CA levy supporting operations was \$15.62/capita, ERCA's levy supporting operations was only \$8.47/capita.

We are making a difference. We need to celebrate our successes, and we need to increase the scope, scale and intensity of our joint efforts. We want to create a place we can be proud of and celebrate – one we can call home. For life.

2018 Municipal Levy Allocation										
	CVA %		GENERAL LEVY		CW~GS LEVY		TOTAL LEVY		CHANGE	
	2018	2017	2018	2017	2018	2017	2018	2017	\$	%
Amherstburg	5.974%	6.051%	\$125,384	\$120,874	\$62,729	\$63,531	\$188,114	\$184,405	\$3,709	2.0%
Essex	4.864%	4.927%	\$102,077	\$98,429	\$51,069	\$51,734	\$153,146	\$150,164	\$2,983	2.0%
Kingsville	6.134%	6.193%	\$128,738	\$123,711	\$64,407	\$65,022	\$193,146	\$188,733	\$4,413	2.3%
Lakeshore	9.191%	9.023%	\$192,888	\$180,247	\$96,501	\$94,737	\$289,389	\$274,984	\$14,405	5.2%
LaSalle	8.283%	7.965%	\$173,843	\$159,110	\$86,973	\$83,627	\$260,817	\$242,737	\$18,080	7.4%
Leamington	5.944%	6.102%	\$124,759	\$121,909	\$62,417	\$64,075	\$187,176	\$185,983	\$1,192	0.6%
Peelee Island	0.296%	0.305%	\$6,221	\$6,102	\$3,112	\$3,207	\$9,333	\$9,310	\$23	0.3%
Tecumseh	8.354%	8.237%	\$175,339	\$164,545	\$87,722	\$86,484	\$263,061	\$251,029	\$12,031	4.8%
Windsor	50.959%	51.198%	\$1,069,502	\$1,022,806	\$535,069	\$537,583	\$1,604,570	\$1,560,389	\$44,182	2.8%
<b>Totals</b>	<b>100%</b>	<b>100%</b>	<b>2,098,752</b>	<b>\$1,997,733</b>	<b>\$1,050,000</b>	<b>\$1,050,000</b>	<b>\$3,148,752</b>	<b>\$3,047,733</b>	<b>\$101,019</b>	<b>3.3%</b>

2018 Budget available in full at [www.erca.org](http://www.erca.org)



**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, February 12, 2018, in the Sandwich South Meeting Room at Town Hall, 917 Lesperance Road, Tecumseh at the hour of 7:00 pm.

(CAAC 2-1)

**ORDER**

The Chair calls the meeting to order at 7:08 pm.

(CAAC 2-2)

**ROLL CALL**

Present:	Member	- Christopher McNamara
	Member	- Dwayne Ellis
	Councillor	- Rita Ossington
	Vice-Chair	- Rhonda Dupuis
	Councillor	- Brian Houston
	Member	- Ian Froese
	Member	- Phil Kane

Also Present:	Manager Committee & Community Services	- Christina Hebert
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Absent:	Chair	- Marian Drouillard
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(CAAC 2-3)

**DISCLOSURE OF PECUNIARY INTEREST**

None reported.

(CAAC 2-4)

**DELEGATIONS**

None.

(CAAC 2-5)

**COMMUNICATIONS**

Minutes

A. Cultural & Arts Advisory Committee Meetings held January 15, 2018.

Motion:(CAAC-08/18)	Moved by	Member Dwayne Ellis
	Seconded by	Councillor Brian Houston

**That** the Minutes of the Cultural & Arts Advisory Committee meeting held January 15, 2018, be approved.

Carried

(CAAC 2-6)

**REPORTS**

None.

(CAAC 2-7)

## **UNFINISHED BUSINESS**

### **Street Name Recognition**

Discussion ensues respecting the Town's street listing and distinguishing which streets may be named in recognition of an individual.

In response to a query, Councillor Rita Ossington advises Labute Street was named after the Labute Family and Hayes Avenue was named in recognition of George Hayes.

The Committee suggests next researching George Hayes and Col. Paul Poisson as it relates to the significance of the naming recognition of Hayes Avenue and Poisson Street, respectively.

Member Ian Froese will inquire if the Tecumseh Area Historical Society has historical information respecting the above individuals.

### **Soirée Coffee House**

The Manager Committee & Community Services advises the Auditorium at l'Essor High School is available the first three (3) Fridays in May for the Soirée Coffee House. Last year, the event took place on the second Friday in May. It is also noted the third Friday in May is the start of the holiday weekend.

The Members concur with establishing consistency for scheduling the event and select Friday, May 11, 2018 to host the Soirée Coffee House.

The 2017 Registration Form will be circulated to the Members to review and provide any comment/suggestions for updating for this year.

A suggestion is made to inquire with the BIA if interested in hosting the BIA Banner Ceremony, scheduled for the same evening, in conjunction with the Soirée Coffee House.

It is also recommended to continue with past practice and schedule twenty (20) minutes for each performance, with a five (5) minute interlude.

### **2021 100th Anniversary**

The Members are encouraged to share ideas for ways to celebrate and commemorate the historic milestone of the 2021 100<sup>th</sup> Anniversary, in anticipation of future planning.

It is requested to continue to list the '2021 100th Anniversary' on the Cultural & Arts Advisory Committee Agenda for ongoing discussion.

(CAAC 2-8)

## **NEW BUSINESS**

### **Outdoor Recreation Games**

Member Ian Froese discusses a recent article in the Windsor Star for outdoor recreation games, such as ping-pong and chess/checker cement structures. The structures are typically located in parks to allow residents access.

The regulation-size cement tables are designed to be wheelchair accessible and have necessary safety features. Users provide their own equipment.

Discussion ensues respecting sponsorship opportunities, liability concerns and the potential to include the community in the artistic design of the structures.

Administration will consult with the Recreation Department regarding the feasibility of this initiative.

(CAAC 2-9)

## NEXT MEETING

The next meeting of the Cultural & Arts Advisory Committee will be held on Monday, March 19, 2018, at 7:00 pm, in the Sandwich South Room, Tecumseh Town Hall.

(CAAC 2-10)

## ADJOURNMENT

JMotion: (CAAC-09/18) Moved by Member Christopher McNamara  
Seconded by Councillor Brian Houston

**That** there being no further business, the February 12, 2018, meeting of the Cultural & Arts Advisory Committee be adjourned at 8:10 pm.

Carried

Rhonda Dupuis, Vice-Chair

Christina Hebert, Manager  
Committee & Community Services

## 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, February 22, 2018, in the Council Chambers at Town Hall, 917 Lesperance Road, Tecumseh at the hour of 6:00 p.m.

(SAC 2-1)

### ORDER

The Manager Committee & Community Services calls the meeting to order at 6:02 p.m.

(SAC 2-2)

### ROLL CALL

Members Present:	Chair	- Doug Drouillard
	Vice Chair	- Paul Morand
	Member	- Dara Pfeifer O'Connor
	Member	- Michelle Phillion
	Member	- Nancy Tennant
	Member	- Suzanne Beneteau

Also Present:	Manager Committee & Community Services	- Christina Hebert
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(SAC 2-3)

### DISCLOSURE OF PECUNIARY INTEREST

None Reported.

(SAC 2-4)

### DELEGATIONS

None.

(SAC 2-5)

### COMMUNICATIONS

Minutes

A. Senior Advisory Committee Meeting held January 25, 2018

Motion:(SAC-06/18)	Moved by	Member Nancy Tennant
	Seconded by	Member Michelle Phillion

**That** the Minutes of the Senior Advisory Committee meeting held January 25, 2018, be approved.

Carried

(SAC 2-6)

### REPORTS

None.

(SAC 2-7)

### UNFINISHED BUSINESS

#### Seniors Community Grant Program

The Members are apprised that a News Release was issued on February 15, a copy of which was circulated to the Members via email, regarding the Life After Fifty (LAF) Brunch social event on March 22. A notice was placed in the Shoreline Week and Essex Free Press and shared on the Town's website and social media pages, as well as with various community partners.

Arrangements for bus transportation for the event have also been made.

The Members are asked to help promote the LAF Brunch social event with persons who may be interested.

As previously discussed, approximately six (6) persons are on the waiting list for LAF memberships which will be issued, should funds be available.

**Senior Services Directory**

Member Nancy Tennant advises she assisted Administration in organizing the information compiled to date for the directory.

The Manager Committee & Community Services will create a template, similar to the City of Revelstoke directory, to start inputting the information amassed.

Once created, the 'working' directory can be continually updated as further information becomes available. The directory will be made available on the 'Seniors' page of the website for accessible viewing.

**Fall Prevention Clinic**

Further to the information circulated to the Members, the Manager Committee & Community Services confirms the fall prevention clinic for older adults has been scheduled for Friday, August 10, 2018. The half-day session, approximately 9:00 am – 12:00 pm, will be hosted at the Golden Age Club.

Registered participants will receive an approximately 30 minute screening which would assess the individual on what might be putting them at risk for falling, educate them on how to reduce the risk of falling and connect them with community resources.

The Windsor Essex County Health Unit will provide further information and promotional material closer to the scheduled date.

(SAC 2-8)

**NEW BUSINESS****Call for 2018 Committee Applications**

The Manager Committee & Community Services advises applications are being received from residents interested in serving on the Senior Advisory and Youth Advisory Committees. Applications are available on the Town's website and/or at Town Hall.

The Members are encouraged to share the information with persons who may be interested in serving on the Committee.

**Community Education Workshops**

Member Nancy Tennant advises of a recent article regarding the need for grocery stores to consider senior-friendly initiatives, such as the placement of benches throughout stores for seniors to rest and offering smaller packaging sizes geared towards seniors.

The Members suggest hosting a workshop on this topic highlighting nutritional guidelines and pharmaceutical information for seniors.

**Age Friendly Communities**

Member Nancy Tennant reminds the Members of the information she received at the Age Friendly Conference held on November 3, 2017 at the WFCU Centre.

She highlights the number of elder issues discussed at the Conference such as affordable housing, house sharing, safety on the streets, and the importance of the 'buddy system' in order to achieve an age-friendly community. In an age-friendly community, the policies, services and structures related to the physical and social environment are designed to help seniors 'age actively'.

Member Nancy Tennant further advises a local social worker who is well-versed on age friendly initiatives has offered to speak to the Members in regards to elder issues and age friendly initiatives.

(SAC 2-9)

**NEXT MEETING**

The next meeting of the Senior Advisory Committee will be held March 22, 2018.

(SAC 2-10)

**ADJOURNMENT**

Motion: (SAC-07/18) Moved by Member Suzanne Beneteau

Seconded by Member Nancy Tennant

**That** there being no further business, the February 21, 2018, meeting of the Senior Advisory Committee be adjourned at 7:09 p.m.

Carried

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Doug Drouillard, Chair

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Paul Morand, Vice-Chair

# TOWN OF TECUMSEH BUSINESS IMPROVEMENT AREA (TOTBIA)

## BOARD OF MANAGEMENT MEETING

Wednesday, December 13, 2017 at the hour of 6:00 PM held at 1189 Lacasse Blvd., Tecumseh, ON | BIA  
Office Phone: 519-735-3795

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### AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCLOSURE OF PECUNIARY INTEREST**
4. **DELEGATIONS** (15-20 minutes)
5. **COMMUNICATIONS** (5 minutes)
  - 5.1. Minutes
    - 5.1.1. Board of Management Minutes: November 8, 2017
    - 5.1.2. OBIAA letter to **The Minister Responsible for Small Business and the Minister of Agriculture, Food and Rural Affairs**
6. **REPORTS** (5-10 minutes for each report)
  - 6.1. Chair
  - 6.2. Treasurer's Report
    - 6.2.1. Month End Financial Reports: November 30, 2017
  - 6.3. Coordinator Report
  - 6.4. Council Report
  - 6.5. Committee Reports
    - 6.5.1. Christmas Events
    - 6.5.2. 2018 Proposed Budget
    - 6.5.3. Communications
    - 6.5.4. BIA Sponsored 2018 Events
7. **UNFINISHED BUSINESS** (5 minutes for each item)
  - 7.1. Town of Tecumseh BIA Constitution
  - 7.2. BIA Parkette Gazebo
8. **NEW BUSINESS** (5 minutes for each item)
  - 8.1. CPTED Workshop for Business Owners
9. **NEXT MEETING**
  - 9.1. January 10, 2018 at 6:00 PM
10. **ADJOURNMENT**

#### Board Members:

Candice Dennis, Chair  
Tony Nehme, Vice Chair  
Paul Bistany, Treasurer  
Linda Proctor, Director  
Maureen Harris, Director  
Daniel Hofgartner, Director  
Joseph Fratangeli, Director  
Bill Altenhof, Councillor  
Jules Champoux, Director  
Brian Houston, Councillor



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.

**NOTE:** These minutes have been amended; see section 6.5 COMMITTEE REPORTS in the IN CAMERA DISCUSSION as approved by a motion made at the February 21, 2018 regular TOTBIA Board meeting; amendments made by Paula Rorai on February 26, 2018.

**(TOTBBM-1-12)**  
**CALL TO ORDER**

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 7<sup>th</sup> 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	\$	
	<b>Total to Date;</b>	\$	<b>81,750.00</b>

**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 ft<sup>2</sup> 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 calls for a motion to convene in-camera.

**Motion: (BBM-50/17)**

Moved by: P. Bistany

Second by: J. Champoux

**THAT** the December 13, 2017 meeting of the Tecumseh BIA Board of Management convene in closed session in accordance with Section 239(2)(b) of the Municipal Act, 2001, which permits a meeting to

be closed to the public when the subject matter being considered is about personal matters about an identifiable individual, including municipal or local board employees, in order to discuss the staff/wages for the 2018 TOTBIA proposed budget.

**APPROVED.  
CARRIED.**

P. Rorai and A. Rigo leave the conference room at 6:45 PM.

**Motion: (BBM-51/17)**

Moved by: P. Bistany

Second by: J. Champoux

**THAT** the BIA Board goes out of camera and resumes 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

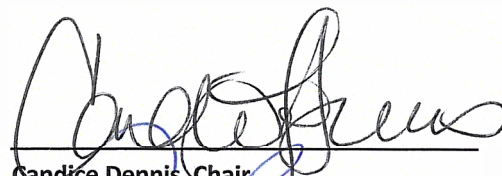
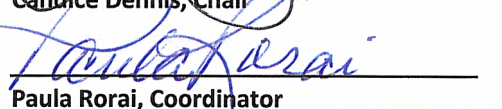
(TOTBBM – 10-12)

**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.**

  
Candice Dennis, Chair  
  
Paula Rorai, Coordinator

**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, February 8, 2018 at 4:30 p.m. at the Tecumseh Town Hall, 917 Lesperance Road, Tecumseh, Ontario.

(PSB 1-1)

**ORDER:**

Secretary/Treasurer Tony Haddad called the meeting to order at 4:33 p.m.

(PSB 1-2)

**ROLL CALL:**

Present:	Mayor	- Gary McNamara
	Member	- Christopher Hales
	Member	- Eleanor Groh
	Member	- Fred Stibbard ( <i>via teleconference</i> )
Also Present:	OPP	- Inspector Glenn Miller
	OPP	- A/Staff Sgt. Michael Gruszka
	Secretary/Treasurer	- Tony Haddad, CAO
	Recording Secretary	- Ellen Preuschat

Deputy Mayor Joe Bachetti was absent due to employment.

(PSB 1-3)

**ELECTION/APPOINTMENT OF OFFICERS:**

*1. Election of Chair*

Secretary/Treasurer Tony Haddad called for nominations for Chair of the Tecumseh Police Services Board for the year 2018. Member Eleanor Groh nominated Christopher Hales, seconded by Mayor Gary McNamara. Following second and third calls for nominations, no further nominations were received. The Secretary/ Treasurer asked Mr. Hales if he wishes to stand and Mr. Hales accepted.

<u>Motion:</u>	(PSB 1/2018)	Moved by Member Eleanor Groh Seconded by Mayor Gary McNamara
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**THAT** Christopher Hales be appointed as Chair of the Police Services Board for the Town of Tecumseh for the period January 1, 2018 up to and including December 31, 2018.

Carried.

*2. Election of Vice Chair*

The Chair called for nominations for Vice Chair of the Tecumseh Police Services Board for the year 2018. Mayor Gary McNamara nominated Eleanor Groh, seconded by Chair Christopher Hales. Following second and third calls for nominations, no further nominations were received. The Chair asked Ms. Groh if she wishes to stand and Ms. Groh accepted.

<u>Motion:</u>	(PSB 2/2018)	Moved by Mayor Gary McNamara Seconded by Christopher Hales
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**THAT** Eleanor Groh be appointed as Vice Chair of the Police Services Board for the Town of Tecumseh for the period January 1, 2018 up to and including December 31, 2018.

Carried.

### 3. Appointment of Secretary and Recording Secretary

Motion: (PSB 3/2018) Moved by Vice Chair Eleanor Groh  
Seconded by Mayor Gary McNamara

**THAT** the appointment of Tony Haddad as Secretary-Treasurer and Ellen Preuschat as Recording Secretary be reconfirmed for the period of January 1 to December 31, 2018.

Carried.

(PSB 1-4)

#### **DISCLOSURE OF PECUNIARY INTEREST:**

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

(PSB 1-5)

#### **APPROVAL OF THE AGENDA:**

Motion: (PSB 4/2018) Moved by Mayor Gary McNamara  
Seconded by Vice Chair Eleanor Groh

**THAT** the members of the Police Services Board for the Town of Tecumseh approve the Agenda dated February 8, 2018, as duplicated and delivered to the members thereof.

Carried.

(PSB 1-6)

#### **APPROVAL OF THE PREVIOUS MINUTES:**

Motion: (PSB 5/2018) Moved by Vice Chair Eleanor Groh  
Seconded by Mayor Gary McNamara

**THAT** the members of the Police Services Board for the Town of Tecumseh approve the Regular Minutes dated Thursday, December 14, 2018, as duplicated and delivered to the members thereof.

Carried.

(PSB 1-7)

#### **COMMITTEE MINUTES:**

Motion: (PSB 6/2018) Moved by Mayor Gary McNamara  
Seconded by Vice Chair Eleanor Groh

**THAT** the members of the Police Services Board for the Town of Tecumseh receive the Minutes of the Policy Committee Meeting dated Tuesday, January 16, 2018, as duplicated and delivered to the members thereof.

Carried.

(PSB 1-8)

#### **DELEGATIONS:**

None.

(PSB 1-9)

#### **OPP MONTHLY REPORT:**

Acting Staff Sgt. Mike Gruszka provided highlights of the November and December 2017 OPP reports.

Inspector Miller noted that violent crimes, assaults and break and enter crimes are all trending downwards overall, and that all five break and enter crimes in December were solved, with property shortly to be returned to owners. He also complimented the Town's public relations approach with respect to plowing/snow removal issues.

There was discussion of the high number of 911 hang up calls. CAO Tony Haddad suggested that, if public education could be undertaken to lower the number of calls, the result would be fewer police resources used and lower costs, which Inspector Miller confirmed.

Motion: (PSB 7/2018)

Moved by Vice Chair Eleanor Groh  
Seconded by Mayor Gary McNamara

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

Carried.

(PSB 1-10)

**REPORTS**

None.

(PSB 1-11)

**COMMUNICATIONS:**

**A – Action Required**

None.

**B – For Information Purposes**

1. Ellen Preuschat, Recording Secretary, Re: Summary of CPTED Workshop Held on January 22, 2018, February 1, 2018

Motion: (PSB 8/2018)

Moved by Vice Chair Eleanor Groh  
Seconded by Mayor Gary McNamara

**THAT** the correspondence detailed as Item 1, B – For Information Purposes, be received.

Carried.

(PSB 1-12)

**OLD BUSINESS:**

1. Joint Meeting of Essex County Police Services Boards

Tecumseh has committed to host the next joint meeting of Essex County OPP police services boards. It was agreed that it should take the form of a breakfast meeting, to be held in June following the 2018 OAPSB Spring Conference and AGM scheduled for May 23-26. The Secretary-Treasurer will follow up with a proposed date.

Potential topics include:

- a presentation on board amalgamations by the OAPSB,
- an update on changes to policing legislation from a municipal perspective by the Association of Municipalities of Ontario (AMO), and
- Community Safety Plans.

(PSB 1-13)

**NEW BUSINESS:**

1. Annual Performance Report – Detachment Commander

As in previous years, Chair Hales will communicate with all members of the board to coordinate the Annual Performance Report of the Detachment Commander.

2. Other New Business

- a. Human Trafficking Symposium – January 31, 2018

Mayor McNamara congratulated the OPP on recently hosting a very informative and successful symposium on human trafficking in our region, which he attended along with CAO Tony Haddad. Inspector Miller thanked the board for its support of this educational event.



(PSB 1-14)

**NEXT MEETING**

The next meeting of the Police Services Board will be held Thursday, April 12, 2018 at 4:30 p.m.

(PSB 1-15)

**ADJOURNMENT**

Motion:

(PSB 9/2018)

Moved by Mayor Gary McNamara

Seconded by Vice Chair Eleanor Groh

**THAT** there being no further business to discuss, the February 8, 2018 meeting of the Tecumseh Police Services Board adjourn at 5:26 p.m.

Carried.

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Christopher Hales, Chair

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Tony Haddad, Secretary/Treasurer



## The Corporation of the Town of Tecumseh

Chief Administrative Officer

**To:** Mayor and Members of Council

**From:** Shaun Fuerth, Director Information & Communication Services

**Date to Council:** March 13, 2018

**Report Number:** CAO-2018-05

**Subject:** Town Hall – Temporary Office Space

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### Recommendations

It is recommended:

1. **That** Report CAO-2018-05 Town Hall Temporary Office Space **be received**.
2. **And that** costs associated with the temporary office space **be funded** from Lifecycle – Strategic Issues One-Time reserve.

### Background

In September 2017, Council received report CAO 09/17 Town Hall Expansion, deferring a decision to future budget sessions. The 2018 Business Plan and Budget identifies several positions requiring workspace at the Town Hall.

The 2005 Town Hall renovation has met its original design criteria to provide sufficient accommodation, but has now reached its limit for the following reasons:

1. Increase in Town Hall staff due to either legislative or service level requirements has resulted in all offices and workstations now being occupied. In some departments, single workstations have been modified to now accommodate two staff members.
2. Students, interns and managers are sharing space formerly used for meetings or storage.
3. Due to current occupancy levels, scheduling of meeting room space has become a challenge.
4. There are members of the senior management team that still require office space at Town Hall.
5. A need for more streamlined customer service has been identified.

## Comments

It is proposed that a portable office be placed adjacent to Town Hall similar to the office that existed from 2001-2005. This office will accommodate 4-5 staff. The office will require one-time setup costs for a hydro connection, data cabling, furnishings and site work in addition to a monthly rental fee. This will offer staff a comfortable work environment close to the departments which they serve. Once complete, the Parks Department will assist in temporary landscaping around the office to ensure it is aesthetically pleasing. This office will be ready for occupancy by the beginning of May 2018.

Administration will provide an update to Council on a permanent Town Hall expansion solution later in 2018.

The cost associated with this office space is as follows:

2018 Office Rental	\$ 5,000
One time set-up (hydro, cabling, furnishing, site work)	5,000
Project Budget	\$10,000

## Consultations

Corporate Services & Clerk

Information & Communication Services

Financial Services

Planning & Building Services

Recreation Services

## Financial Implications

The Town Hall Temporary Office Space will be funded from Lifecycle – Strategic Issues One-Time. An allocation of \$6,000 for rental will be added to the Corporate Shared Operating Budget in the 2019 Budget and Business Plan.

## Link to Strategic Priorities

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

Reviewed by:

Tom Kitsos, CPA, CMA, BComm  
Deputy Treasurer & Tax Collector

Recommended by:

Shaun Fuerth, BCS  
Acting Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
None	None





## The Corporation of the Town of Tecumseh

### Fire & Rescue Services

**To:** Mayor and Members of Council

**From:** Doug Pitre, Director Fire Services & Fire Chief, C.E.M.C.

**Date to Council:** March 13, 2018

**Report Number:** FIRE-2018-02

**Subject:** Public Consultation on Proposed Regulations  
Mandatory Training and Certification for Fire Service Personnel  
Mandatory Community Risk Assessments for Municipal Fire Protection

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## Recommendations

It is recommended:

**That** the Fire Chief's report FIRE-2018-02 regarding the proposed draft regulations affecting the delivery of municipal fire services **be received**;

**And that** the comments by the Ontario Association of Fire Chiefs regarding the proposed draft regulations from the Ministry of Community Safety and Correctional Services **be supported**.

## Background

On January 25, the Ministry of Community Safety and Correctional Services (MCSCS) released two proposed regulations under the *Fire Protection and Prevention Act, 1997* (FPPA) related to new requirements for:

1. Mandatory training and certification for firefighters; and
2. Community risk assessments to inform the delivery of fire protection services.

The draft regulations are attached for review and information purposes. It is not anticipated that either of the proposed new regulations will have a significant impact on our overall departmental operations, as Tecumseh Fire Rescue Services has traditionally been proactively in general compliance with the proposed legislation. As the regulations are currently drafted

there may, however, be some operational impacts during the short-term implementation period over the next several years. The financial impacts of these proposed new regulations are yet to be determined.

## **Comments**

### **Mandatory Training and Certification**

The first proposed regulation is intended to introduce minimum professional qualifications and training standards for the Ontario fire service. Tecumseh Fire Rescue Services has historically trained all personnel and certified all personnel to provincial standards as required by Council in our Establishing and Regulating by-law.

MCSCS is proposing to establish mandatory certification requirements set out by the National Fire Protection Association (NFPA) for all new firefighters employed or appointed to a Fire Department in Ontario for the following positions:

- Suppression Firefighters
- Pump Operators
- Technical Rescuers
- Fire Officers
- Fire Educators

These requirements are proposed to come into force January 1, 2019 with the exception of technical rescuers, which would come into force January 1, 2020. An additional year for technical rescuers to achieve certification is being proposed to allow sufficient time to develop training and certification examination materials.

In addition, MCSCS is proposing that mandatory certification requirements also set out by the NFPA apply to existing firefighters currently employed or appointed in fire departments across Ontario, including:

- Fire Inspectors
- Fire Investigators
- Fire Instructors
- Hazardous materials personnel
- Fire Dispatchers

It is proposed that these mandatory certification requirements apply to existing firefighters employed or appointed in these roles. These requirements are proposed to come into force January 1, 2020 to give Fire Departments additional time to train and certify their staff.

Unlike Police and Emergency Medical services, there is currently no mandatory certification for firefighters. Each fire department in Ontario must determine its own training requirements and the associated method of delivery for such. Tecumseh Fire Rescue Services has historically adopted and maintained the provincial standards for training and certification and supports the introduction of minimum professional standards and certification.

#### Prior Certification through Grandfathering

In the transition period from the former Ontario Firefighter Curriculum and certification program to the internationally recognized NFPA Standards and certification program in 2014, the Ontario Fire Marshal issued a directive which enables Firefighters through their respective departments to apply for certain equivalent NFPA certifications through a “grandfathering” program. This provided an opportunity for firefighters to apply for certification based on their knowledge and experience at the time. The program required the Fire Chief of each department to review each application from within his or her department and forward only those who met the minimum requirements identified by the Fire Marshal.

Tecumseh Fire Rescue Services took advantage of this program at the time and all personnel who qualified for recognition under the grandfathering opportunity will have those Certifications recognized going forward.

For our fire service, the greatest challenge will be implementing the testing and evaluating process. Given our current rate of turnover for paid-on-call firefighters, the proposed requirement for mandatory certification within two years of hire could create capacity issues in the areas of certification for specialized rescue services. Currently our internal training program for new firefighters combined with external capacity for course loading and third party certification testing may present challenges for compliance within the two-year period. Additionally, all existing personnel have been trained to provincial standards for technical rescue disciplines such as ice/water rescue, confined space rescue etc. but certification programs have been inconsistent, and so all personnel would require certification for those areas of technical rescue. As noted, in some cases the applicable training and certification testing materials have yet to be developed, but as currently proposed all personnel providing the rescue service would be required to be certified as of January 1, 2020.

In order to obtain Certification, third party testing must be conducted which means a Department cannot train and certify its own personnel. Written exams and practical skills evaluation (where applicable) must be conducted by a Certified Evaluator representing the certifying organization. It is understood at this point, that should the proposed amendments to the Regulations come in effect; testing and skills evaluation will be conducted through the Office of the Fire Marshal and Emergency Management. The exact details of how this will be accomplished have not yet been communicated.

The current draft of the proposed regulation may also impact our current practice and training program to promote personnel from firefighter level to officers’ positions. The proposed

regulation provides a period of two years for new hires to become initially certified to the firefighter level, however beyond new hires, existing personnel would be required to have the certification required before being promoted to an officer role. While this practice is certainly preferable, given the capacity of our training program currently it is not always possible to provide all potential candidates with the required officer level training and certification prior to being considered in a promotional process.

To a lesser extent, it is also conceivable that there may be some capacity issues with certifying all personnel to the standard for pump operators, as this is a new requirement. Although all current personnel are trained to the standard for pump operations that is current at the time they progress through the training program, certification processes have been inconsistent for this qualification. According to the proposed regulation, all personnel currently employed and performing the function would be “deemed” compliant; however, it would be expedient for the department to establish a phased schedule for all personnel to achieve certification.

Ultimately, our ability to comply with the proposed regulations for certification may impact our ability to provide the current levels of specialized services. It may also impact our ability to promote pre-qualified individuals to Officer positions, particularly volunteer Captain positions. It is expected that these challenges will affect many municipal fire services. The recommended comments on the draft regulations included in this report are intended to attempt to affect amendments that will alleviate any perceived gaps in ability to provide capacity to achieve compliance.

### **Mandatory Community Risk Assessments**

MCSCS is proposing that effective January 1, 2019, municipalities be required to conduct a Standard Risk Assessment every five (5) years focusing on key profiles in their communities (e.g. demographics, geography, past fire loss and event history, critical infrastructure, building stock profile within the community, etc.).

Municipalities would be responsible for reviewing their community risk assessment annually to ensure that any significant changes in the mandatory profiles are identified. If there are any significant changes in risk (e.g., addition of retirement homes or care facilities), the Municipality will be responsible for updating their assessment. This information will be used to inform decisions about Fire Protection Services in their community.

Tecumseh Fire Rescue Services has conducted comparable Risk Assessments on a regular basis. The specific criteria in the proposed legislation may broaden the scope slightly, including some of the profiles traditionally included in the municipal emergency management planning documents; however the implications are expected to be minimal.

Overall, the proposed regulations are intended to improve the professionalization of firefighters and standardize or enhance the level of fire protection throughout the province. Fire administration is currently reviewing all of the draft Regulations in detail, to determine the operational and financial impact on Tecumseh Fire Rescue Services. Subsequent reporting will provide Council with an update on impacts and financial implications once the proposed Regulations are finalized and become legislated requirements.

## Recommended Comments

The following comments are recommended to be submitted to the Ministry of Community Safety and Correctional Services (MCSCS) as part of the public consultation process:

### Mandatory Certification:

- a) It is recommended that the Internship Program of twenty-four (24) months for newly hired firefighters be expanded to include all applicable areas and positions, such as fire inspectors and Fire Officer I & II, replacing the limiting language found in Section 3(b) of the Act (attached); and
- b) It is recommended that the date of implementation be reviewed (in light of an election year) as there may not be enough time prior to July 2018 or at the initial Council meeting on/or after December 1, 2018, to make decisions (e.g. training funding) to ensure full implementation of the Mandatory Training and Certification regulation; and
- c) It is recommended that Certification for some individual chapters within the National Fire Protection Association (NFPA) 1006 may not be available for the January 1, 2020 deadline. Additional wording should be added, allowing the Authority Having Jurisdiction (AHJ) to manage the implementation of NFPA 1006 Technical Rescue 1006 as the standards are updated, published, and testing/skills are made available, in order to support and complete the certification process; and
- d) It is recommended that reciprocity among AHJ's be addressed so that both current and newly hired firefighters that have received NFPA certifications outside the province of Ontario are recognized by the provincial AHJ under the proposed regulations. This recommendation will also assist with provincial capacity for testing and certification.

### Mandatory Community Risk Assessments:

- e) It is recommended that the reference to building stock and classifications should use Municipal Property Assessment Corporation (MPAC) data to classify building usage in regards to fire risks; and
- f) It is recommended that, in Section 2 of the Draft Regulation – Mandatory Community Risk Assessment (Appendix B) Reporting the “state of compliance with the fire code” should be deleted as this is directly dependent upon municipalities’ set level of service for fire prevention (e.g. fire inspections upon request or complaints as permitted, under the FPPA); and
- g) It is recommended that, in Section 6 of Draft Regulation (Appendix B) that in a multi-tier Government, (e.g. lower-tier fire, upper-tier Emergency Medical Service (EMS) and /or Police Service), the data required for public safety response profile is not attainable; and
- h) It is recommended that, in Section 9 (2) of the Draft Regulation (Appendix B), that comparison to other “like communities” may be difficult to achieve. Reporting in comparison to provincial trends would be more appropriate; and



- i) It is recommended that the Provincial Government provides liability indemnification for all municipal governments who comply with these new regulations at least twelve (12) months before the training and certification comes into force.

## Consultations

Essex County Fire Chiefs

## Financial Implications

None

## Link to Strategic Priorities

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

Doug Pitre  
Director Fire Services & Fire Chief, C.E.M.C.

Recommended by:

Shaun Fuerth, BCS  
Acting Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Appendix 'A'-Consultation Draft-Ontario Regulation-Firefighter Certification
2	Appendix 'B'-Consultation Draft-Ontario Regulation-Community Risk Assessments
3	Appendix 'C'-Consultation Draft-Ontario Regulation-OAFC Member Briefing Note MCSCS Regulations

# Appendix 'A' – Consultation Draft – Ontario Regulation – Firefighter Certification

## **Caution:**

*This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.*

## **CONSULTATION DRAFT**

## **ONTARIO REGULATION**

to be made under the

## **FIRE PROTECTION AND PREVENTION ACT, 1997**

## **FIREFIGHTER CERTIFICATION**

### Contents

<u>1.</u>	Definition
<u>2.</u>	Mandatory certification
<u>3.</u>	Intern firefighter
<u>4.</u>	Transition
<u>5.</u>	Commencement
<u>Table 1</u>	Mandatory certification

### **Definition**

1. In this Regulation,

“NFPA” means the National Fire Protection Association.

### **Mandatory certification**

2. (1) Every municipality, and every fire department in a territory without municipal organization, must ensure that its firefighters only perform a fire protection service set out in Table 1 if,

- (a) the firefighter performing the fire protection service is certified to the corresponding certification standard set out in that Table; or

- (b) the firefighter performing the fire protection service is an intern firefighter, within the meaning of section 3, operating under the supervision of a firefighter who is certified to the certification standard set out in that Table corresponding to the fire protection service performed by the intern firefighter.

### **Who provides certifications**

- (2) The certification must be provided by the Fire Marshal.

### **Intern firefighter**

- 3. An intern firefighter is a firefighter who,
  - (a) is enrolled in an internship program approved by the Fire Marshal; and
  - (b) has been a firefighter for no more than 24 months.

### **Transition**

- 4. (1) A certification standard set out in items 1 to 5 of Table 1 does not apply with respect to a firefighter who,
  - (a) became a firefighter before January 1, 2019; and
  - (b) performed the fire protection service that the certification standard corresponds to before January 1, 2019.

### **Same**

- (2) A certification standard set out in items 6 or 7 of Table 1 does not apply with respect to a firefighter that both of the following criteria apply to:
  - 1. The firefighter became a firefighter before January 1, 2019.
  - 2. Before July 1, 2018, the firefighter's fire chief was given permission by the Fire Marshal to issue the firefighter a successful Letter of Compliance with NFPA Standards respecting the relevant standard under Fire Marshal's Communiqué 2014-04, "Transition to NFPA Professional Qualifications Standards: Grandfathering

Policy”, which is dated January 2014 and available on a website of the Government of Ontario.

### Commencement

5. (1) Subject to subsection (2), this Regulation comes into force on January 1, 2019.

(2) Subsection 4 (2) and items 6 to 11 of Table 1 come into force on January 1, 2020.

TABLE 1  
MANDATORY CERTIFICATION

Item	Column 1 Fire protection service	Column 2 Certification standard
1.	Fire suppression activities, if the level of service provides for exterior attack only	NFPA 1001, “Standard for Fire Fighter Professional Qualifications”, 2013 Edition, Level I
2.	Fire suppression activities, if the level of service provides for exterior and interior attack	NFPA 1001, “Standard for Fire Fighter Professional Qualifications”, 2013 Edition, Level II
3.	Pump operations	NFPA 1002, “Standard for Fire Apparatus Driver/Operator Professional Qualifications”, 2017 Edition, Chapter 5
4.	Supervise other firefighters	NFPA 1021, “Standard for Fire Officer Professional Qualifications”, 2014 Edition, Level I
5.	Develop, implement or deliver a public education program and supporting materials	NFPA 1035, “Standard on Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist and Youth Firesetter Program Manager Professional Qualifications”, 2015 Edition, Chapter 4, Level I
6.	Fire prevention inspections or plans examination activities	NFPA 1031, “Standard for Professional Qualifications for Fire Inspector and Plan Examiner”, 2014 Edition, Level I
7.	Training courses for fire protection services	NFPA 1041, “Standard for Fire Service Instructor Professional Qualifications”, 2012 Edition, Level I
8.	Dispatch fire department resources (personnel and equipment)	NFPA 1061, “Professional Qualifications for Public Safety Telecommunications Personnel”, 2014 Edition, Level I
9.	Fire investigation activities	NFPA 1033, “Standard for Professional Qualifications for Fire Investigator”, 2014 Edition
10.	Technical rescue activities	NFPA 1006, “Standard for Technical Rescue Personnel Professional Qualifications”, 2017 Edition, in accordance with the level of service provided
11.	Hazardous materials response at the Technician Level	NFPA 1072, “Standard for Hazardous Materials/Weapons of Mass Destruction Emergency Response Personnel Professional Qualifications”, 2017 Edition



# Appendix 'B' – Consultation Draft – Ontario Regulation – Community Risk Assessments

## **Caution:**

*This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.*

## **CONSULTATION DRAFT**

## **ONTARIO REGULATION**

to be made under the

## **FIRE PROTECTION AND PREVENTION ACT, 1997**

## **COMMUNITY RISK ASSESSMENTS**

### Contents

<u>1.</u>	Mandatory use
<u>2.</u>	What it is
<u>3.</u>	When to complete (at least every five years)
<u>4.</u>	When to review (at least every year)
<u>5.</u>	Commencement
<u>Schedule 1</u>	Mandatory profiles

### **Mandatory use**

1. Every municipality, and every fire department in a territory without municipal organization, must,

- (a) complete and review a community risk assessment as provided by this Regulation;  
and
- (b) use its community risk assessment to inform decisions about the provision of fire protection services.

**What it is**

2. (1) A community risk assessment is a process of identifying, analyzing, evaluating and prioritizing risks to public safety to inform decisions about the provision of fire protection services.

**Mandatory profiles**

(2) A community risk assessment must include consideration of the mandatory profiles listed in Schedule 1.

**Form**

(3) A community risk assessment must be in the form, if any, that the Fire Marshal provides or approves.

**When to complete (at least every five years)**

3. (1) The municipality or fire department must complete a community risk assessment no later than five years after the day its previous community risk assessment was completed.

**New municipality or fire department**

(2) If a municipality, or a fire department in a territory without municipal organization, comes into existence, the municipality or fire department must complete a community risk assessment no later than two years after the day it comes into existence.

**Transition**

(3) A municipality that exists on January 1, 2019, or a fire department in a territory without municipal organization that exists on January 1, 2019, must complete a community risk assessment no later than January 1, 2024.

**Revocation**

(4) Subsection (3) and this subsection are revoked on January 1, 2025.

**When to review (at least every year)**

4. (1) The municipality or fire department must complete a review of its community risk assessment no later than 12 months after,

- (a) the day its community risk assessment was completed; and

- (b) the day its previous review was completed.

#### **Other reviews**

(2) The municipality or fire department must also review its community risk assessment whenever necessary.

#### **Revisions**

(3) The municipality or fire department must revise its community risk assessment if it is necessary to reflect,

- (a) any significant changes in the mandatory profiles;
- (b) any other significant matters arising from the review.

#### **New assessment instead of review**

(4) The municipality or fire department does not have to review its community risk assessment if it expects to complete a new community risk assessment on or before the day it would complete the review.

#### **Commencement**

**5. This Regulation comes into force on the later of January 1, 2019 and the day it is filed.**

### **SCHEDULE 1 MANDATORY PROFILES**

1. Geographic profile: The physical features of the community, including the nature and placement of features such as highways, waterways, railways, canyons, bridges, landforms and wildland-urban interfaces.

2. Building stock profile: The number of buildings in the community, their age, their major occupancy classifications within the meaning of Ontario Regulation 332/12 (Building Code) under the *Building Code Act, 1992* and their state of compliance with the fire code.

3. Critical infrastructure profile: The capabilities and limitations of critical infrastructure, including electricity distribution, water distribution, telecommunications, hospitals and airports.

4. Demographic profile: The composition of the community's population, respecting matters relevant to the community, such as population size and dispersion, age, gender, cultural background, level of education, socioeconomic make-up, and transient population.

5. Hazard profile: The hazards in the community, including natural hazards, hazards caused by humans, and technological hazards.

6. Public safety response profile: The types of incidents responded to by other entities in the community, and those entities' response capabilities.

7. Community services profile: The types of services provided by other entities in the community, and those entities' service capabilities.

8. Economic profile: The economic sectors affecting the community that are critical to its financial sustainability.

9. Past loss and event history profile: The community's past emergency response experience, including the following analysis:

1. The number and types of emergency responses, injuries, deaths and dollar losses.
2. Comparison of the community's experience with the experiences of comparable communities.

Note: Each profile is to be interpreted as extending only to matters relevant to fire protection services.

# Appendix 'C' – Consultation Draft – Ontario Regulation – OAFc Member Briefing Note MCSCS Regulations



## ONTARIO ASSOCIATION OF FIRE CHIEFS

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### ONTARIO ASSOCIATION OF FIRE CHIEFS MEMBER BRIEFING NOTE MCSCS REGULATIONS

**DATE:** February 7, 2018

**SUBJECT:** MCSCS Regulations on Mandatory Certification and Training, and Community Risk Assessments – OAFc Response, Recommendations and Key Messages

**FROM:** Chief Stephen Hernen, President

#### INTRODUCTION

On January 25, the Ministry of Community Safety and Correctional Services (MCSCS) released two proposed regulations under the *Fire Protection and Prevention Act, 1997* (FPPA) related to new requirements for:

1. [Mandatory training and certification for firefighters](#); and
2. [Community risk assessments to inform the delivery of fire protection services](#).

The MCSCS is seeking public feedback on both regulations. Comments are due March 11, 2018.

The Ministry received input on how to modernize fire service delivery in the province from a group of fire service experts, known as the provincial Fire Safety Technical Table (the Table), which was established in January 2017. The Ministry reviewed and compiled the Table's recommendations to develop the proposed regulations.

A third regulation on public reporting was initially proposed to the Table. Lack of clarity in several parts of the regulation resulted in the need for a further legal review to be conducted (currently pending), which has delayed its process. We do not know when or if this regulation will be released.

This briefing note has been prepared to assist OAFc members in the development of their responses to the draft MCSCS fire regulations. You are welcome to share this document with your municipal council. Comments on the regulations can be provided online at:  
[www.ontariocanada.com/registry/view.do?postingId=26546&language=en](http://www.ontariocanada.com/registry/view.do?postingId=26546&language=en).

#### BACKGROUND

The Technical Table was established to examine current and emerging fire safety challenges and opportunities, identify priorities for action, and support the development of evidence-based recommendations that will enhance fire safety in Ontario.



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Its goals are to review new and emerging challenges in fire safety, with a view to identify opportunities to enhance delivery in Ontario, such as:

- Firefighter training and professionalism (e.g. identification of specialized knowledge requirements and core competencies);
- Public education and prevention measures, including community risk assessments;
- Provincial standards for fire services, such as fire dispatch; and
- Public reporting of fire service data.

The OAFCh is represented at the Technical Table by our President, Chief Stephen Hernen, and Executive Vice President, Chief Rick Arnel. Additional OAFCh members participated in the Table on behalf of their municipalities, including Deputy Chief Kim Ayotte, Ottawa; Chief Ted Bryan, Otonabee-South Monaghan; Chief John Hay, Thunder Bay; Deputy Chief Jim Jessop, Toronto; and Chief Shawn Armstrong, Kingston.

The Technical Table also consists of MCSCS and Office of the Fire Marshal and Emergency Management (OFMEM) executive and staff, the Ontario Professional Fire Fighters Association (OPFFA), the Toronto Fire Fighters Association (TPFFA), and the Fire Fighters Association of Ontario (FFAO), as well as an Association of Municipalities (AMO) staff member and a lower-tier CAO representative.

The Table met monthly over the course of 2017, offering input to the MCSCS on minimum standards for professional fire service qualifications. Those recommendations were reviewed by the MCSCS and used to develop the draft regulations, for final review by the Minister. "Final" draft versions of the regulations are not the same as presented at the OAFCh Midterm Meeting in November 2017.

### OVERVIEW

#### Draft Regulation1 – Mandatory Certification

The MCSCS is proposing to establish mandatory certification requirements set out by the National Fire Protection Association (NFPA) for all new firefighters employed or appointed to a fire department for the following positions: suppression firefighters, pump operators, technical rescue, fire officers and fire educators.

These requirements are proposed to come into force January 1, 2019, with the exception of technical rescue, which would come into force January 1, 2020. An additional year for technical rescue to achieve certification is being proposed to allow for sufficient time to develop training and certification examination materials.

In addition, The MCSCS is proposing that mandatory certification requirements also set out by the NFPA apply to existing firefighters currently employed or appointed in fire departments across Ontario, including fire inspectors, fire investigators, fire instructors, hazardous materials personnel and fire dispatchers.

It is proposed that these mandatory certification requirements apply to existing firefighters, given these positions are exposed to increased risk, including risk to the individuals performing these roles. These requirements are proposed to come into force January 1, 2020 to give fire departments additional time to train and certify their staff. More information can be found [here](#) on the [Ontario Regulatory Registry](#).





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### **Draft Regulation 2 – Mandatory Community Risk Assessments**

The MCSCS is proposing that municipalities be required to conduct a standard risk assessment every five years focusing on key profiles in their communities (e.g. demographics, geography, past fire loss and event history, critical infrastructure, building stock profile within the community, etc.).

Municipalities would be responsible for reviewing their risk assessment annually to ensure that any significant changes in the mandatory profiles are identified. If there are any significant changes (e.g. addition of retirement homes or care facilities), the municipality will be responsible for updating their assessment. This information will be used to inform decisions about fire protection services in their community. This requirement is proposed to come into force January 1, 2019. More information can be found [here](#) on the [Ontario Regulatory Registry](#).

### **ANALYSIS**

#### **Draft Regulation1 – Mandatory Training and Certification**

We understand that under the proposed mandatory training and certification regulation, the minimum certification/training requirements will only be for new hires, as of January 1, 2019 (i.e. suppression firefighters [external attack/internal attack], pump operators, fire officers and public educators). The draft regulation requires only those firefighters, in the five categories noted above, hired after January 1, 2019, to be certified.

Fire inspectors and/or fire instructors that have been grandfathered and became a firefighter before January 1, 2019 need not certify to the level to which they have been grandfathered.

Fire investigators, technical rescue, fire dispatch and hazardous material personnel cannot be grandfathered. Thus, those in the aforementioned roles, who are currently employed or appointed in fire departments, must all be certified by January 1, 2020.

The MCSCS is still attempting to gather information on fire services that do their own dispatch, which will be captured in this draft regulation; however, the MCSCS is looking to include other fire dispatch service providers in future regulations. In rural and northern Ontario, there are many other non-fire services that provide fire dispatch services. The full extent of different types of dispatch and where it occurs is not known at this time to the MCSCS or the OFMEM. A survey was conducted in November 2017 to gather this information; however, it was not successful in gathering sufficient information. Another survey is being conducted in February 2018 to retrieve additional data.

We understand that the MCSCS will consider provincial funding to support implementation of this regulation, once final; however, no decisions or commitments have been made. The MCSCS is scheduled to send a survey to all fire departments (release date to be determined) in order to understand the needs and potential gaps in the current training, certification, risk assessment and public reporting within Ontario's fire services, as well as to identify fire services' challenges in meeting the new fire services regulations requirements. Survey responses will inform the Ministry's implementation plan, including whether additional funding is available.



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OAFCh urges all municipal fire services to respond to the MCSCS survey, highlighting funding requirements to support implementation of the regulations. You need to clearly identify how achievable the mandatory certification will be, and the additional training costs that will be necessary. The value of any additional training (both time and costs) should be outlined in your response. We must advocate collectively.

The OAFCh believes sections of the Mandatory Training and Certification regulation require amendments to improve understanding and compliance.

- The Internship Program of 24 months needs to be expanded to include all applicable areas and positions, such as fire inspectors and Fire Officer I & II, replacing the limiting language found in section 3(b). As it's currently written, the regulation only applies to new hires.
- Table 1: Wording needs to be introduced to ensure future updates to NFPA standards are implemented by the Authority Having Jurisdiction (AHJ) as standards are updated, published, and testing/skills are made available. This will support and complete the certification process.
- Commencement: The date of implementation needs to be reviewed. With an election year upon us, there likely is not enough time before July 2018, or at the initial council meeting on/or after December 1st, 2018, to make decisions (e.g. training funding) to ensure full implementation of the Mandatory Training and Certification regulation. For this reason, a later effective date is needed.
  - In the meantime, all departments are urged to begin the work to move their department toward compliance with the regulations.
- Commencement: Certification for some individual chapters within NFPA 1006 may not be available for the January 1, 2020 deadline. Additional wording should be added, allowing the AHJ to manage the implementation of NFPA 1006 Technical Rescue as the standards are updated, published, and testing/skills are made available, in order to support and complete the certification process.

### **Draft Regulation 2 – Mandatory Community Risk Assessments**

We understand that the OFMEM will be providing support and assistance for small rural and northern municipalities in completing the Community Risk Assessments. The regulation speaks to the OFMEM providing the approved, standardized fillable form for fire departments for Community Risk Assessments (i.e. the former Simplified Risk Assessment form).

The OAFCh believes this regulation, specifically under Schedule 1 Mandatory Profiles, requires amendments to improve understanding and compliance.

- The reference to building stock and classifications should use MPAC data to classify building usage in regards to fire risk.
- Section 2: Reporting the "state of compliance within the fire code" should be deleted as this is directly dependent upon municipalities' set level of service for fire prevention (e.g. fire inspections upon request or complaints as permitted, under the FPPA). This item is not attainable.
- Section 6: In a multi-tier government (e.g. lower-tier fire, upper-tier EMS and provincial police), the data required for public safety response profile is not attainable.
- Section 7: While the community services profile has some duplication of the risk assessments under Emergency Management and Planning, it should be considered a risk assessment



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specifically for the risks that can/should be addressed by that reporting fire service, as indicated by E&R bylaws or other legislation.

- Specific risks around technical rescue are not captured in a HIRA, for example.
- Another example would be risk associated with property inspection frequencies.
- The Mandatory Risk Assessment for fire, under Section 7 of this regulation, needs clarification on content and formatting as a stand-alone document.
- Section 9 (2): Comparison to other "like" communities may be difficult to achieve. Reporting against provincial trends would be more appropriate.

### OAFC POSITION AND KEY MESSAGES

#### Professionalization of the Ontario Fire Service

- The OAFC supports the Fire Safety Technical Table's mandate, recognizing the proposed regulations are an important stride forward in the professionalization of the Ontario fire service.
- The OAFC applauds the provincial government for taking steps to modernize the FPPA.
- The MCSCS proposed regulation on mandatory training and certification is the culmination of 25 years of effort to professionalize the Ontario fire service.
- For decades, the OAFC has continually worked to enhance and professionalize the Ontario fire service.
  - In 1987, the OAFC formed a Task Force to prepare a plan to implement fire service standards. The Task Force report, *Paradigm for Progress*, presented an action plan for implementation of fire service standards in the Province of Ontario.
  - The Professional Standards Setting Body (PSSB) was officially established in 1989 under the auspices of the OAFC, and in co-operation with the Office of the Fire Marshal. Its mandate was to support the professionalization process for the Ontario fire service and set job performance standards for all levels within the Ontario fire service.
  - The OAFC held ownership of the Ontario Fire Service Standards and was responsible for the development and maintenance of the standards.
  - The Office of the Fire Marshal was deemed responsible for curriculum development, course delivery, as well as knowledge and skills testing.
  - Certification to the Ontario Fire Service Standards was a joint venture of the OAFC and the Office of the Fire Marshal that did not receive widespread support, especially from the majority of Ontario's fire services.
  - In June 1993, the first edition of the Company Officer Standards was published.
  - In 2007, professional standards and core competencies were updated for company officers, fire chiefs, deputy fire chiefs, emergency vehicle technicians, fire prevention officers, fire service communicators, firefighters, senior officers and training officers.
  - In 2012, OAFC members had a detailed review, and decided to discontinue the support of the Ontario Fire Service Standards for a number of financial, legal and reciprocity reasons.
  - At this time, the NFPA Professional Qualification Standards – currently the standards used throughout the rest of Canada, the USA and other areas of the world, were accepted by OAFC members, by [resolution](#), as the recognized fire service standards in Ontario.
  - During that time, the OAFC continued to offer support to the Office of the Fire Marshal in the development of education, training, skills and certification to the NFPA Professional Qualifications Standards.





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### Commitment to Public Safety

- The Fire Safety Technical Table was established with the vision of enhancing fire safety province-wide through the provision of effective, cost-efficient and sustainable fire safety services.
- Training and certifying your fire service personnel to the standards set out in the regulations improves both firefighter and public safety.
- As per the FPPA, the onus is on the municipality to have properly trained fire service personnel that meet the level of service municipal council has determined to be appropriate for its community.
- Mandating the training and certification of personnel performing and delivering fire services improves public safety. It also reduces municipal risk exposure, as third-party companies cannot certify fire service personnel. Certification can only be achieved at the provincial, standardized level.

### Implementation Challenges

- The OAFB believes that specialized funding must be provided to all fire services to support implementation of the regulations.
- The OAFB recognizes there are timing concerns and cost implications for departments to support compliance with the regulations.
- The OAFB encourages any fire department who did not take advantage of grandfathering in 2013/14, which will be re-opened to specifically support implementation of the regulations (date to be determined), to use this option to certify its fire service personnel.
- The OAFB believes that OFMEM should allow fire departments who previously grandfathered personnel to grandfather any additional staff that did not qualify in 2013/14, once grandfathering is re-opened.
- There has been significant training over the years to NFPA standards outlined in the regulations, which is already limiting risk exposure.
- Access to free, online testing through the OFMEM will aid the certification process and reduce municipal travel expenses. OFMEM must ensure these services are available to departments, in a timely manner, otherwise success/compliance is not likely.
- While the regulations do not detail how non-compliance will be handled, there is great liability risk to a municipality if it does not certify to the new mandatory standard for all categories of fire operations, in the event something unfortunate occurs.
  - Although there is protection from personal liability and indemnification provisions in the FPPA (see s. 74, 75, 76), it is only for those working in fire services (municipal or provincial) and not for municipal corporations.
- The OAFB, in alignment with AMO, believes that liability indemnification should be available for all municipal governments who comply with these new regulations at least 12 months before the training and certification regulation comes into force.
  - If the province does provide liability indemnification to accompany these regulations, the province should provide sufficient funding to municipalities to cover the new training and certification costs for those designated positions at least 12 months before the training and certification regulation comes into force for those positions.
  - If sufficient provincial funding is not provided to municipal governments, the province will be knowingly creating a new unfunded mandate on municipalities.



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### RECOMMENDATION

That all OAFCh members use the messaging below in their response to the draft regulations, in addition to other relevant local details, so the government is aware of the unique concerns across Ontario's fire service. Comments are due by March 11, 2018.

OAFCh urges all municipal fire services to respond to the MCSCS survey, scheduled to be released this month, highlighting funding requirements to support implementation of the regulations. You need to clearly identify how achievable the mandatory certification will be, and the additional training costs that will be necessary. The value of any additional training (both time and costs) should be outlined in your response. We must advocate collectively.

The OAFCh believes the following amendments to the regulations should be made before they become law, in order to improve understanding and compliance. We urge all fire chiefs and their municipalities to echo these requests in their comments to the Ministry.

- **Mandatory Training and Certification Draft Regulation:**
  - That the Mandatory Training and Certification regulation not come into force until at least July 1, 2019, preferably January 1, 2020, to allow municipal councils and their fire services to make all the necessary training funding decisions. It will also enable the provincial government to provide the necessary funding for training and liability indemnification 12 months prior to the regulations coming into force.
  - That the OFMEM must ensure timely access to free, online testing for departments.
  - That the Internship Program of 24 months be expanded to include all applicable areas and positions, such as fire inspectors and Fire Officer I & II, replacing the limiting language found in section 3(b). As it's currently written, the regulation only applies to new hires.
  - That Table 1 be revised to include wording that ensures future updates to NFPA standards are implemented by the Authority Having Jurisdiction (AHJ) as standards are updated, published, and testing/skills are made available. This will support and complete the certification process.
  - Certification for some individual chapters within NFPA 1006 may not be available for the January 1, 2020 deadline. Therefore, additional wording should be added to the regulations, allowing the AHJ to manage the implementation of NFPA 1006 Technical Rescue as the standards are updated, published, and testing/skills are made available, in order to support and complete the certification process.
- **Community Risk Assessments (Schedule 1 Mandatory Profiles) Draft Regulation:**
  - That the reference to building stock and classifications should use MPAC data to classify building usage in regards to fire risk.
  - That the line about reporting the "state of compliance within the fire code" in Section 2 be deleted, as this is directly dependent upon municipalities' set level of service for fire prevention (e.g. fire inspections upon request or complains as permitted, under the FPPA).
  - That Section 6 be removed. In a multi-tier government (e.g. lower-tier fire, upper-tier EMS and provincial police), the data required for a public safety response profile, as currently called for in the draft regulation, is not attainable.



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- That the mandatory risk assessment for fire, under Section 7 of this regulation, be clarified in regards to content and formatting as a stand-alone document.
- That Section 9(2) be edited to remove the requirement to compare to other "like" municipalities, as this data is not readily available. Reporting against provincial trends would be more appropriate.

### CLOSING STATEMENT

The OAFCh appreciates that you may have additional questions or concerns, specific to your department. We are keeping a running list of Frequently Asked Questions (FAQs), and doing our best to provide accurate responses, once we receive clarification from MCSCS (as needed). Please visit the OAFCh website to review the FAQs (you must be logged in to view): [www.oafc.on.ca/frequently-asked-questions-faqs-mcscs-draft-regulations](http://www.oafc.on.ca/frequently-asked-questions-faqs-mcscs-draft-regulations)

Should you or your municipal council have further questions, please contact Richard Boyes, OAFCh Executive Director, by phone at 905-426-9865 or email to [richard.boyes@oafc.on.ca](mailto:richard.boyes@oafc.on.ca). Questions will be added to the FAQ webpage as they are received.

We recognize you may still need time to digest the regulations and the potential impact to your department; however, we are pleased on the progress the regulations represent toward professionalizing the Ontario fire service, ultimately in support of our mission to improve public and firefighter safety.





[www.tecumseh.ca](http://www.tecumseh.ca)

## **Tecumseh Fire Rescue Services**

March 8, 2018

Ministry of Community Safety and Correctional Services  
Strategic Policy, Research and Innovation Division  
25 Grosvenor Street  
Toronto, ON M7A 1Y6

**Re: Ministry of Community Safety and Correctional Services: Public consultation on proposed regulations for mandatory training and certification and conducting community risk assessments.**

The following comments are submitted to the Ministry of Community Safety and Correctional Services (MCSCS) as part of the public consultation process:

**Mandatory Certification:**

- a) It is recommended that the Internship Program of twenty-four (24) months for newly hired firefighters be expanded to include all applicable areas and positions, such as fire inspectors and Fire Officer I & II, replacing the limiting language found in Section 3(b) of the Act (attached); and
- b) It is recommended that the date of implementation be reviewed (in light of an election year) as there may not be enough time prior to July 2018 or at the initial Council meeting on/or after December 1, 2018, to make decisions (e.g. training funding) to ensure full implementation of the Mandatory Training and Certification regulation; and
- c) It is recommended that Certification for some individual chapters within the National Fire Protection Association (NFPA) 1006 may not be available for the January 1, 2020 deadline. Additional wording should be added, allowing the Authority Having Jurisdiction (AHJ) to manage the implementation of NFPA 1006 Technical Rescue 1006 as the standards are updated, published, and testing/skills are made available, in order to support and complete the certification process; and
- d) It is recommended that reciprocity among AHJ's be addressed so that both current and newly hired firefighters that have received NFPA certifications outside the province of Ontario are recognized by the provincial AHJ under the proposed regulations. This recommendation will also assist with provincial capacity for testing and certification.

**Mandatory Community Risk Assessments:**

- a) It is recommended that the reference to building stock and classifications should use Municipal Property Assessment Corporation (MPAC) data to classify building usage in regards to fire risks; and
- b) It is recommended that, in Section 2 of the Draft Regulation – Mandatory Community Risk Assessment (Appendix B) Reporting the “state of compliance with the fire code” should be deleted as this is directly dependent upon municipalities’ set level of service for fire prevention (e.g. fire inspections upon request or complaints as permitted, under the FPPA); and
- c) It is recommended that, in Section 6 of Draft Regulation (Appendix B) that in a multi-tier Government, (e.g. lower-tier fire, upper-tier Emergency Medical Service (EMS) and /or Police Service), the data required for public safety response profile is not attainable; and
- d) It is recommended that, in Section 9 (2) of the Draft Regulation (Appendix B), that comparison to other “like communities” may be difficult to achieve. Reporting in comparison to provincial trends would be more appropriate; and
- e) It is recommended that the Provincial Government provides liability indemnification for all municipal governments who comply with these new regulations at least twelve (12) months before the training and certification comes into force.

**General Comments:**

- a) It is recommended that the Community Risk Assessment and the Hazard Identification and Risk Assessment (HIRA) be identified as one in the same to eliminate duplication of resources.
- b) That the Ministry of Community Safety and Correctional Services give direction to the Fire Marshal’s office to re-open grandfathering provisions to Fire Departments.
- c) Consideration must be given to the impact on volunteer firefighters in rural communities that may consider the new training requirements too substantial posing retention and recruitment issues for municipal departments. The resources required to certify as a compliant volunteer firefighter could be significant for some personnel maintaining regular employment elsewhere that will not allow them to commit the resources required.

Respectfully submitted,

**TECUMSEH FIRE RESCUE SERVICES**

Doug Pitre  
Director Fire Services & Fire Chief



## The Corporation of the Town of Tecumseh

Fire & Rescue Services

**To:** Mayor and Members of Council

**From:** Doug Pitre, Director Fire Services & Fire Chief, C.E.M.C.

**Date to Council:** March 13, 2018

**Report Number:** FIRE-2018-03

**Subject:** Public Consultation on Proposed Regulation  
Mandatory Public Reporting

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### Recommendations

It is recommended:

**That** the Fire Chief's report FIRE-2018-03 regarding the proposed draft regulation affecting the delivery of municipal fire services **be received**;

**And that** the comments by the Ontario Association of Fire Chiefs regarding the proposed draft regulation from the Ministry of Community Safety and Correctional Services **be supported**.

### Background

On February 16, 2018 the Ministry of Community Safety and Correctional Services (MCSCS) released an additional proposed regulation under the *Fire Protection and Prevention Act, 1997* (FPPA), related to new requirements for Mandatory Public Reporting on fire department response data for all fire departments in the province.

The MCSCS is seeking public feedback on the proposed regulation during an open comment period for public consultation, which closes March 18, 2018. The draft regulation is attached for review and information purposes.

## Comments

Essentially, the intent of the regulation is to require, as of January 2020, detailed regular reporting to municipal Council, the Fire Marshal, and the public of response times for all incidents and calls for service that a municipal fire department responds to. The reporting must also be compared to performance against the recognized applicable National Fire Protection Agency (NFPA) standard for either career or volunteer fire departments, and further must indicate the fire department's response time performance for 90% of the various calls it responds to. The various components of the total response times must also be calculated and reported where available, such as call transfer time, alarm processing time, alarm handling time, turnout time, intervention time, etc.

The regulation in its current form would appear to require reporting and comparison to the standard for emergency calls for all incident responses. Typically, in most fire services, there are a number of calls for service that do not require an emergency response that subsequently are assigned a lower priority to maximize safety and cost effectiveness of service delivery. There are also cases where a call that originates as an emergency response is downgraded prior the arrival of emergency response units due to additional information received. Inclusion of response statistics for these anomalies would skew the public reporting requirements and provide inaccurate comparisons of performance against the standard for emergency response.

Another significant consideration is the fact that the requirements for compliance with the proposed standard affect both municipal fire departments and the agencies providing call taking and dispatch services. There are many variations of dispatch services across the province with a wide variation of methods and application of relevant technologies to capture and transmit the required components of the overall response times as required by the standard. In some cases, technology and procedures currently in use may not be capable of capturing required elements for compliance, and in other cases, significant additional administrative staff time be required to manually process the data to accurately comply with the regulation. (ie differentiating travel times and turn-out times for fire suppression calls vs. medical calls, or alarm processing times for typical fire calls vs. "calls that require determining the location of the alarm due to insufficient information"). Standardization of call taking and dispatch technology and procedures must be considered if there is a desire to provide accurate and standardized reporting of emergency response data among various municipalities in comparison with recognized standards.

It is the expectation that these challenges will affect many municipal fire services. The recommended comments on the draft regulation included in this report are intended to attempt to affect amendments that will alleviate the effects of the noted challenges.

## **Recommended Comments**

The following comments are recommended to be submitted to the MCSCS as part of the public consultation process:

- a) It is recommended that the reporting requirements be amended to recognize the various response models of the many composite fire services in the province. In many cases, an initial minimally staffed emergency response unit may be deployed, relying on volunteer firefighter support in suburban or rural areas. The community population density classifications of the NFPA 1720 Standard for Volunteer Fire Departments provide a better reflection of the service levels chosen by municipal Councils to meet their needs and circumstances in the many communities served by composite fire departments.
- b) It is recommended that a comprehensive review and revision of the Standard Incident Report (SIR) codes and categories be undertaken, in consultation with the fire service stakeholders, to better define response types, eliminate duplication and ambiguity in code categories. Further, a subset of non-emergency response codes should be identified, to be excluded from the requirements for mandatory public reporting of performance against the standard for emergency response.
- c) It is recommended that the MCSCS provides direction and the corresponding required funding for the development and implementation of standardized technology and data processing procedures for all fire departments and dispatch services to provide consistency in data collection and reporting of the required elements of total response times required by the regulation, such that accurate performance comparisons can be made among municipalities.

## **Consultations**

Essex County Fire Chiefs

## **Financial Implications**

None

## Link to Strategic Priorities

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

Doug Pitre  
Director Fire Services & Fire Chief, C.E.M.C.

Recommended by:

Shaun Fuerth  
Acting Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Appendix 'A' -Consultation Draft - Mandatory Public Reporting

**Caution:**

*This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.*

## **CONSULTATION DRAFT**

### **ONTARIO REGULATION**

to be made under the

### **FIRE PROTECTION AND PREVENTION ACT, 1997**

### **PUBLIC REPORTS**

#### **Definitions**

1. In this Regulation,

“communication centre” means the building or portion of a building that is specifically configured for the primary purpose of providing emergency communications services or public safety answering point services to one or more public safety agencies under the authority or authorities having jurisdiction; (“centre de communications”)

“PSAP” is short for public safety answering point; (“CTSP”)

“public safety answering point” means a facility at which emergency calls are answered.  
 (“centre téléphonique de sécurité publique”)

## **Preparation of public reports**

### **Fire Marshal sends fire department the information**

2. (1) The Fire Marshal must give every fire department the information required by Schedule 1, based on the information the Fire Marshal has received through incident reports.

### **Fire department prepares the public report**

(2) Every fire department must prepare a public report setting out,

(a) the information required by Schedule 1; and

(b) any other information the fire department chooses to include.

### **Fire department may use Fire Marshal's data**

(3) The fire department may use the information required by Schedule 1 that the Fire Marshal provided to prepare their public report, or may carry out their own calculations respecting the same time period.

## **Dissemination of public reports**

### **From fire department to Fire Marshal**

3. (1) Every fire department must give their public report to the Fire Marshal no later than 180 days after the Fire Marshal gives the fire department the information.

### **From fire department to municipality**

(2) Every fire department that is authorized to provide fire protection services by a municipality must give their public report to the municipal council before giving its public report to the Fire Marshal.

### **From fire department to group of municipalities**

(3) Every fire department that is authorized to provide fire protection services by a group of municipalities must give their public report to the municipal council of each municipality in the group of municipalities before giving their public report to the Fire Marshal.

### **Fire Marshal makes public**

(4) The Fire Marshal may make the public report available to the public.

## Commencement

4. This Regulation comes into force on the later of January 1, 2020 and the day it is filed.

## SCHEDULE 1 REQUIRED INFORMATION

### Required information, non-volunteer firefighters

1. (1) The public report must set out the following information respecting incidents in which the first emergency response unit that arrives on the scene does not include a volunteer firefighter:

1. For each standard set out in the Table to this section,
  - i. the percentage value of how often the fire department achieves that standard for the corresponding time interval, and
  - ii. the corresponding benchmark percentage value for how often the fire department should achieve that standard.
2. For each time interval set out in the Table to this section that does not have a corresponding standard, the time interval value that the fire department achieves or exceeds 90% of the time.

### Exception, information not available

(2) The public report does not have to set out information for items 1, 2, 3, 4 and 8 if the information is not available from the fire department's records.

TABLE

Item	Column 1 Time interval	Column 2 Standard	Column 3 Benchmark
1.	Alarm transfer time: The time interval from the receipt of the emergency alarm at the PSAP until the alarm is first received at the communication centre	30 seconds	95%
2.	Alarm answering time: The time interval that begins when the alarm is received at the communication centre and ends when the alarm is acknowledged at the communication centre	15 seconds	95%
3.	Alarm processing time: The time interval from when the alarm is acknowledged at the communication centre until response information begins to be transmitted via voice or electronic means to emergency response facilities and emergency response units	64 seconds for calls other than the following calls; and  90 seconds for the following calls:  1. Calls requiring emergency medical dispatch questioning and pre-arrival medical instructions	90%

		2. Calls requiring language translation 3. Calls requiring the use of a TTY/TDD device or audio/video relay services 4. Calls of criminal activity that require information vital to emergency responder safety prior to dispatching units 5. Hazardous material incidents 6. Technical rescue 7. Calls that require determining the location of the alarm due to insufficient information 8. Calls received by text message	
4.	Alarm handling time: The time interval from the receipt of the alarm at the primary PSAP until the beginning of the transmittal of the response information via voice or electronic means to emergency response facilities or the emergency response units in the field	No standard; set out the time interval value that the fire department achieves or exceeds 90% of the time	No benchmark
5.	Turnout time: The time interval that begins when the emergency response facilities and emergency response units notification process begins by either an audible alarm or visual annunciation or both and ends at the beginning point of travel time	80 seconds for fire and special operations; 60 seconds for emergency medical services	90%
6.	Travel time: The time interval that begins when a unit is en route to the emergency incident and ends when the unit arrives at the scene	240 seconds for fire suppression; the following standards for the following emergency medical services: 1. 240 seconds for the arrival of a unit with a first responder with an automatic external defibrillator or higher level capability 2. 480 seconds for the arrival of an advanced life support unit, if a first responder with an automatic external defibrillator or basic life support had a travel time of no later than 240 seconds no standard for other services	90%
7.	Initiating action/intervention time: The time interval from when a unit arrives on the scene to the initiation of emergency mitigation	No standard; set out the time interval value that the fire department achieves or exceeds 90% of the time	No benchmark
8.	Total response time: The time interval from the receipt of the alarm at the primary PSAP to when the first emergency response unit is initiating action or intervening to control the incident	No standard; set out the time interval value that the fire department achieves or exceeds 90% of the time	No benchmark

### Required information, volunteer firefighters

2. (1) The public report must set out the following information respecting incidents in which the first emergency response unit that arrives on the scene includes at least one volunteer firefighter:

1. For each time interval set out in the Table to this section, the time interval value that the fire department achieves or exceeds 90% of the time.

**Exception, information not available**

(2) The public report does not have to set out information for items 1, 2, 3, 4 and 8 if the information is not available from the fire department's records.

TABLE

Item	Column 1 Time interval
1.	Alarm transfer time: The time interval from the receipt of the emergency alarm at the PSAP until the alarm is first received at the communication centre
2.	Alarm answering time: The time interval that begins when the alarm is received at the communication centre and ends when the alarm is acknowledged at the communication centre
3.	Alarm processing time: The time interval from when the alarm is acknowledged at the communication centre until response information begins to be transmitted via voice or electronic means to emergency response facilities and emergency response units
4.	Alarm handling time: The time interval from the receipt of the alarm at the primary PSAP until the beginning of the transmittal of the response information via voice or electronic means to emergency response facilities or the emergency response units in the field
5.	Turnout time: The time interval that begins when the emergency response facilities and emergency response units notification process begins by either an audible alarm or visual annunciation or both and ends at the beginning point of travel time
6.	Travel time: The time interval that begins when a unit is en route to the emergency incident and ends when the unit arrives at the scene
7.	Initiating action/intervention time: The time interval from when a unit arrives on the scene to the initiation of emergency mitigation
8.	Total response time: The time interval from the receipt of the alarm at the primary PSAP to when the first emergency response unit is initiating action or intervening to control the incident



## 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:** March 13, 2018

**Report Number:** PBS-2018-08

**Subject:** Zoning By-Law Amendment  
Windsor Quality Poultry  
7095 Manning Road  
Proposed Poultry Processing and Repackaging Facility  
Agriculture-Related Use  
OUR FILE: D19 7095MAN

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### Recommendations

It is recommended:

1. **That** the scheduling of a public meeting, to be held on Tuesday, April 10, 2018 at 6:00 p.m., in accordance with the *Planning Act* for a Zoning By-law Amendment application seeking to amend the Sandwich South Zoning By-law 85-15 by rezoning a 1.8 hectare (4.4 acre) parcel of land situated on the west side of Manning Road, approximately 300 metres south of its intersection with South Talbot Road (7095 Manning Road), from "Agricultural Zone (A)" to a site specific "Agricultural Zone (A-28)" to permit a poultry processing and repackaging facility as an additional permitted use on the subject property, **be authorized**;
2. **And that** a zoning by-law amendment **be prepared** for Council's consideration at a subsequent regular Council meeting, subject to the satisfactory resolution of any/all concerns/issues identified through the public consultation process.

### Background

Mr. and Mrs. Carpenter ("the Applicants") currently operate Windsor Quality Poultry - a poultry processing and repackaging facility that provides pre-cut and packaged poultry for the local



restaurant and retail community. The Applicants have advised that one wholesale delivery truck arrives two to three times per week with bulk poultry which is then cut, skinned, deboned and repackaged for sale. It should be noted that all poultry that is delivered has already been slaughtered and cleaned. No abattoir-type uses or on-site retail sales are performed. The Applicants, along with seven employees, currently operate the business from a location in the City of Windsor. The business operates in accordance with the requirements of the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).

The Applicants recently purchased a 1.8 hectare (4.4 acre) parcel of land situated on the west side of Manning Road, approximately 300 metres south of its intersection with South Talbot Road (7095 Manning Road). The subject property is occupied by a residential dwelling located on the eastern/front portion of the property abutting Manning Road (which the applicants currently live in) and two agricultural structures located on the western/rear portion of the property. The subject property is abutted to the north, south, east and west by agricultural lands/uses. One residential dwelling is also located to the immediate east (on the east side of Manning Road) in the Town of Lakeshore (see Attachment 1).

Town Administration has met with the Applicants over the past few months regarding the potential relocation of their business to the subject property. The Applicants are proposing to use the larger, easternmost agricultural building located on the subject property for their poultry processing and repackaging facility. They intend to renovate the building in accordance with the Ontario Building Code and undertake on-site improvements (hard surfacing of driveway, laneways and parking areas) in order to facilitate the relocation of the business. A summary of their proposal, as submitted by the Applicants' planner, including details on how the operation would function on the property on a day-to-day basis is contained in Attachment 2.

Based on the foregoing, the Applicants have filed an application with the Town to amend the Sandwich Zoning By-law 85-18 in order to rezone the subject property into a site-specific Agricultural Zone (A) that would permit "poultry processing and repacking facility" as an additional permitted 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*.

The relevant policies in the PPS in relation to Agricultural lands and the proposed application are noted below. As a frame of reference, the subject property is, based upon PPS definitions, within a "Rural Area" and more specifically within a "Prime Agricultural Area".

#### **"1.1.4 Rural Areas in Municipalities**

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

- b) promoting regeneration, including the redevelopment of brownfield sites;
- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
- i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.

1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

- h) providing opportunities to support local food, and promoting the sustainability of agri-food and agri-product businesses by protecting agricultural resources, and minimizing land use conflicts.

2.3 Agriculture

2.3.3 Permitted Uses

2.3.3.1 In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.

Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

6.0 Definitions

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. ”

In summary, the PPS encourages agriculture-related uses within rural areas as they provide a benefit to the local and regional agricultural community. The subject property’s location and its existing on-site agricultural structures could potentially support an agriculture-related use that

is in keeping with the foregoing policy objectives. Through consultations with OMAFRA, it was determined that the proposed poultry processing and repackaging facility could be considered an agriculture-related use in accordance with the definitions contained in the PPS. Accordingly, given that the proposed use is generally consistent with the intent of the PPS policies, it warrants further consideration.

## County of Essex Official Plan

The subject property is designated Agricultural in the County of Essex Official Plan (“County OP”). The goals and policies of the County OP encourage the protection of agricultural land for agricultural uses. The following goals and policies of the County OP are most relevant in the assessment of the subject proposal:

### “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:

- b) To protect prime agricultural areas and encourage a broad range of agricultural, agriculture-related and secondary uses to ensure that the agricultural industry can continue to thrive and innovate.

### 3.3.2 Goals

The following goals are established for those lands designated as “Agricultural” on Schedule “A1”:

- a) To protect *Prime Agricultural Areas* for agricultural purposes to ensure the continued long-term availability of this resource.
- c) To allow and encourage farm operators to engage in a wide range of agricultural activities.

#### 3.3.3.1 Permitted Uses

The following uses are permitted within the “Agricultural” designation subject to the policies of this section:

- a) Agricultural Uses, Secondary Uses and Agriculture-Related Uses.

### 3.3.3.3 Agriculture-Related Uses

Agriculture-related uses are farm-related commercial and farm-related industrial uses that are small-scale and directly related to the farm operation and are required in close proximity to the farm operation. Examples include but are not limited to the following:

- b) Agricultural storage and processing facilities involving the storage and processing of crops and/or livestock from a local farm operation in the area.”

In summary, similar to the PPS, the County OP encourages agriculture-related uses within agriculturally designated areas. Based on the foregoing, it is the opinion of the writer that the proposed use conforms to the policies established in the County OP and warrants further consideration.

### **Sandwich South Official Plan**

The subject property is currently designated “Agricultural” in the Sandwich South Official Plan (“local OP”) (see Attachment 3). The local OP encourages the preservation of agricultural land supports farm operators to engage in a wide range of agricultural activities.

The following sections from the local OP are relevant when reviewing the subject development applications:

#### “3.1.1 Goals

The following goals are established for the Agricultural area:

- i) to preserve good agriculture land for agricultural purposes, and to encourage and support farm practices and agricultural land uses which are sustainable over the long-term;
- ii) to allow farm operators to engage in a wide range of agricultural activities;
- iii) to not allow new intrusions of nonfarm development into the agricultural area.

#### 3.1.2 Policies

The following policies shall apply to those lands designated "Agricultural" on the Land Use Schedules of this Plan:

- i) the predominant use of land shall be agricultural and agriculturally related uses, including the growing of crops and the raising of livestock, forestry and conservation uses;
- vi) farm occupations and home occupations which are ancillary to the principal use of the property and which are carried out for remuneration and as defined in the zoning by-law are permitted in the Agricultural designation. However, the implementing zoning by-law shall establish those farm and home occupations that will be permitted without an amendment to the by-law and those that will require a site specific amendment to the by-law to be permitted in a defined area.

In general, farm occupations that are clearly required to be located in the Agricultural area and provide a service to the agricultural community primarily, such as a tile drainage contractor or a seed corn dealership, will be permitted without a by-law amendment. All other types of farm occupations that are carried out for remuneration such as welding shops, repair shops, etc. will require a site specific by-law amendment.”

It is the opinion of Administration that the proposed use will generally conform to the local OP.

### **Sandwich South Zoning B-law 85-18**

The subject property is currently zoned “Agricultural Zone (A)” on Schedule “A”, Map 18 of Sandwich South Zoning By-law 85-18 (see Attachment 4). The proposed zoning by-law amendment places the subject property into a site specific Agricultural Zone (A) that would permit the proposed poultry processing and repackaging facility, in addition to all the uses currently permitted by the general A zone.

When evaluating a proposed zoning by-law amendment, Section 6.17 of the Sandwich South Official Plan provides policy guidance. Specifically, due regard shall be given to the following matters:

**i) the physical suitability of the land to be used for the proposed use;**

Comment: The nature of the proposed use requires the height, size and structural attributes that the existing agricultural building located on the property possesses. There will be no net loss of agriculturally productive lands as a result of the proposed use.

**ii) the adequacy of all required services;**

Comment: The subject property is serviced by municipal water. Sanitary servicing for the proposed use will be provided by a new septic

facility that will be installed, in accordance with the Ontario Building Code.

**iii) the adequacy of the road system to accommodate the projected traffic volume increases;**

Comment: The subject property fronts onto a fully paved road. The traffic associated with the proposed use will not adversely affect the function of Manning Road or surrounding roadways. As part of the public consultation process, the County of Essex will be notified and will have the opportunity to review the proposal and provide comments.

**iv) the compatibility of the proposed use with existing and potential future uses in the surrounding area;**

Comment: The majority of the lands surrounding the subject property are agricultural in nature. The proposed use will occur entirely indoors and will not cause incompatibility issues with the surrounding areas. In addition, the applicant has advised that they have received letters of support for the proposed use from the abutting property owners. The proposed use would be compatible with the character of the area.

**v) the need for the additional land to accommodate the proposed use/facilities.**

Comment: The proposed use will operate from the existing building on site, without the need to construct any additional facilities. The property is appropriately sized to facilitate the use.

Based on the foregoing, it is the opinion of the writer that the proposed Zoning By-law Amendment has adequate regard to the preceding matters.

## **Building Services**

Building Services advised the Applicants that any required renovations or improvements to the existing structure will require a building permit and will need to comply with the Ontario Building Code. The Applicants have advised that they are aware of this and the range of improvements that will need to be undertaken to the existing building in order to facilitate the introduction of the proposed use.

## **Engineering/Municipal Services**

Public Works and Environmental Services have advised of no concerns with the proposed use.



## Conclusion

Having regard to the scale, location and nature of surrounding uses, the suitability of the subject property, along with current policies encouraging agricultural uses and agriculturally-related uses, it is believed that there is merit in considering the requested rezoning to permit the proposed Poultry Processing/Repackaging Facility. 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  
OMAFRA

## Financial Implications

None.

## Link to Strategic Priorities

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

Prepared by:

Chad Jeffery, MA, MCIP, RPP  
Manager Planning Services

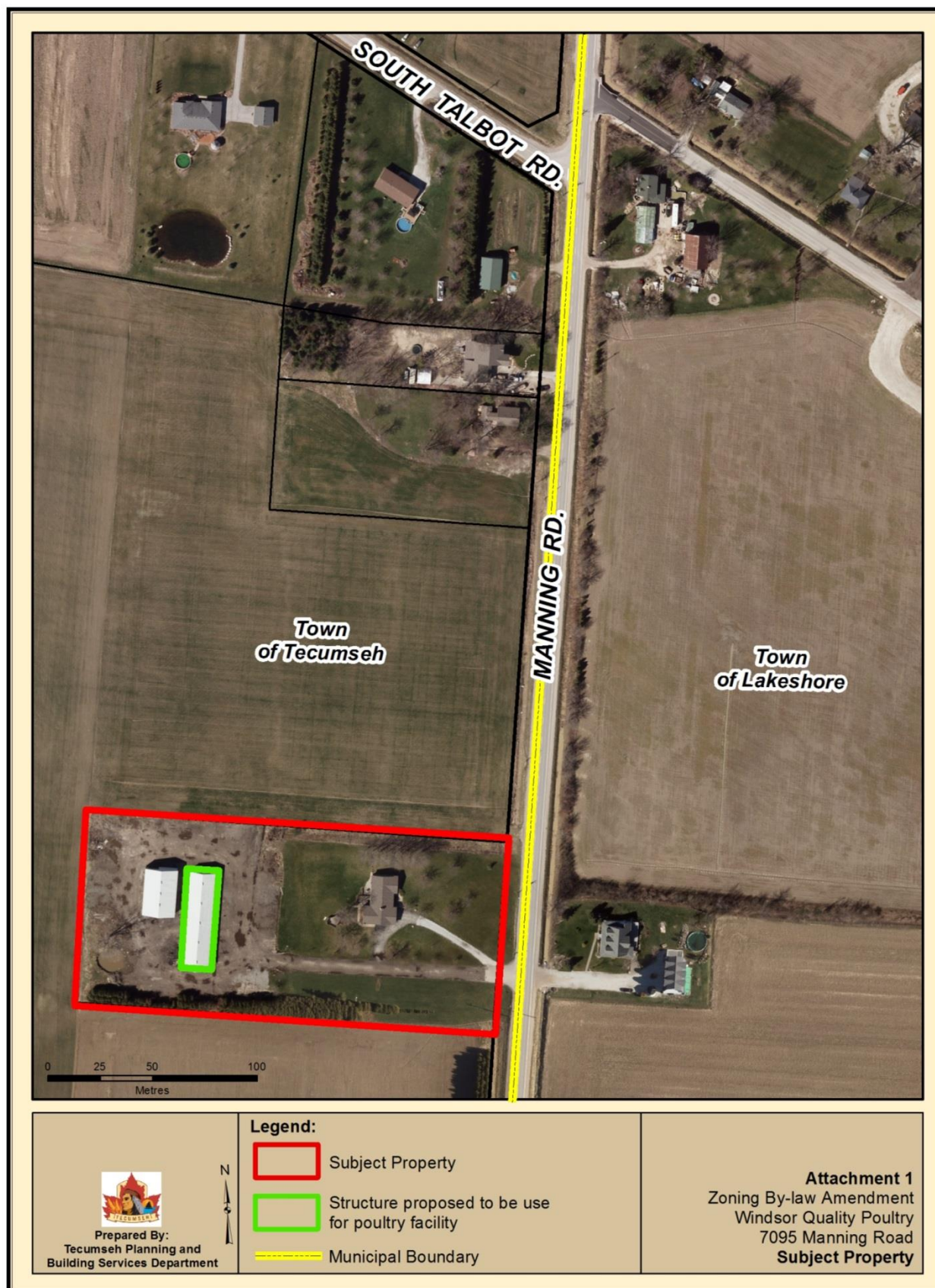
Reviewed by:

Brian Hillman, MA, MCIP, RPP  
Director Planning & Building Services

Recommended by:

Shaun Fuerth, BCS  
Acting Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Subject Property Map
2	Applicants' Summary of Proposed Use
3	Official Plan Map
4	Zoning Map



**Attachment 2**  
**Zoning By-law Amendment**  
**Windsor Quality Poultry**  
**7095 Manning Road**  
**Applicant's Summary of Proposed Use**

**Blackrock**  
266 St. Louis Ave.  
Windsor, Ontario  
N8S 2K3  
519-992-4280

February 1, 2018

File No: B18-02-Windsor Quality Poultry Rezoning

**The Corporation of the Town of Tecumseh**  
**917 Lesperance Road**  
**Tecumseh, Ontario**  
**N8N 1W9**

**Attn: Mr. Brian Hillman, RPP**  
**Director, Planning and Building Services**

**Re: Application for Rezoning**  
**Windsor Quality Poultry**  
**7095 Manning Road**  
**Town of Tecumseh**

**Dear Sir,**

By means of this submission we wish to formally apply for the rezoning at 7095 Manning Road in the Town of Tecumseh. In support of this rezoning application we enclose the following:

- One completed rezoning application;
- One cheque in the amount of \$1,300.00 for the minor zoning by-law amendment application fee;
- One copy of a conceptual lot layout for the facility;
- Letters from neighbours to 7095 Manning Road indicating support for the application.

The property is owned by Rob and Olivia Carpenter, whom also own Windsor Quality Poultry. The site is currently designated Agricultural in the Town's Official Plan, and is further zoned Agricultural in the Town's zoning by-law. They are requesting a zoning by-law amendment to the property to allow a value-added use to agricultural products in the form of repackaging poultry from wholesale to retail quantities, and delivery of same to retail outlets. The operation of this facility can be broken down into two categories: i) Site Movements; ii) Internal (within building) Operations. The following describes these operations.

**Site Movements**

The operation has seven employees that commute to site. The conceptual layout for the facility illustrates the proposed employee parking area. A single wholesale delivery truck arrives to the site 2 or 3 days a week to supply the operation with prepared bulk poultry to further process (cutting, deboning, skinning, etc.) and repackaging for retail sales at other locations. The wholesale delivery truck (cube van size) arrives from the GTA. It is important to note that local poultry farmers are under contract with Maple Lodge Farms, and as such they cannot

**Blackrock**  
266 St. Louis Ave.  
Windsor, Ontario  
N8S 2K3  
519-992-4280

contractually sell directly to local outlets. This truck usually arrives on site around 10:00 a.m., and is off site by 11:00 a.m. Additionally, Windsor Quality Poultry has two delivery vans that access and leave the site once each day. It is important to note that these vans are not stored on site overnight and delivery personnel take these vehicles home at the end of the day upon completion of deliveries. Non-poultry waste is picked up once weekly during regular business hours. The attached schematic plan illustrates the location of the outdoor non-poultry waste storage area. Poultry waste products (skin, bones, etc.) are kept indoors in a chilled environment until picked up and removed off site once weekly during regular business hours.

#### **Internal Operations**

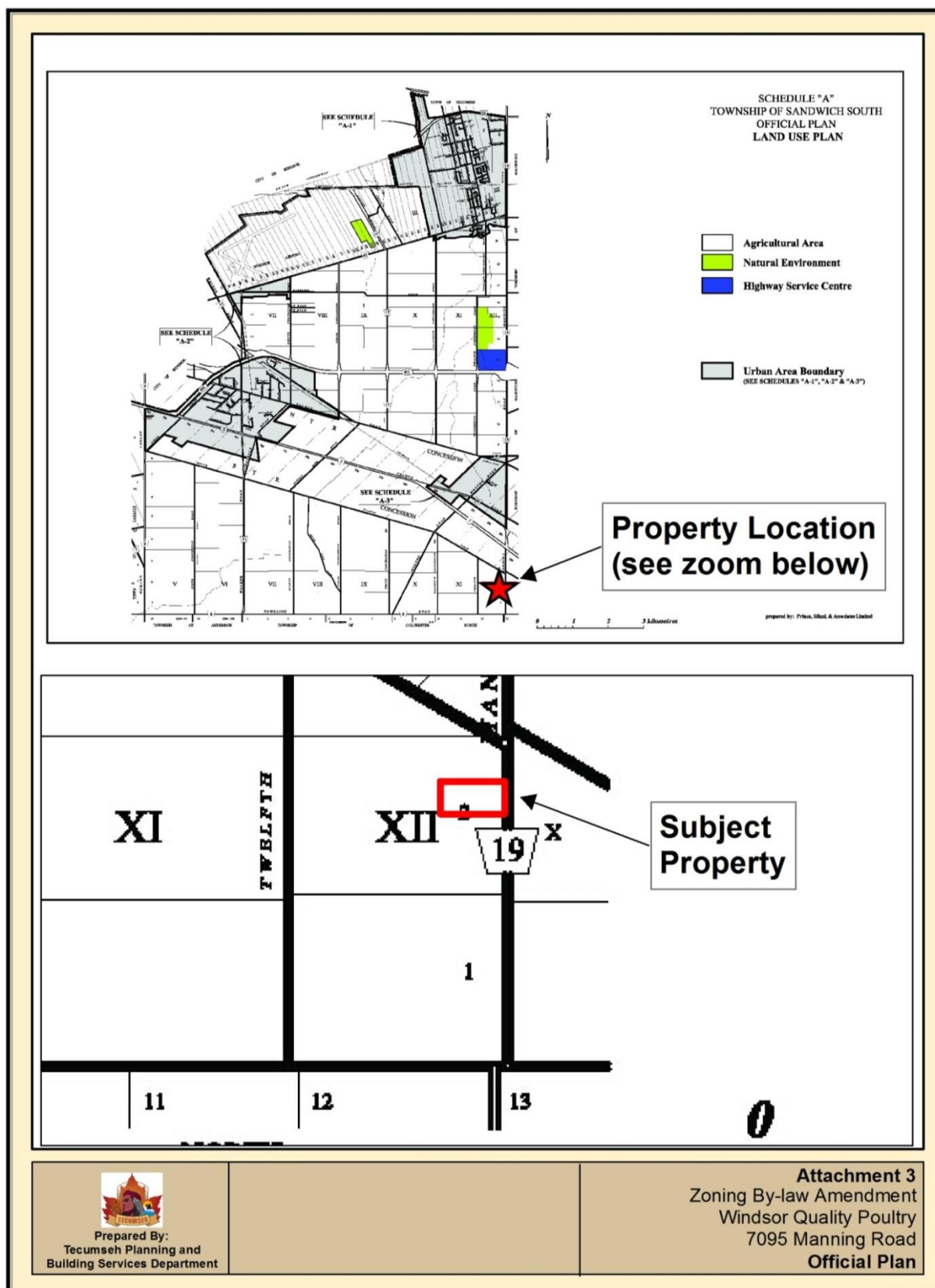
As noted, bulk poultry arrives on site 2 or 3 times a week in a cube or similarly sized van. The poultry is delivered in 23kg waxed boxes and is immediately brought into the processing building at the receiving door location illustrated on the accompanying plan. The processing building is a chilled facility and bulk poultry is stored in this sealed and chilled area until further processed and then placed immediately in vans for delivery to retail outlets. The processing involves a number of different operations including skinning, deboning, cutting, etc. These operations take place indoors, in a refrigerated and sealed room. The closed and refrigerated nature of the operation results in little to no odour escaping the building. Operations are inspected monthly by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA). To date, Windsor Quality Poultry has not had a single work order or complaint filed against it by OMAFRA.

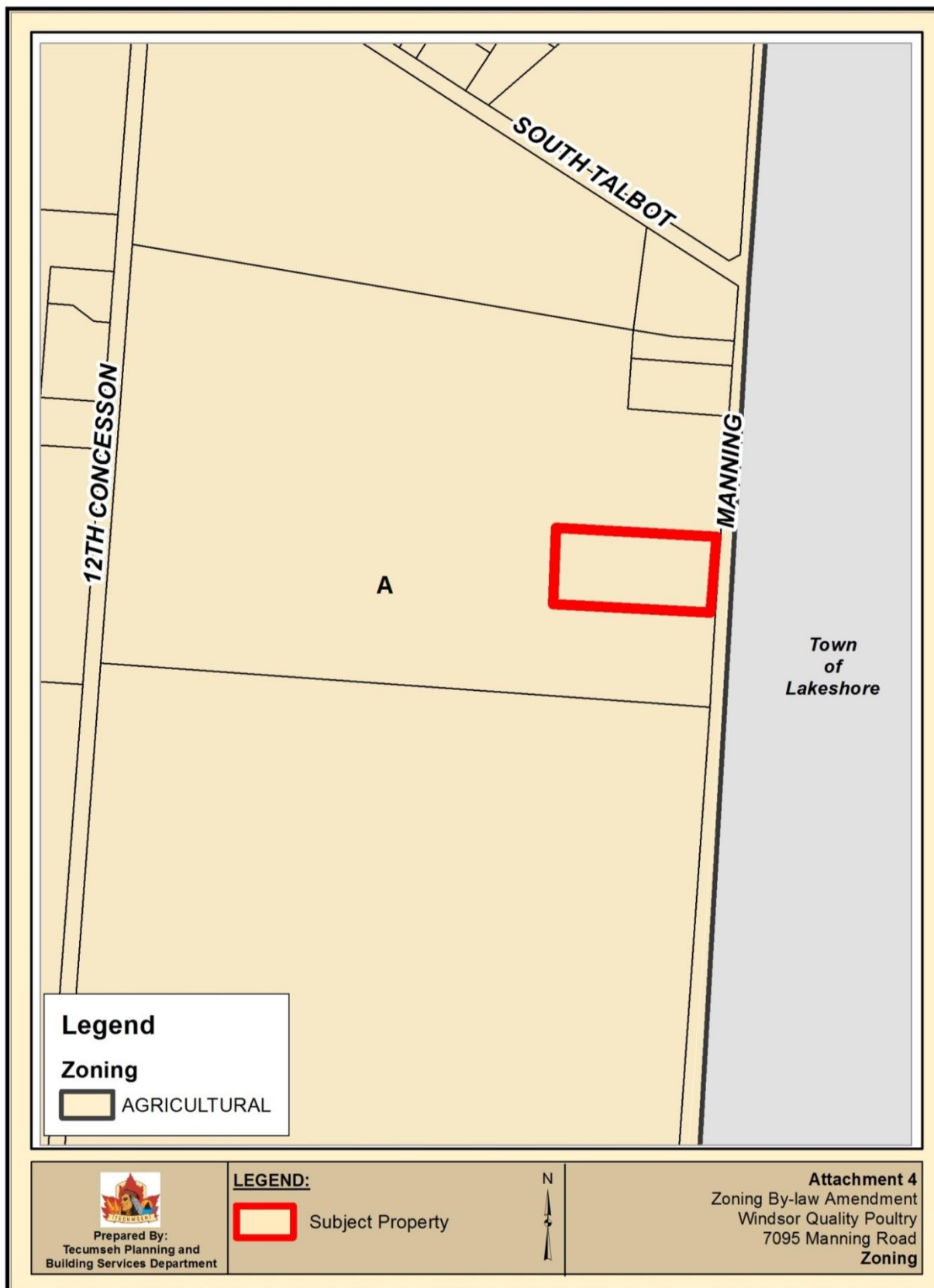
The use (retail-oriented packaging) being requested by means of this rezoning application is consistent with OMAFRA's policy for value-added facilities for On-Farm Diversified Uses. No land is being taken out of agricultural production as a result of this application, and it is expected that the use will have little to no impact on surrounding agricultural uses. Additionally, the proposed use involves the reuse of existing agricultural buildings, and will introduce little to no off-site impacts to traffic or the rural character of the area.

Please review and process the application at your earliest opportunity. Feel free to contact the undersigned if you have any questions or require additional information.

  
\_\_\_\_\_  
Mike Jones, CET, RPP  
Blackrock Consulting









## 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:** March 13, 2018

**Report Number:** PBS-2018-09

**Subject:** Conservation Easement Agreement  
Augustine Theodore Revenberg and Gaynia Revenberg  
Parts 1 and 6, 12R-27295 and Part 1, 12R-14598  
Northeast Corner of 8th Concession/County Road 8 Intersection  
OUR FILE: Consent Applications B-13/17 and B-14/17

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### Recommendations

It is recommended:

**That** a by-law authorizing the execution of a Conservation Easement Agreement with the future Owners of Parts 1 and 6, 12R-27295 and Part 1, 12R-14598, being an agricultural property situated on the northeast corner of the 8th Concession/County Road 8 intersection, as drafted by Mr. Edwin Hooker, Solicitor, which will facilitate the preservation of the existing woodlot on the northeast corner of the parcel, **be adopted**, in accordance with Condition 9 of Consent Applications B-13&14/17, subject to the future Owners executing the Conservation Easement Agreement prior to the Town's execution of the Agreement;

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

## **Background**

In November 2017, Joan Eileen Pettypiece and The Estate of Annie Kathleen Pettypiece made application for consent to the Committee of Adjustment (Consent Applications B-13/17 and B-14/17) pertaining to an agricultural property located at 4890 and 4950 County Road 8, approximately 335 metres east of its intersection with 8<sup>th</sup> Concession Road. The purpose of the application was to sever two 0.5 hectare (1.24 acre) lots, each containing an existing single-unit dwelling, and add the retained 20 hectare (49.3 acre) farm parcel to the abutting farm parcel to the west owned by Augustine Theodore and Gaynia Revenberg. As a result of this conveyance and addition, the resulting farm parcel would have a total lot area of 40.2 hectares (99.3 acres) (see Attachment 1). Both the proposed severed and retained lots comply with the Agricultural Zone (A) that applies to the lands.

Through the application review process, the Essex Region Conservation Authority (ERCA) requested that a conservation easement be established on that portion of the proposed retained lands that are occupied by a woodlot. ERCA advised that the conservation easement would facilitate the long-term protection of the woodlot.

The Committee of Adjustment granted the severances in accordance with subsection 4.2 d) of the Sandwich South Official Plan which allows for the severance of existing dwellings where there are two or more on a farm lot (provided no new “buildable” lot is created, which is the case in this circumstance). In keeping with the County and Sandwich South Official Plans, and to address ERCA’s request, the decision was made conditional to the Owners entering into a Conservation Easement Agreement with the Town regarding the preservation of the existing woodlot.

## **Comments**

The woodlot that is the subject of the proposed conservation easement is designated Natural Environment Overlay in the County Official Plan. Subsection 3.4.4 b) of the County OP states that the County encourages activities that preserve and enhance the features contained within the Natural Environment Overlay. The Sandwich South Official Plan, under subsection 2.13 Woodlots, recognizes the importance of trees to the long-term viability of agricultural lands due to their moderating effects on temperatures and their controlling influence on soil erosion.

Based on the foregoing, and in accordance with ERCA’s request, a Conservation Easement Agreement has been drafted by the Town’s Solicitor, Ed Hooker (see Attachment 2). The agreement ensures the protection, maintenance, restoration and enhancement of the natural woodlot and will prevent any use of the woodlot that will damage or destroy the natural features present. It should be noted that the agreement is between the Town and the future Owners of the farm parcel containing the woodlot (Augustine Theodore and Gaynia Revenberg). An undertaking from the future Owners’ solicitor has been provided stating that the agreement will be registered against the title of the lands once they have been conveyed.

The execution of the Conservation Easement Agreement will facilitate the finalization of Consent Applications B-13/17 and B-14/17. Town Administration has reviewed the agreement

and has no concerns. Accordingly, Town Administration recommends that Council authorize the execution of the Conservation Easement Agreement, as prepared by the Town Solicitor.

## Consultations

Edwin Hooker, Town Solicitor  
Essex Region Conservation Authority

## Financial Implications

None.

## Link to Strategic Priorities

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

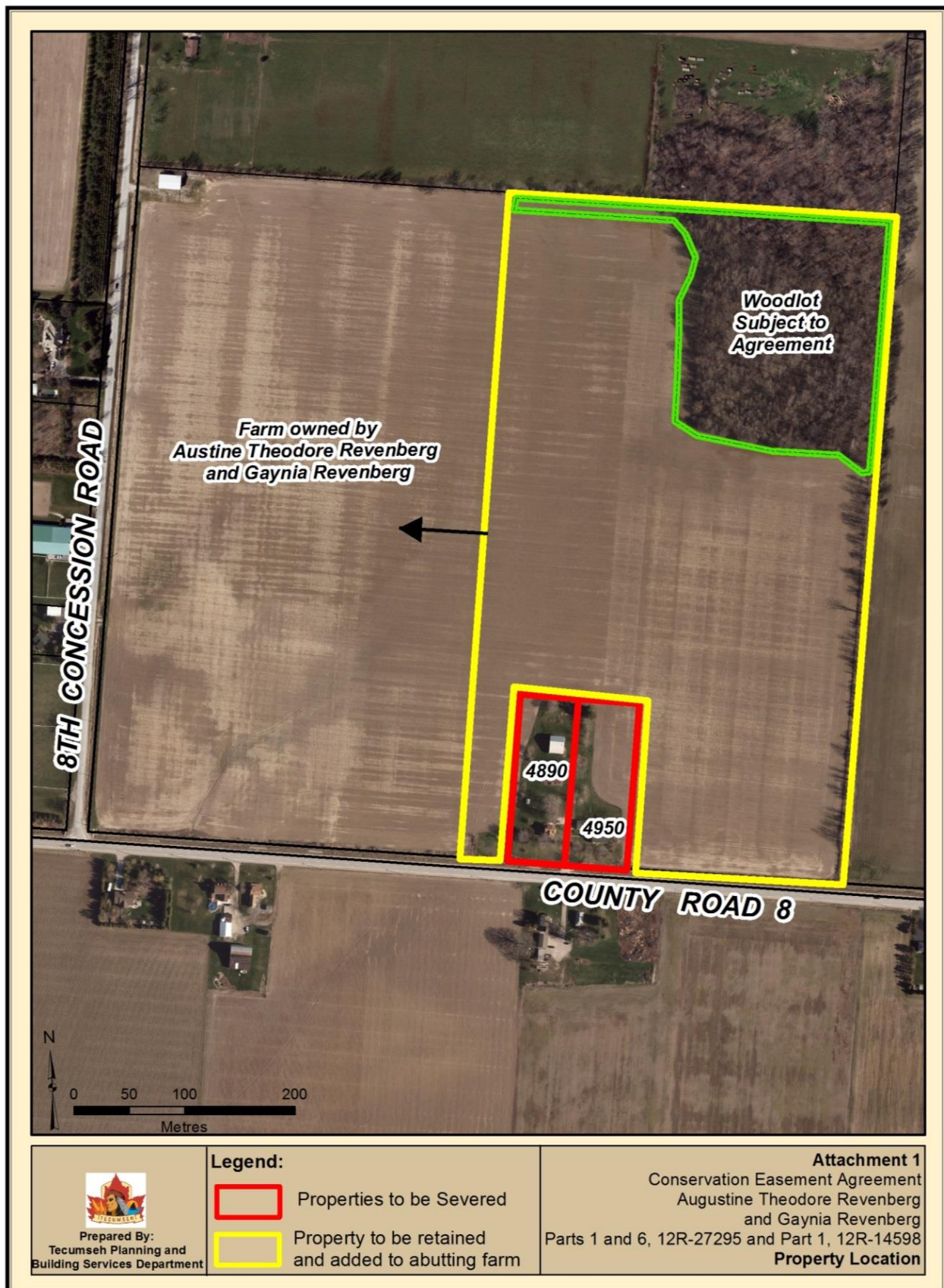
Brian Hillman, MA, MCIP, RPP  
Director Planning & Building Services

Recommended by:

Tony Haddad, MSA, CMO, CPFA  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Property Location Map
2	Draft Conservation Easement Agreement







**Attachment 2**  
**Augustine Theodore Revenberg and Gaynia Revenberg**  
**Parts 1 and 6, 12R-27295 and Part 1, 12R-14598**  
**Draft Conservation Easement**

CONSERVATION EASEMENT AGREEMENT

THIS AGREEMENT made in duplicate this \_\_\_\_ day of March, 2018.

BETWEEN:

AUGUSTINE THEODORE REVENBERG and GAYNIA REVENBERG  
(hereinafter called the “OWNERS”)

OF THE FIRST PART

-and-

THE CORPORATION OF THE TOWN OF TECUMSEH  
(hereinafter called the “MUNICIPALITY”)

OF THE SECOND PART

WHEREAS AUGUSTINE THEODORE REVENBERG and GAYNIA REVENBERG are the owners of Part 1, 12R-14598 and will be acquiring (in advance of registration of this agreement) a parcel of land described as PARTS 1 AND 6 as designated on Reference Plan 12R-27295 all of which is comprised of Part Lot 1, Concession 8, (Geographic Township of Sandwich South), Town of TECUMSEH, in the County of Essex, and Province of Ontario;

AND WHEREAS the owners are desirous of entering into a Conservation Easement with the Municipality over a parcel of land described as PARTS 6 as designated on Reference Plan 12R-27295 ,and being comprised of Part Lot 1, Concession 8, (Geographic Township of Sandwich South), Town of TECUMSEH, in the County of Essex, and Province of Ontario (hereafter referred to as “Lot”);

In consideration of the sum of two (\$2.00) dollars now paid by the Owners to the Municipality, the Owners and the Municipality agree to the covenants, restrictions and easements as set out in this Agreement which shall run with the lands in perpetuity.

ARTICLE 1

DEFINITIONS

1.1 For the purposes of this Agreement, the following words and phrases shall have the following meanings:

- (a) “Agreement” or “this Agreement” means this Conservation Easement Agreement and the schedules attached hereto as at the date hereof and as amended from time to time.
- (b) “Covenants” mean the covenants set out in Article 4 as the same may be waived, varied or released by the Municipality in accordance with this Agreement.
- (c) “Easement” means the rights and easement in respect of the Lands granted by the Owners to the Municipality in Article 5 of this Agreement.
- (d) “Lands” means the lands and premises of the Owners situate in the Province of Ontario and more particularly described in Schedule “A” attached hereto.
- (e) ”Owners” means the above named parties of the First Part and any person who at any time after registration of this Agreement becomes the registered owner of the Lands or any part thereof or any ownership interest therein, including a trustee for any beneficial owner of the Lands.
- (f) “Protected Area” means that part of the Lands including the natural heritage conservation area that is identified as “Bush” on Part Lot 1, Concession 8, (Geographic Township of Sandwich South), Town of TECUMSEH, in the County of Essex, and Province of Ontario designated as Part 6 on Reference Plan 12R-27295.

## ARTICLE 2

### REPRESENTATIONS AND WARRANTIES

- 2.1 The Owners covenant and warrant that the Owners are the legal, beneficial and registered owners of the Lands with good title thereto, subject only to the following encumbrances:
- 2.2 The Lands include significant forested bush which the Owners and the Municipality have agreed to protect and enhance.

## ARTICLE 3

### INTENTION

- 3.1 It is the intention of the parties that this Conservation Easement Agreement will ensure the protection, maintenance, restoration, and enhancement of the natural features on that portion of the Lands as described as “Bush” and will prevent any use of the Lands that will damage or destroy those natural features or prevent their restoration and enhancement. More specifically, it is intended that the use of lands will be restricted to natural heritage conservation uses that are consistent with the primary intention of the parties.

## ARTICLE 4

### COVENANTS

- 4.1 The Owners shall not use the Lands or permit any use of the Lands, which shall damage or destroy the natural features of the Lands or prevent their restoration and enhancement. Without limiting the generality of the foregoing, the Owners expressly covenant and agree that, except with the prior written approval which shall not be unreasonably withheld by the Municipality, the Owners shall not:
  - (a) Other Easement  
grant any easements in, over, on, under or through the Lands;
  - (b) Subdivision  
sever or subdivide the Lands;
  - (c) Buildings and Structures  
construct, erect, maintain or allow construction, erection or maintenance of any new building or structure, including without limitation, transmission tower or lines, fences, and signs on the Lands;
  - (d) Roads, Parking Areas  
construct, improve or allow the construction or improvement of any road, parking lot, dock, aircraft landing strip or other such facility, except for the maintenance of existing foot trails, fire lanes or other accesses;
  - (e) Motorized Vehicles  
operate any motorized vehicles on the Lands, including without limitation, snowmobiles, all-terrain vehicles, motorcycles, motorboats or personal watercraft;

(f) Mobile Homes

use or allow the Lands to be used as a trailer or mobile home park, parking or storage area;

(g) Dumping

dump or allow the dumping of soil, rubbish, ashes, garbage, waste or other unsightly or offensive materials of any type or description;

(h) Pesticides

use or allow the use of pesticides, insecticides, herbicides, chemicals or other toxic materials of any type or description;

(i) Grading Topography

change or allow any changes in the general appearance or topography of the Lands, including and without limiting the generality of the foregoing, the construction of drainage ditches, tile drains, retaining walls, dams or ponds or any similar undertakings, as well as the dumping, excavation, dredging, or removal of loam, gravel, soil, rock, sand or other materials;

(j) Vegetation

remove, destroy or cut or allow removal, destruction or cutting of trees, shrubs or other vegetation;

(k) Plants and Animals

plant or allow the planting or other introduction of non-native plant or animal species within the Lands;

(l) Livestock

permit agricultural livestock to enter or to use the Lands and maintain any fencing along the boundaries of the Lands in a condition that will prevent agricultural livestock from entering onto the Lands; or,

(m) Conservation

undertake or allow others to undertake any activities, actions or uses detrimental or adverse to water conservation or erosion control, soil conservation or the preservation of native plant and animal species.

- 4.2 The request for approval referred to in paragraph 4.1 shall be delivered to the Municipality and such approval shall be deemed to have been given by the failure of the Municipality to reply in writing within sixty (60) days of making of such request.

## ARTICLE 5

### EASEMENT

- 5.1 The Owners hereby grant to the Municipality an easement to permit the Municipality's employees, officers, agents, workers and contractors, together with their supplies, equipment, materials and machinery, to enter on and have access to the Lands at reasonable times and subject to the requirements specified below and for the following purposes:

- (a) inspection, in order to determine compliance with this Agreement;
- (b) to carry out any maintenance, alteration, improvements, work, or restoration of the natural features reasonably required pursuant to Articles 4 and 7 of this Agreement; and
- (c) for all purposes reasonably necessary or incidental to the exercise of the rights hereby created or related to any of the foregoing purposes.

- 5.2 Prior to entry or access to the Lands for the purposes identified in Section 5.1 the Municipality shall provide written notice to the Owners.

- (a) for the purposes specified in paragraph 5.1 (a) at least twenty four (24) hours written notice; and
  - (b) for the purposes specified in paragraph 5.1 (b) and (c) at least ten (10) days written notice. This notice shall describe the nature, scope, design, location, timetable and any other material aspect of the activity proposed.
- 5.3 No right of access by the general public to any portion of the Lands is granted by this Agreement.

## ARTICLE 6

### OWNERS' OBLIGATIONS AND INDEMNITY

- 6.1 The Owners shall at the expense of the Owners, continue to care for and maintain the Lands as would a careful and prudent owner. In particular, and without limiting the generality of the foregoing, the Owners shall:
- (a) maintain the Lands in a good condition, and keep the Lands free of construction liens; and
  - (b) pay as they become due municipal and provincial taxes, rates and fees charged or levied against the Lands.
- 6.2 The Owners shall and do hereby indemnify and save harmless the Municipality, its directors, officers, employees, agents and contractors from and against any and all actions, causes of action, suits, claims, demands by or on behalf of any person arising out of or occasioned by any act or omission, negligence or otherwise, in the use and maintenance of the Lands by the Owners, any licensee or lessee thereof or anyone for whom the Owners are in law responsible, including any liability arising from any existing or future environmental matters or conditions affecting the Lands.

## ARTICLE 7

### DEFAULT

- 7.1 In the event of breach of or default in the obligations and covenants of the Owners under this Agreement, the Municipality may take action available to it at law, in equity, by statute or under this Agreement provided that the Municipality shall first give to the Owners written notice of the default which notice shall specify the nature of the non-compliance and the measures necessary to secure compliance with the terms of the Agreement. If notice of default is given, the Owners shall have sixty (60) days following receipt of the notice of default to complete the required measures and to rectify the non-compliance or default.
- 7.2 If the Municipality in its sole discretion determines that the circumstances require immediate action to prevent or mitigate damage to the natural features of the Lands, the Municipality may pursue its remedies under this Article 7 without prior notice to the Owners and without waiting for the expiry of the sixty (60) day notice period as otherwise required under paragraph 7.1.
- 7.3 In the event that the Owners have failed to provide compliance within the sixty (60) day period allowed, then the Municipality shall be entitled to enter onto the Lands and to complete those works and measures necessary to provide compliance and to remedy the default at the expense of the Owners. Until paid to the Municipality by the Owners, such costs of remedy incurred by the Municipality shall be a debt owed by the Owners to the Municipality and shall be a charge upon the Lands enforceable in the same manner as a Mortgage and recoverable by the Municipality in a court of law.
- 7.4 The parties recognize that damages based upon market value may not be adequate or effective for destruction of or restoration of the natural features of the Lands as they existed prior to default or breach of the Agreement. Accordingly, the parties agree that:
- (a) compensation to the Municipality in the event of default or breach of the Agreement may be based upon market value, restoration or replacement costs whichever, in the opinion of the court shall better compensate the Municipality; and

- (b) in addition, and without limiting the scope of the other enforcement rights available to the Municipality under this Agreement, the Municipality may bring an action or an application for injunctive relief to prohibit or prevent default or the continuance of default under this Agreement.

## ARTICLE 8

### NOTICE

- 8.1 Any notice to be given or required under this Agreement (which term in this paragraph includes any request or waiver) shall be in writing and sent by personal delivery, facsimile transmission or by registered prepaid mail to the parties.
- 8.2 Any notice so delivered or any notice so forwarded by facsimile or other means of communication shall be deemed to have been given on the next business day following the day of delivery or forwarding and any notice so mailed shall be deemed to have been given on the fourth business day following the day of mailing. Either party may in any manner aforesaid give notice to the other party of any change in address or fax number thereof and thereafter the new address or fax number shall be the address of such party for the purpose of giving notice hereunder.

## ARTICLE 9

### GENERAL PROVISIONS

- 9.1 Rights reserved by Owner: The Owners reserve to themselves, and to their successors and assigns, and any transferee there from, all rights accruing from their ownership of the Lands, including the right to engage in or permit or invite others to engage in, all uses of the Lands that are not expressly prohibited in this Agreement and are not inconsistent with the purpose and terms of this Agreement.
- 9.2 Owner not Liable: No person who is an Owner shall be liable to the Municipality for any breach of or default in the obligations owed to the Municipality under this Agreement committed after the registration of a transfer by such person of that person's interest in the Lands.
- 9.3 Registration: The Municipality may register this Agreement against the title to the Lands and the Owners shall execute any document that may be required to allow such registration.
- 9.4 Failure to Exercise or Enforce Rights: No failure by the Municipality to require performance by the Owners of any provision of this Agreement shall affect the right of the Municipality thereafter to enforce such obligations and no failure by the Owners to perform any of its rights or obligations hereunder shall be taken as a waiver of such performance or the performance of any other obligation in the future.
- 9.5 Time of the Essence: Time shall be of the essence of this Agreement and shall be deemed to remain so notwithstanding any extension of any time limit.
- 9.6 Severability: All provisions of this Agreement including each of the covenants shall be severable and should any be declared invalid or unenforceable, the validity and enforceability of the remaining provisions shall not be affected thereby.
- 9.7 Costs: Save as provided herein or ordered by any court or tribunal, each party shall be responsible for its own legal fees and related expenses arising from the negotiations and implementation of the Agreement.
- 9.8 Joint and Several: Whenever the Owner comprises more than one person, the Owners' obligations in this Agreement shall be joint and several.
- 9.9 Entire Agreement: This Agreement is the entire agreement between the parties with respect to the matters dealt with herein, and no understandings or agreements, verbal collateral or otherwise, exist between the parties except as herein expressly set out.
- 9.10 Enurement: This Agreement including the Easement and the Covenants shall run with the Lands in perpetuity or until such time as the Municipality, or its successor or assign authorizes their

release and shall enure to the benefit of and be binding upon the parties hereto and their respective successors, assigns, heirs, executors, and personal representatives as the case may be.

9.11 Acts Beyond Party’s Control: Neither party shall be liable to the other for damage to or change in the Lands resulting from causes beyond the control of such party, including without limitation, accidental fire, flood, storm, earth quake, subsidence, trespass, insect infestation or disease.

IN WITNESS WHEREOF the Owners and the Municipality have executed this Agreement.

This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original and all of which taken together will be deemed to constitute one and the same instrument.

SIGNED, SEALED AND DELIVERED	)	The Corporation of the Town of TECUMSEH
In the presence of	)	
	)	
	)	
	)	Per:_____
	)	I have the authority to bind the Corporation
	)	
	)	
Date_____	)	_____
, 2018	)	AUGUSTINE THEODORE REVENBERG
	)	
	)	
Date_____	)	_____
, 2018	)	GAYNIA REVENBERG

\_\_\_\_\_  
Witness of (Landowner)

## SCHEDULE “A”

### Legal Description (over which the Conservation Easement shall apply)

Part Lot 1, Concession 8, (Geographic Township of Sandwich South), Town of TECUMSEH, in the County of Essex, and Province of Ontario designated as Part 6 on Reference Plan 12R-27295.

being part of PIN 01399-0037 and containing 9.44 acres



SCHEDULE “B”

BASELINE DOCUMENTATION REPORT

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## The Corporation of the Town of Tecumseh

Planning & Building Services

**To:** Mayor and Members of Council

**From:** Mike Voegeli, Manager Building Services & Chief Building Official

**Date to Council:** March 13, 2018

**Report Number:** PBS-2018-10

**Subject:** New Building By-law and Permit Fee Schedule

---

### Recommendations

It is recommended:

**That** By-law No. 2018-19 being a by-law regarding permit applications, permits, inspections, the establishment of permit fee rates and related matters, **be adopted**.

### Background

At the regular meeting of Council held on December 12, 2017, the following resolution was passed:

RCM 284/17

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.

At the public meeting of Council held on January 30, 2018, the following resolution was passed:

## PCM-02/18

That Administration provide a report on an incentive program, such as a one-year moratorium of the commercial building fees, including hotel development, to help encourage and attract new commerce; And that the report contain potential financial implications.

At the regular meeting of Council held on December 12, 2017, the following resolution was passed:

## RCM 39/18

That Planning and Building Services Report PBS-2018-05, Potential One-Year Moratorium on Building Permit Fees, be received;

And that Council supports a one-year moratorium on commercial development and hotel building permit fees, and that any shortfall in building permit revenue that results be off-set by the Tax Rate Stabilization Reserve.

Therefore it is now appropriate to bring forward the proposed Building By-law and Permit Fee Schedule for Council's review, consideration and approval.

## Comments

Section 7 of the *Building Code Act* gives the municipality the authority to pass a by-law regarding permit applications, permits, inspections, the establishment of permit fee rates and related matters. This by-law is commonly referred as the "Building By-law".

Attached is the proposed new "Building By-law" and permit fee schedule for Council's review, consideration and approval.

## Proposed New Building By-law

The following is a summary of the provisions of the proposed new "Building By-law".

- a) Prescribing different classes of permits such as Building Permits, Demolition Permits, Conditional Permits, Sewage System Permits and Change of Use Permits.
- b) Requiring the filing of specific application forms together with certain types of plans and documents in order to obtain a permit.
- c) The establishment of new permit fee rates.
- d) Requiring the payment of permit fees for different classes of permits and types of construction projects.
- e) Requiring the payment of either the permit fee or a filing fee when applying for a permit, with the balance of any outstanding permit fee to be paid when the permit is issued.

- f) Requiring the payment of an additional fee for projects that have been started before a permit has been issued. The additional fee is \$500 or the applicable permit fee, whichever is less.
- g) Requiring that a 24 hour notice be given to the municipality for the purpose of conducting mandatory inspections.
- h) Granting the Chief Building Official the authority to enter into Conditional Permit, Holding Tank and Limiting Distance agreements on behalf of the municipality.
- i) Granting the Chief Building Official the authority to enter into a service agreement with Registered Code Agencies for providing inspection services when required.
- j) Requiring as-built drawings to be submitted if required.
- k) Allowing Permits to be transferred to new property owners.
- l) Providing the refunding of a percentage of permit fees if permits are cancelled or revoked.
- m) Requiring construction sites to be fenced if required.
- n) Prescribing a Code of Conduct that is to be followed by Building Inspectors and the Chief Building Official.

### **Proposed Permit Fees**

The proposed new “Building By-law” includes a new permit fee rate schedule for different classes of permits and various types of construction projects.

As per Council resolution RCM 39/18, permit fees are waived for a 12 month period from the date of adoption of the Building By-law for new commercial buildings, additions to existing commercial buildings and new hotel buildings.

Attached is the proposed new “Building By-law” and permit fee schedule for Council’s review, consideration and approval.

### **Consultations**

None

### **Financial Implications**

It is estimated that the proposed permit fee rates should increase annual permit fee revenue on average by approximately 15-24 percent.

## Link to Strategic Priorities

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

Mike Voegeli  
Manager Building Services & Chief Building Official

Reviewed by:

Brian Hillman, MA, MCIP, RPP  
Director Planning & Building Services

Recommended by:

Shaun Fuerth, BCS  
Acting Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	By-law No. 2018-18

# **The Corporation of the Town of Tecumseh**

## **By-Law Number 2018 - 19**

Being a By-law respecting construction, demolition, change of use permits, inspections and related matters.

**WHEREAS** Section 7 of the Building Code Act, R.S.O. 1992, authorizes a Municipal Council to pass certain By-laws, respecting construction, demolition and change of use Permits, inspections and related matters.

**AND WHEREAS** Section 7.1 of the Building Code Act, R.S.O. 1992, requires a principal authority to establish and enforce a code of conduct for the Chief Building Official and inspectors.

**AND WHEREAS** Section 446 of the Municipal Act S.O., 2001, c.25 provides that if a Municipality has authority under this or any other Act or under a By-law under this or any other Act to direct or require a person to do a matter or thing, the Municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and the municipality may recover the costs of doing a matter or thing under from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

**NOW THEREFORE** the Council of The Corporation of The Town of Tecumseh enacts as follows:

### **1.0 DEFINITIONS**

#### **1.1 In this By-law;**

- (a) "Act" means the Building Code Act, R.S.O. 1992, as amended.
- (b) "Applicant" means the owner of a building or property who applies for a Permit or any individual authorized to apply for a Permit on the Owner's behalf.
- (c) "Building Code" means the regulation made under Section 34 of the Act.
- (d) "By-law" means the Building By-law.
- (e) "Chief Building Official" means the Chief Building Official appointed by Council under Section 3 of the Act.
- (f) "Complete Permit Application" means an application satisfying the requirements of the Building Code and the requirements of this By-law;
- (g) "Corporation" means The Corporation of the Town of Tecumseh.
- (h) "Gross Floor Area" means the total area of all floors above grade measured between the outside surfaces of exterior walls.
- (i) "Owner" means the registered owner of the land and includes a lessee, a mortgagee in possession and the person in charge of the property.
- (j) "Permit" means permission or authorization given in writing by the Chief Building Official to perform work regulated by the Act and Building Code or to occupy a building or part thereof.



- (k) "Permit Holder" means the person to whom the Permit has been issued and whom assumes the primary responsibility for complying with the Act and the Building Code.
- (l) "Construction Value" means the value established by the Chief Building Official for the work for which a Permit is applied for.
- (m) "Registered Code Agency" means a person or entity that has the qualifications and meets the requirements set out in the Act and the Building Code.
- (n) "Town" means The Corporation of the Town of Tecumseh

1.2 Terms not defined in this By-law shall have the meaning ascribed to them in the Act or the Building Code.

## **2.0 GENERAL**

- 2.1 This By-law may be cited variously as the "Building By-law" or the "Tecumseh Building By-law".
- 2.2 The provisions of this By-law shall apply to all lands within the boundaries of the Town as are now or hereafter legally constituted.
- 2.3 Nothing in this By-law shall serve to relieve any person from the obligation to comply with any other applicable law.
- 2.4 Should any, section, subsection, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.
- 2.5 That By-law 2004-30 of The Corporation of the Town of Tecumseh and any by-laws or parts of by-laws inconsistent with this By-law, are hereby repealed.
- 2.6 This By-law shall come into force and take effect when it is finally passed.

## **3.0 LIST OF SCHEDULES**

- 3.1 The following schedules are attached to and form a part of this By-law:
  - a) Schedule "A" Permit Fee Rates;
  - b) Schedule "B" Plans and Documentation; and
  - c) Schedule "C" Code of Conduct.

## **4.0 CLASSES OF PERMITS**

- 4.1 The following permits are prescribed under this By-law:
  - (a) Building Permit;
  - (b) Demolition Permit;
  - (c) Conditional Building Permit;
  - (d) Sewage System Permit; and
  - (e) Change of Use Permit.

## **5.0 PERMIT APPLICATIONS**

5.1 To apply for any Permit, an Applicant shall:

- a) file a complete Permit application with the Chief Building Official on the prescribed forms available from the Chief Building Official or from the Province of Ontario and supply any other information relating to the application as required by the Act, the Building Code, the Chief Building Official or this By-law;
- b) identify and describe in detail the existing use and the proposed use(s) for which the building is intended;
- c) describe the land on which the work is to be done using a description that will readily identify and locate the site on which the building or demolition will occur;
- d) be accompanied by the plans, documents and other information prescribed in Section 12.0 and Schedule “B” of this By-law;
- e) be accompanied by the applicable permit fees in accordance with Schedule “A” of this By-law;
- f) include copies of any applicable approvals or Permits from Municipal and Provincial authorities or agents, Committee of Adjustment decisions, easements and right of ways; and
- g) where required by the Building Code, be accompanied by a signed acknowledgement from the Applicant, architect and/or professional engineer certifying that an architect, professional engineer, or both have been retained to carry out the general review of the construction of the building.

5.2 The acceptance or processing of an application under this By-law by the Chief Building Official shall not be deemed to prohibit the Chief Building Official from requiring the Applicant to supply further information, plans and documentation or details, as may be necessary to determine compliance with the Act, the Building Code, this By-law and any applicable law.

5.3 If the Applicant fails to provide such further information as requested, the application may be found to be incomplete.

5.4 Any application may be refused by the Chief Building Official if, in the opinion of the Chief Building Official, the application is not complete.

## **6.0 DEMOLITION PERMITS**

6.1 In addition to the requirements of Section 5.0, every application for a Demolition Permit shall:

- a) where required by the Building Code, be accompanied by structural design characteristics of the building and the method of demolition; and
- b) be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the termination and capping of all water, sewer, gas, electric, telephone or other utilities and services.

## **7.0 CONDITIONAL BUILDING PERMIT**

7.1 In addition to the requirements of Section 5.0, every application for a Conditional Permit, shall:

- a) state the reasons why the Applicant believes that unreasonable delays in construction would occur if a conditional Permit is not granted; and
- b) state the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained.

- 7.2 The Chief Building Official may, where conditions and requirements imposed under the Act and this subsection have been fulfilled, issue a Conditional Permit for a building subject to compliance with the Act, the Building Code and any applicable law.
- 7.3 The Chief Building Official may require the Applicant and/or the Owner to enter into a Conditional Permit Agreement and provide financial security in the amount as determined by the Chief Building Official.
- 7.4 The Chief Building Official is authorized to enter into Conditional Permit agreements and to execute such agreements on behalf of the Town.
- 7.5 The Conditional Permit agreement may be registered on the title of the land to which it applies.

## **8.0 SEWAGE SYSTEM PERMITS**

- 8.1 In addition to the requirements of Section 5.0, every application for a Sewage System Permit shall include a site evaluation unless otherwise specified by the Chief Building Official.
- 8.2 The site evaluation shall include:
- a) the name, address, telephone number and signature of the person who prepared the evaluation;
  - b) a site plan showing the property dimensions, the location of the proposed sewage system, setbacks to lot line, structures, wells, lakes, ponds, reservoirs, rivers, springs, streams, existing right-of-way, easements or municipal/utility corridors;
  - c) site conditions such as the location of any unsuitable, disturbed or compacted areas and areas of potential flooding; and
  - d) soil properties such as soil permeability, the depth of bedrock and the depth of soil saturation.
- 8.3 The Chief Building Official is authorized to enter into Holding Tank Agreements in accordance with the Building Code and to execute such agreements on behalf of the Town.

## **9.0 CHANGE OF USE PERMITS**

- 9.1 In addition to the requirements of Section 5.0, every application for a Change of Use Permit shall:
- a) include, plans and documentation which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code, including, floor plans, details of wall, floor and roof assemblies identifying required fire resistance ratings and load bearing capacities.

**10.0 ALTERNATIVE SOLUTIONS**

- 10.1 Where an application for a Permit or for authorization to make a material change to a plan, specification, document or other information on the basis of which a Permit was issued, contains an alternative solution for which approval in accordance the Building Code is required, the application shall include documentation in accordance with the Building Code together with any other information or documentation as required by the Chief Building Official.

**11.0 INCOMPLETE OR INACTIVE PERMIT APPLICATION**

- 11.1 Where an application for a Permit remains incomplete or inactive for three (3) months after it is made, the Chief Building Official may deem it to be abandoned, and may return the application, plans and documentation to the Applicant by ordinary mail at the address indicated on the application.
- 11.2 Where an application has been deemed abandoned, the Chief Building Official may direct the Applicant to pay any outstanding fees and if the outstanding fees are not paid within a reasonable time, it shall be paid by the Town, and collected in like manner and with the same priority as Municipal Taxes.
- 11.3 Where an application for a permit remains incomplete solely due to the payment of the required permit fee and the work that is the subject of the application has been commenced or completed without benefit of a permit, the Chief Building Official may direct the applicant to pay any outstanding fees and if the outstanding fees are not paid within a reasonable time, it shall be paid by the Town, and collected in like manner and with the same priority as municipal taxes.

**12.0 PLANS AND DOCUMENTS**

- 12.1 Every Applicant shall furnish:
- a) sufficient plans, documents and other information as may be deemed necessary to enable the Chief Building Official to determine whether the proposed construction, demolition, or change of use conforms to the Act, the Building Code, and any other applicable law; and
  - b) a site plan referenced to a current plan of survey certified by a registered Ontario Land Surveyor and a copy of such a survey shall be filed with the Municipality unless this requirement is waived because the Chief Building Official is able, without having a current plan of survey, to determine whether the proposed work conforms to the Act, the Building Code, and any other applicable law.
- 12.2 Site plans must include:
- a) lot size and dimensions of the property;
  - b) setbacks from existing and proposed buildings to property boundaries and to each other;
  - c) existing and finished ground levels or grades; and
  - d) existing rights of way, easements and municipal services.
- 12.3 Plans submitted shall be legible and shall be drawn to scale upon paper or other suitable and durable material, and without limiting the generality of the foregoing, shall include such drawings as set out in Schedule "B" of this By-law unless otherwise specified by the Chief Building Official.

- 12.4 Upon completion of the construction of a building, the Chief Building Official may require a set of as constructed plans, including a plan of survey showing the location of the building and/or final grade elevations.
- 12.5 Plans and documentation furnished according to this By-law or otherwise required by the Act become the property of the Town and will be disposed of or retained in accordance with relevant legislation and the Town's Retention By-law.

**13.0 FEES**

- 13.1 The Chief Building Official shall determine the Permit fees as prescribed in accordance with Schedule "A" of this By-law. The Applicant shall pay the Permit fees upon application submission or may pay the minimum application fee as prescribed in accordance with Schedule "A" of this By-law and pay the remaining balance of the permit fees prior to the issuance of the permit.
- 13.2 No permit shall be issued until all the permit fees have been paid in full.
- 13.3 Every Permit application that has been submitted after work has commenced, shall pay an additional late fee and the applicable Permit fees in accordance with Schedule "A" of this By-law.
- 13.4 Notwithstanding 13.1, Permit fees are waived for a twelve (12) month period from the date of adoption of this By-law for any new commercial building, addition to an existing commercial building and for any hotel building.

**14.0 REFUNDS**

- 14.1 The Chief Building Official shall determine the amount of fees, if any, that may be refunded in the case of the withdrawal of an application, abandonment of an application, refusal to issue a Permit or the revocation of a Permit.
- 14.2 Refunds of Permit fees shall be calculated as follows:
  - a) a refund of seventy-five percent (75%) of the Permit fees that have been paid if no administrative functions have been performed;
  - b) a refund of fifty percent (50%) of the Permit fees that have been paid if only administrative functions have been performed and no field inspections have taken place; or
  - c) a refund of fifty percent (50%) of the Permit fees that have been paid less five percent (5%) for each field inspection that has taken place.
- 14.3 Notwithstanding the above, no refund is to be made of an amount less than the minimum Permit fee.

**15.0 TRANSFER**

- 15.1 Permits may be transferable to a new Owner, provided that the new Owner completes the applicable Permit application and pays the applicable Permit fees in accordance with Schedule “A” of this By-law.

**16.0 REVISIONS TO APPLICATIONS AND PERMITS**

- 16.1 An Applicant or Permit Holder shall give the Chief Building Official written notice of any material change intended to be made to any plan, specification, document or other information on which the application was made and Permit issued, and the Applicant or Permit Holder shall supply the Chief Building Official with details of such changes, and no construction shall be carried out in respect of the change until written authorization is obtained from the Chief Building Official.
- 16.2 Notwithstanding the fact that construction or change has been made without authorization, the Applicant or Permit Holder shall supply written notice to the Chief Building Official of any material change to any plan, specification, document or other information on which the application was made and Permit issued, with details of all changes.
- 16.3 The Chief Building Official shall determine if a revision to an application or Permit may be subject to an additional fee in accordance with Schedule “A” of this By-law.

**17.0 NOTIFICATIONS**

- 17.1 Notices respecting stages of constructions required by the Building Code shall be given by the Permit Holder to the Chief Building Official at least one (1) business day in advance of the stages of construction specified therein.

**18.0 REGISTERED CODE AGENCIES**

- 18.1 The Chief Building Official is authorized to enter into service agreements with Registered Code Agencies to perform specified functions from time to time in order to maintain the time periods prescribed in the Building Code.

**19.0 LIMITING DISTANCE AGREEMENTS**

- 19.1 The Chief Building Official is authorized to enter into Limiting Distance Agreements in accordance with the Building Code and to execute such agreements on behalf of the Town.

**20.0 FENCING OF CONSTRUCTION SITES**

- 20.1 Where, in the opinion of the Chief Building Official, a construction site presents a particular and unique hazard to the public, the Chief Building Official may require the erection of such fencing as deemed appropriate to the circumstances.
- 20.2 In considering the hazard presented by a construction site, the necessity for fencing, and its construction, the Chief Building Official shall have regard to:
- (a) the proximity of the construction site to occupied dwellings;
  - (b) the proximity of the construction site to lands accessible to the public, including but not limited to streets, parks, and commercial and institutional activities;

- (c) the hazards presented by the construction activities and materials;
- (d) the feasibility and effectiveness of the site fencing; and
- (e) the duration of the hazard.

**21.0 CODE OF CONDUCT**

21.1 The Chief Building Official and inspectors shall be governed by the Code of Conduct in accordance with Schedule “C” of this By-law”, with respect to exercising powers and performing duties under the Act.

**READ** a first, second and third time and finally passed this 13th day of March, 2018.

\_\_\_\_\_  
Gary McNamara, Mayor

\_\_\_\_\_  
Laura Moy, Clerk



**SCHEDULE “A” - PERMIT FEE RATES**

No.	Permit Classification Or Description	Rate	Rate Type
1	Residential (Group “C” occupancies as set out in the Ontario Building Code)	\$ 1.05	per gross square foot
2	Industrial (Group “F” occupancies as set out in the Ontario Building Code)	\$ 0.85	per gross square foot
3	Commercial (Group “D & E” occupancies as set out in the Ontario Building Code)	\$ 1.05	per gross square foot
4	Assembly (Group “A” occupancies as set out in the Ontario Building Code)	\$ 1.05	per gross square foot
5	Institutional (Group “B” occupancies as set out in the Ontario Building Code)	\$ 1.05	per gross square foot
6	Alterations or Work Not Specifically Listed (per \$1000 of construction value)	\$ 12.00	per \$1,000 of construction value
7	Residential Garages & Accessory Structures	\$ 0.48	per gross square foot
8	Farm Buildings (as set out in the Ontario Building Code)	\$ 0.25	per gross square foot
9	Tents	\$ 120.00	flat fee
10	Demolitions	\$ 120.00	flat fee
11	Sanitary & Storm Sewers	\$ 120.00	flat fee
12	Plumbing Systems	\$ 120.00	flat fee
13	Heating, Cooling & Ventilation Systems	\$ 120.00	flat fee
14	Sewage Systems (Septics)	\$ 825.00	flat fee
15	All Other Projects Not Listed (per \$1,000 of construction value)	\$ 12.00	per \$1,000 of construction value
16	Permits Revised or Transferred	\$ 120.00	flat fee
17	Re-Inspections (per inspection)	\$ 120.00	flat fee
18	Property Standards Inspections (per inspection)	\$ 120.00	flat fee
19	Change of Use Permits	\$ 120.00	flat fee

No.	Permit Classification Or Description	Rate	Rate Type
20	Minimum Permit Fee	\$ 120.00	flat fee
21	Application Filling Fee	\$ 240.00	flat fee
22	Late Fee (for projects started prior to a permit being issued)	An additional \$500 or the value of the applicable permit fees whichever is lesser	

**Notes:**

- 1) Where Permit fees are based on square footage, Permit fees shall be the product of the Permit fee rate for the permit classification or project description times the gross floor area of the building to which the permit applies.
- 2) Permit fees for alterations, work not specifically listed or other projects not listed shall be based on the declared Construction Value. The declared Construction Value shall include the value of the project’s consulting fees, administrative fees, legal fees, testing costs, equipment and machinery costs, and all labour and material cost. The Chief Building Official may require a detailed evaluation of the project to support the declared Construction Value from a qualified person.
- 3) No additional Permit fees apply for the construction or installation of mechanical systems such as sprinkler, fire alarms and standpipe systems, provided that such systems are part of the building and installed at the same time as the building is being constructed.
- 4) Notwithstanding 13.1 of this By-law, Permit fees are waived for a twelve (12) month period from the date of adoption of this By-law for any new commercial building, addition to an existing commercial building and for any hotel building.

## **SCHEDULE “B” - PLANS AND DOCUMENTATION**

Except as noted, every Permit application shall be accompanied by two (2) copies of the following plans and/or documents:

### **1.0 Plans**

- 1.1 Site Plan
- 1.2 Grading Plan
- 1.3 Foundation Plans
- 1.4 Floor Plans
- 1.5 Framing Plans
- 1.6 Roof Plans
- 1.7 Sections and Details
- 1.8 Building Elevations
- 1.9 Electrical Drawings
- 1.10 Heating, Ventilation and Air Conditioning Drawings
- 1.11 Plumbing Drawings
- 1.12 Door and Window Schedules
- 1.13 Fire Separation Plan
- 1.14 Fire Protection Plans

### **2.0 Documents**

- 2.1 Designer’s Information
- 2.2 Ontario Building Code Matrix
- 2.3 Energy Efficiency Design Summary
- 2.4 Mechanical Design Ventilation Summary

### **Notes:**

- 1) The Chief Building Official may specify that not all the above plans and/or documents are required to accompany an application for a Permit.
- 2) The Chief Building Official may also require additional documents, copies and plans in addition to any required information specified in this schedule due to the scope of work, in order to ensure compliance with applicable law, the Act, the Building Code and this By-law.

## **SCHEDULE “C” - CODE OF CONDUCT**

### **1.0 Introduction**

- 1.1 This Code of Conduct applies to the Chief Building Official and inspectors appointed by the Town under the Act, in the exercise of a power or the performance of a duty under the Act or the Building Code. The purposes of this Code of Conduct are to promote appropriate standards of behavior and enforcement actions by the Chief Building Official and inspectors, to prevent practices, which may constitute an abuse of power, including unethical or illegal practices, and to promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty under the Act, or the Building Code by the Chief Building Official and inspectors.

### **2.0 Standard of Conduct**

- 2.1 In addition to any existing Code of Conduct Policy which the Town already has in place for its municipal employees, the Chief Building Official and inspectors of the Town undertake to:
- a) act in the public interest, particularly with regard to the safety of buildings and structures;
  - b) conduct themselves with a high degree of personal integrity and ethics, and in particular they should not place themselves, or permit themselves to be placed, in a position which would constitute, or on an objective basis give a reasonable apprehension, of a conflict of interest or breach of trust;
  - c) exercise powers in accordance with the provisions of the Act, the Building Code and other applicable law that governs the authorization, construction, occupancy and safety of buildings and designated structures;
  - d) apply all relevant building laws, regulations and standards in a consistent and fair manner, independent of any influence by interested parties;
  - e) act honestly, reasonably and professionally in the discharge of their duties; and
  - f) not divulge any confidential or sensitive information or material that they become privy to in the performance of their duties, except in accordance with laws governing freedom of information and protection of privacy.

# **The Corporation of the Town of Tecumseh**

## **By-Law Number 2018 -18**

Being a by-law to amend By-law 1746, the Town's Comprehensive Zoning By-law for those lands in the former Town of Tecumseh.  
(Lot 40, Plan 279 - 12334 Arbour Street – Semi-Detached Dwelling)

**Whereas** By-law No. 1746 is the Town's comprehensive zoning by-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Tecumseh, for lands situated within the former Town of Tecumseh;

**And Whereas** the Council of the Corporation of the Town of Tecumseh deems it necessary and in the best interest of proper planning to further amend By-law No. 1746;

**And Whereas** this By-law conforms to the Official Plan in effect for the Town of Tecumseh for lands in the former Town of Tecumseh, as amended;

**Now Therefore The Council of The Corporation of The Town of Tecumseh Enacts as Follows:**

1. **That** Schedule "A", Map 10, to By-law 1746, as amended, is hereby further amended by changing the zoning classification for those lands as depicted on Schedule "A" attached hereto and forming part of this by-law from "Residential Zone 2 (R2)" to "Residential Zone 2 (R2-26)".
2. **That** By-law 1746, Section 7, Residential Zone 2 (R2) Zone Regulations, as amended, is hereby further amended by the addition of a new subsection 7.3.26 to immediately follow subsection 7.3.25 and to read as follows:

"7.3.26 **Defined Area R2-26** as shown on Schedule "A", Map 10, of this By-Law.

a) **Permitted Uses**

- i) uses permitted in Section 7.1.1 of this by-law;
- ii) semi-detached residential uses.

b) **Permitted Building and Other Structures**

- i) buildings and structures for the uses permitted in subsection 7.3.26 a);
- ii) accessory buildings and structures for the uses permitted in subsection 7.3.26 a).

c) **Zone Provisions**

All lot and building requirements for the uses permitted in subsection 7.3.26 shall be in accordance with subsections 7.1.3 to 7.2, inclusive, of this By-law, except for the following:

- |      |  |   |
|------|--|---|
| i)   | Minimum Lot Area for Semi-Detached Dwellings                 | 345 square metres   |
| ii)  | Minimum Lot Frontage for Semi-Detached Dwellings             | 7.5 metres per unit   |
| iii) | Maximum Lot Coverage for Semi-Detached Dwellings             | 35 percent  |
| iv)  | Minimum Interior Side Yard Width for Semi-Detached Dwellings | 1.2 metres, plus 0.6 metres for each additional storey above the first storey, and no requirement where there is a common dividing wall.” |
3. This By-law shall take effect from the date of passage by Council and shall come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990*.

**Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:**

**Read** a first, second and third time and finally passed this 13th day of March, 2018.

\_\_\_\_\_  
Gary McNamara, Mayor

\_\_\_\_\_  
Laura Moy, Clerk

SCHEDULE "A"  
12334 ARBOUR STREET  
LOT 40, PLAN 279  
TOWN OF TECUMSEH



Change from "R2" to "R2-26"

This is Schedule "A" to By-law No. 2018-18.  
Passed the 13th day of March, 2018.

Signed

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

# **The Corporation of the Town of Tecumseh**

## **By-Law Number 2018 -19**

Being a By-law respecting construction, demolition, change of use permits, inspections and related matters.

**WHEREAS** Section 7 of the Building Code Act, R.S.O. 1992, authorizes a Municipal Council to pass certain By-laws, respecting construction, demolition and change of use Permits, inspections and related matters.

**AND WHEREAS** Section 7.1 of the Building Code Act, R.S.O. 1992, requires a principal authority to establish and enforce a code of conduct for the Chief Building Official and inspectors.

**AND WHEREAS** Section 446 of the Municipal Act S.O., 2001, c.25 provides that if a Municipality has authority under this or any other Act or under a By-law under this or any other Act to direct or require a person to do a matter or thing, the Municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and the municipality may recover the costs of doing a matter or thing under from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

**NOW THEREFORE** the Council of The Corporation of The Town of Tecumseh enacts as follows:

### **1.0 DEFINITIONS**

1.1 In this By-law;

- (a) "Act" means the Building Code Act, R.S.O. 1992, as amended.
- (b) "Applicant" means the owner of a building or property who applies for a Permit or any individual authorized to apply for a Permit on the Owner's behalf.
- (c) "Building Code" means the regulation made under Section 34 of the Act.
- (d) "By-law" means the Building By-law.
- (e) "Chief Building Official" means the Chief Building Official appointed by Council under Section 3 of the Act.
- (f) "Complete Permit Application" means an application satisfying the requirements of the Building Code and the requirements of this By-law;
- (g) "Corporation" means The Corporation of the Town of Tecumseh.
- (h) "Gross Floor Area" means the total area of all floors above grade measured between the outside surfaces of exterior walls.
- (i) "Owner" means the registered owner of the land and includes a lessee, a mortgagee in possession and the person in charge of the property.



- (j) "Permit" means permission or authorization given in writing by the Chief Building Official to perform work regulated by the Act and Building Code or to occupy a building or part thereof.
- (k) "Permit Holder" means the person to whom the Permit has been issued and whom assumes the primary responsibility for complying with the Act and the Building Code.
- (l) "Construction Value" means the value established by the Chief Building Official for the work for which a Permit is applied for.
- (m) "Registered Code Agency" means a person or entity that has the qualifications and meets the requirements set out in the Act and the Building Code.
- (n) "Town" means The Corporation of the Town of Tecumseh

1.2 Terms not defined in this By-law shall have the meaning ascribed to them in the Act or the Building Code.

## **2.0 GENERAL**

- 2.1 This By-law may be cited variously as the "Building By-law" or the "Tecumseh Building By-law".
- 2.2 The provisions of this By-law shall apply to all lands within the boundaries of the Town as are now or hereafter legally constituted.
- 2.3 Nothing in this By-law shall serve to relieve any person from the obligation to comply with any other applicable law.
- 2.4 Should any, section, subsection, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.
- 2.5 That By-law 2004-30 of The Corporation of the Town of Tecumseh and any by-laws or parts of by-laws inconsistent with this By-law, are hereby repealed.
- 2.6 This By-law shall come into force and take effect when it is finally passed.

## **3.0 LIST OF SCHEDULES**

- 3.1 The following schedules are attached to and form a part of this By-law:
  - a) Schedule "A" Permit Fee Rates;
  - b) Schedule "B" Plans and Documentation; and
  - c) Schedule "C" Code of Conduct.

## **4.0 CLASSES OF PERMITS**

- 4.1 The following permits are prescribed under this By-law:
  - (a) Building Permit;
  - (b) Demolition Permit;
  - (c) Conditional Building Permit;
  - (d) Sewage System Permit; and

- (e) Change of Use Permit.

## **5.0 PERMIT APPLICATIONS**

5.1 To apply for any Permit, an Applicant shall:

- a) file a complete Permit application with the Chief Building Official on the prescribed forms available from the Chief Building Official or from the Province of Ontario and supply any other information relating to the application as required by the Act, the Building Code, the Chief Building Official or this By-law;
- b) identify and describe in detail the existing use and the proposed use(s) for which the building is intended;
- c) describe the land on which the work is to be done using a description that will readily identify and locate the site on which the building or demolition will occur;
- d) be accompanied by the plans, documents and other information prescribed in Section 12.0 and Schedule “B” of this By-law;
- e) be accompanied by the applicable permit fees in accordance with Schedule “A” of this By-law;
- f) include copies of any applicable approvals or Permits from Municipal and Provincial authorities or agents, Committee of Adjustment decisions, easements and right of ways; and
- g) where required by the Building Code, be accompanied by a signed acknowledgement from the Applicant, architect and/or professional engineer certifying that an architect, professional engineer, or both have been retained to carry out the general review of the construction of the building.

5.2 The acceptance or processing of an application under this By-law by the Chief Building Official shall not be deemed to prohibit the Chief Building Official from requiring the Applicant to supply further information, plans and documentation or details, as may be necessary to determine compliance with the Act, the Building Code, this By-law and any applicable law.

5.3 If the Applicant fails to provide such further information as requested, the application may be found to be incomplete.

5.4 Any application may be refused by the Chief Building Official if, in the opinion of the Chief Building Official, the application is not complete.

## **6.0 DEMOLITION PERMITS**

6.1 In addition to the requirements of Section 5.0, every application for a Demolition Permit shall:

- a) where required by the Building Code, be accompanied by structural design characteristics of the building and the method of demolition; and
- b) be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the termination and capping of all water, sewer, gas, electric, telephone or other utilities and services.

## **7.0 CONDITIONAL BUILDING PERMIT**

- 7.1 In addition to the requirements of Section 5.0, every application for a Conditional Permit, shall:
- a) state the reasons why the Applicant believes that unreasonable delays in construction would occur if a conditional Permit is not granted; and
  - b) state the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained.
- 7.2 The Chief Building Official may, where conditions and requirements imposed under the Act and this subsection have been fulfilled, issue a Conditional Permit for a building subject to compliance with the Act, the Building Code and any applicable law.
- 7.3 The Chief Building Official may require the Applicant and/or the Owner to enter into a Conditional Permit Agreement and provide financial security in the amount as determined by the Chief Building Official.
- 7.4 The Chief Building Official is authorized to enter into Conditional Permit agreements and to execute such agreements on behalf of the Town.
- 7.5 The Conditional Permit agreement may be registered on the title of the land to which it applies.

## **8.0 SEWAGE SYSTEM PERMITS**

- 8.1 In addition to the requirements of Section 5.0, every application for a Sewage System Permit shall include a site evaluation unless otherwise specified by the Chief Building Official.
- 8.2 The site evaluation shall include:
- a) the name, address, telephone number and signature of the person who prepared the evaluation;
  - b) a site plan showing the property dimensions, the location of the proposed sewage system, setbacks to lot line, structures, wells, lakes, ponds, reservoirs, rivers, springs, streams, existing right-of-way, easements or municipal/utility corridors;
  - c) site conditions such as the location of any unsuitable, disturbed or compacted areas and areas of potential flooding; and
  - d) soil properties such as soil permeability, the depth of bedrock and the depth of soil saturation.
- 8.3 The Chief Building Official is authorized to enter into Holding Tank Agreements in accordance with the Building Code and to execute such agreements on behalf of the Town.

## **9.0 CHANGE OF USE PERMITS**

- 9.1 In addition to the requirements of Section 5.0, every application for a Change of Use Permit shall:
- a) include, plans and documentation which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code, including, floor plans, details of wall, floor and

roof assemblies identifying required fire resistance ratings and load bearing capacities.

## **10.0 ALTERNATIVE SOLUTIONS**

- 10.1 Where an application for a Permit or for authorization to make a material change to a plan, specification, document or other information on the basis of which a Permit was issued, contains an alternative solution for which approval in accordance the Building Code is required, the application shall include documentation in accordance with the Building Code together with any other information or documentation as required by the Chief Building Official.

## **11.0 INCOMPLETE OR INACTIVE PERMIT APPLICATION**

- 11.1 Where an application for a Permit remains incomplete or inactive for three (3) months after it is made, the Chief Building Official may deem it to be abandoned, and may return the application, plans and documentation to the Applicant by ordinary mail at the address indicated on the application.
- 11.2 Where an application has been deemed abandoned, the Chief Building Official may direct the Applicant to pay any outstanding fees and if the outstanding fees are not paid within a reasonable time, it shall be paid by the Town, and collected in like manner and with the same priority as Municipal Taxes.
- 11.3 Where an application for a permit remains incomplete solely due to the payment of the required permit fee and the work that is the subject of the application has been commenced or completed without benefit of a permit, the Chief Building Official may direct the applicant to pay any outstanding fees and if the outstanding fees are not paid within a reasonable time, it shall be paid by the Town, and collected in like manner and with the same priority as municipal taxes.

## **12.0 PLANS AND DOCUMENTS**

- 12.1 Every Applicant shall furnish:
- a) sufficient plans, documents and other information as may be deemed necessary to enable the Chief Building Official to determine whether the proposed construction, demolition, or change of use conforms to the Act, the Building Code, and any other applicable law; and
  - b) a site plan referenced to a current plan of survey certified by a registered Ontario Land Surveyor and a copy of such a survey shall be filed with the Municipality unless this requirement is waived because the Chief Building Official is able, without having a current plan of survey, to determine whether the proposed work conforms to the Act, the Building Code, and any other applicable law.
- 12.2 Site plans must include:
- a) lot size and dimensions of the property;
  - b) setbacks from existing and proposed buildings to property boundaries and to each other;
  - c) existing and finished ground levels or grades; and
  - d) existing rights of way, easements and municipal services.

- 12.3 Plans submitted shall be legible and shall be drawn to scale upon paper or other suitable and durable material, and without limiting the generality of the foregoing, shall include such drawings as set out in Schedule “B” of this By-law unless otherwise specified by the Chief Building Official.
- 12.4 Upon completion of the construction of a building, the Chief Building Official may require a set of as constructed plans, including a plan of survey showing the location of the building and/or final grade elevations.
- 12.5 Plans and documentation furnished according to this By-law or otherwise required by the Act become the property of the Town and will be disposed of or retained in accordance with relevant legislation and the Town’s Retention By-law.

### **13.0 FEES**

- 13.1 The Chief Building Official shall determine the Permit fees as prescribed in accordance with Schedule “A” of this By-law. The Applicant shall pay the Permit fees upon application submission or may pay the minimum application fee as prescribed in accordance with Schedule “A” of this By-law and pay the remaining balance of the permit fees prior to the issuance of the permit.
- 13.2 No permit shall be issued until all the permit fees have been paid in full.
- 13.3 Every Permit application that has been submitted after work has commenced, shall pay an additional late fee and the applicable Permit fees in accordance with Schedule “A” of this By-law.
- 13.4 Notwithstanding 13.1, Permit fees are waived for a twelve (12) month period from the date of adoption of this By-law for any new commercial building, addition to an existing commercial building and for any hotel building.

### **14.0 REFUNDS**

- 14.1 The Chief Building Official shall determine the amount of fees, if any, that may be refunded in the case of the withdrawal of an application, abandonment of an application, refusal to issue a Permit or the revocation of a Permit.
- 14.2 Refunds of Permit fees shall be calculated as follows:
  - a) a refund of seventy-five percent (75%) of the Permit fees that have been paid if no administrative functions have been performed;
  - b) a refund of fifty percent (50%) of the Permit fees that have been paid if only administrative functions have been performed and no field inspections have taken place; or
  - c) a refund of fifty percent (50%) of the Permit fees that have been paid less five percent (5%) for each field inspection that has taken place.
- 14.3 Notwithstanding the above, no refund is to be made of an amount less than the minimum Permit fee.

**15.0 TRANSFER**

- 15.1 Permits may be transferable to a new Owner, provided that the new Owner completes the applicable Permit application and pays the applicable Permit fees in accordance with Schedule “A” of this By-law.

**16.0 REVISIONS TO APPLICATIONS AND PERMITS**

- 16.1 An Applicant or Permit Holder shall give the Chief Building Official written notice of any material change intended to be made to any plan, specification, document or other information on which the application was made and Permit issued, and the Applicant or Permit Holder shall supply the Chief Building Official with details of such changes, and no construction shall be carried out in respect of the change until written authorization is obtained from the Chief Building Official.
- 16.2 Notwithstanding the fact that construction or change has been made without authorization, the Applicant or Permit Holder shall supply written notice to the Chief Building Official of any material change to any plan, specification, document or other information on which the application was made and Permit issued, with details of all changes.
- 16.3 The Chief Building Official shall determine if a revision to an application or Permit may be subject to an additional fee in accordance with Schedule “A” of this By-law.

**17.0 NOTIFICATIONS**

- 17.1 Notices respecting stages of constructions required by the Building Code shall be given by the Permit Holder to the Chief Building Official at least one (1) business day in advance of the stages of construction specified therein.

**18.0 REGISTERED CODE AGENCIES**

- 18.1 The Chief Building Official is authorized to enter into service agreements with Registered Code Agencies to perform specified functions from time to time in order to maintain the time periods prescribed in the Building Code.

**19.0 LIMITING DISTANCE AGREEMENTS**

- 19.1 The Chief Building Official is authorized to enter into Limiting Distance Agreements in accordance with the Building Code and to execute such agreements on behalf of the Town.

**20.0 FENCING OF CONSTRUCTION SITES**

- 20.1 Where, in the opinion of the Chief Building Official, a construction site presents a particular and unique hazard to the public, the Chief Building Official may require the erection of such fencing as deemed appropriate to the circumstances.
- 20.2 In considering the hazard presented by a construction site, the necessity for fencing, and its construction, the Chief Building Official shall have regard to:
- (a) the proximity of the construction site to occupied dwellings;
  - (b) the proximity of the construction site to lands accessible to the public, including but not limited to streets, parks, and commercial and institutional activities;

- (c) the hazards presented by the construction activities and materials;
- (d) the feasibility and effectiveness of the site fencing; and
- (e) the duration of the hazard.

**21.0 CODE OF CONDUCT**

21.1 The Chief Building Official and inspectors shall be governed by the Code of Conduct in accordance with Schedule “C” of this By-law”, with respect to exercising powers and performing duties under the Act.

**READ** a first, second and third time and finally passed this 13th day of March, 2018.

\_\_\_\_\_  
Gary McNamara, Mayor

\_\_\_\_\_  
Laura Moy, Clerk

**SCHEDULE “A” - PERMIT FEE RATES**

No.	PERMIT CLASSIFACATION OR DESCRIPTION	RATE	RATE TYPE
1	Residential (Group “C” occupancies as set out in the Ontario Building Code)	\$ 1.05	per gross square foot
2	Industrial (Group “F” occupancies as set out in the Ontario Building Code)	\$ 0.85	per gross square foot
3	Commercial (Group “D & E” occupancies as set out in the Ontario Building Code)	\$ 1.05	per gross square foot
4	Assembly (Group “A” occupancies as set out in the Ontario Building Code)	\$ 1.05	per gross square foot
5	Institutional (Group “B” occupancies as set out in the Ontario Building Code)	\$ 1.05	per gross square foot
6	Alterations or Work Not Specifically Listed (per \$1000 of construction value)	\$ 12.00	per \$1,000 of construction value
7	Residential Garages & Accessory Structures	\$ 0.48	per gross square foot
8	Farm Buildings (as set out in the Ontario Building Code)	\$ 0.25	per gross square foot
9	Tents	\$ 120.00	flat fee
10	Demolitions	\$ 120.00	flat fee
11	Sanitary & Storm Sewers	\$ 120.00	flat fee
12	Plumbing Systems	\$ 120.00	flat fee
13	Heating, Cooling & Ventilation Systems	\$ 120.00	flat fee
14	Sewage Systems (Septics)	\$ 825.00	flat fee
15	All Other Projects Not Listed (per \$1,000 of construction value)	\$ 12.00	per \$1,000 of construction value
16	Permits Revised or Transferred	\$ 120.00	flat fee
17	Re-Inspections (per inspection)	\$ 120.00	flat fee
18	Property Standards Inspections (per inspection)	\$ 120.00	flat fee
19	Change of Use Permits	\$ 120.00	flat fee



20	Minimum Permit Fee	\$ 120.00	flat fee
21	Application Filling Fee	\$ 240.00	flat fee
22	Late Fee (for projects started prior to a permit being issued)	An additional \$500 or the value of the applicable permit fees whichever is lesser	

**Notes:**

- 1) Where Permit fees are based on square footage, Permit fees shall be the product of the Permit fee rate for the permit classification or project description times the gross floor area of the building to which the permit applies.
- 2) Permit fees for alterations, work not specifically listed or other projects not listed shall be based on the declared Construction Value. The declared Construction Value shall include the value of the project’s consulting fees, administrative fees, legal fees, testing costs, equipment and machinery costs, and all labour and material cost. The Chief Building Official may require a detailed evaluation of the project to support the declared Construction Value from a qualified person.
- 3) No additional Permit fees apply for the construction or installation of mechanical systems such as sprinkler, fire alarms and standpipe systems, provided that such systems are part of the building and installed at the same time as the building is being constructed.
- 4) Notwithstanding 13.1 of this By-law, Permit fees are waived for a twelve (12) month period from the date of adoption of this By-law for any new commercial building, addition to an existing commercial building and for any hotel building.

**SCHEDULE “B” - PLANS AND DOCUMENTATION**

Except as noted, every Permit application shall be accompanied by two (2) copies of the following plans and/or documents:

**1.0 Plans**

- 1.1 Site Plan
- 1.2 Grading Plan
- 1.3 Foundation Plans
- 1.4 Floor Plans
- 1.5 Framing Plans
- 1.6 Roof Plans
- 1.7 Sections and Details
- 1.8 Building Elevations
- 1.9 Electrical Drawings
- 1.10 Heating, Ventilation and Air Conditioning Drawings
- 1.11 Plumbing Drawings
- 1.12 Door and Window Schedules
- 1.13 Fire Separation Plan
- 1.14 Fire Protection Plans

**2.0 Documents**

- 2.1 Designer's Information
- 2.2 Ontario Building Code Matrix
- 2.3 Energy Efficiency Design Summary
- 2.4 Mechanical Design Ventilation Summary

**Notes:**

- 1) The Chief Building Official may specify that not all the above plans and/or documents are required to accompany an application for a Permit.
- 2) The Chief Building Official may also require additional documents, copies and plans in addition to any required information specified in this schedule due to the scope of work, in order to ensure compliance with applicable law, the Act, the Building Code and this By-law.

**SCHEDULE “C” - CODE OF CONDUCT****1.0 Introduction**

- 1.1 This Code of Conduct applies to the Chief Building Official and inspectors appointed by the Town under the Act, in the exercise of a power or the performance of a duty under the Act or the Building Code. The purposes of this Code of Conduct are to promote appropriate standards of behavior and enforcement actions by the Chief Building Official and inspectors, to prevent practices, which may constitute an abuse of power, including unethical or illegal practices, and to promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty under the Act, or the Building Code by the Chief Building Official and inspectors.

**2.0 Standard of Conduct**

- 2.1 In addition to any existing Code of Conduct Policy which the Town already has in place for its municipal employees, the Chief Building Official and inspectors of the Town undertake to:
- a) act in the public interest, particularly with regard to the safety of buildings and structures;
  - b) conduct themselves with a high degree of personal integrity and ethics, and in particular they should not place themselves, or permit themselves to be placed, in a position which would constitute, or on an objective basis give a reasonable apprehension, of a conflict of interest or breach of trust;
  - c) exercise powers in accordance with the provisions of the Act, the Building Code and other applicable law that governs the authorization, construction, occupancy and safety of buildings and designated structures;
  - d) apply all relevant building laws, regulations and standards in a consistent and fair manner, independent of any influence by interested parties;
  - e) act honestly, reasonably and professionally in the discharge of their duties; and
  - f) not divulge any confidential or sensitive information or material that they become privy to in the performance of their duties, except in accordance with laws governing freedom of information and protection of privacy.

**The Corporation of the Town of Tecumseh**

**By-Law Number 2018-20**

Being a by-law to authorize the execution of an Agreement between  
The Corporation of the Town of Tecumseh and Augustine Theodore  
Revenberg and Gaynia Revenberg

**Whereas** Augustine Theodore Revenberg and Gaynia Revenberg (Owners) are the owners of a parcel of land described as PARTS 1 AND 6 as designated on Reference Plan 12R-27295, and being comprised of Part Lot 1, Concession 8, (Geographic Township of Sandwich South), Town of Tecumseh, in the County of Essex, and Province of Ontario;

**And Whereas** the Owners are desirous of entering into a Conservation Easement with The Corporation of the Town of Tecumseh (Municipality) over a parcel of land described as PART 6 as Designated on Reference Plan 12R-27295, and being comprised of Part Lot 1, Concession 8, (Geographic Township of Sandwich South) Town of Tecumseh, in the County of Essex, and Province of Ontario;

**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 Conservation Easement Agreement (Agreement) dated the 13th day of March, 2018, between The Corporation of the Town of Tecumseh and Augustine Theodore Revenberg and Gaynia Revenberg, 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 13th day of March, 2018.

\_\_\_\_\_  
Gary McNamara, Mayor

\_\_\_\_\_  
Laura Moy, Clerk

## CONSERVATION EASEMENT AGREEMENT

THIS AGREEMENT made in duplicate this \_\_\_\_ day of March, 2018.

BETWEEN:

AUGUSTINE THEODORE REVENBERG and GAYNIA REVENBERG  
(hereinafter called the "OWNERS")

OF THE FIRST PART

-and-

THE CORPORATION OF THE TOWN OF TECUMSEH  
(hereinafter called the "MUNICIPALITY")

OF THE SECOND PART

WHEREAS AUGUSTINE THEODORE REVENBERG and GAYNIA REVENBERG are the owners of a parcel of land described as PARTS 1 AND 6 as designated on Reference Plan 12R-27295, and being comprised of Part Lot 1, Concession 8, (Geographic Township of Sandwich South), Town of TECUMSEH, in the County of Essex, and Province of Ontario;

AND WHEREAS the owners are desirous of entering into a Conservation Easement with the Municipality over a parcel of land described as PARTS 6 as designated on Reference Plan 12R-27295, and being comprised of Part Lot 1, Concession 8, (Geographic Township of Sandwich South), Town of TECUMSEH, in the County of Essex, and Province of Ontario (hereafter referred to as "Lot");

In consideration of the sum of two (\$2.00) dollars now paid by the Owners to the Municipality, the Owners and the Municipality agree to the covenants, restrictions and easements as set out in this Agreement which shall run with the lands in perpetuity.

### ARTICLE 1

#### DEFINITIONS

- 1.1 For the purposes of this Agreement, the following words and phrases shall have the following meanings:
- (a) "Agreement" or "this Agreement" means this Conservation Easement Agreement and the schedules attached hereto as at the date hereof and as amended from time to time.
  - (b) "Covenants" mean the covenants set out in Article 4 as the same may be waived, varied or released by the Municipality in accordance with this Agreement.
  - (c) "Easement" means the rights and easement in respect of the Lands granted by the Owners to the Municipality in Article 5 of this Agreement.
  - (d) "Lands" means the lands and premises of the Owners situate in the Province of Ontario and more particularly described in Schedule "A" attached hereto.
  - (e) "Owners" means the above named parties of the First Part and any person who at any time after registration of this Agreement becomes the registered owner of the Lands or any part thereof or any ownership interest therein, including a trustee for any beneficial owner of the Lands.
  - (f) "Protected Area" means that part of the Lands including the natural heritage conservation area that is identified as "Bush" on Part Lot 1, Concession 8, (Geographic Township of Sandwich South), Town of TECUMSEH, in the County of Essex, and Province of Ontario designated as Part 6 on Reference Plan 12R-27295.

## ARTICLE 2

### REPRESENTATIONS AND WARRANTIES

- 2.1 The Owners covenants and warrants that the Owners are the legal, beneficial and registered owners of the Lands with good title thereto, subject only to the following encumbrances:
- 2.2 The Lands include significant forested bush and which the Owners and the Municipality have agreed to protect and enhance.

## ARTICLE 3

### INTENTION

- 3.1 It is the intention of the parties that this Conservation Easement Agreement will ensure the protection, maintenance, restoration, and enhancement of the natural features on that portion of the Lands as described as "Bush" and will prevent any use of the Lands that will damage or destroy those natural features or prevent their restoration and enhancement. More specifically, it is intended that the use of lands will be restricted to natural heritage conservation uses that are consistent with the primary intention of the parties.

## ARTICLE 4

### COVENANTS

- 4.1 The Owners shall not use the Lands or permit any use of the Lands, which shall damage or destroy the natural features of the Lands or prevent their restoration and enhancement. Without limiting the generality of the foregoing, the Owners expressly covenants and agrees that, except with the prior written approval which shall not be unreasonably withheld by the Municipality, the Owners shall not:
  - (a) Other Easement  
grant any easements in, over, on, under or through the Lands;
  - (b) Subdivision  
sever or subdivide the Lands;
  - (c) Buildings and Structures  
construct, erect, maintain or allow construction, erection or maintenance of any new building or structure, including without limitation, transmission tower or lines, fences, and signs on the Lands;
  - (d) Roads, Parking Areas  
construct, improve or allow the construction or improvement of any road, parking lot, dock, aircraft landing strip or other such facility, except for the maintenance of existing foot trails, fire lanes or other accesses;
  - (e) Motorized Vehicles  
operate any motorized vehicles on the Lands, including without limitation, snowmobiles, all-terrain vehicles, motorcycles, motorboats or personal watercraft;

(f) Mobile Homes

use or allow the Lands to be used as a trailer or mobile home park, parking or storage area;

(g) Dumping

dump or allow the dumping of soil, rubbish, ashes, garbage, waste or other unsightly or offensive materials of any type or description;

(h) Pesticides

use or allow the use of pesticides, insecticides, herbicides, chemicals or other toxic materials of any type or description;

(i) Grading Topography

change or allow any changes in the general appearance or topography of the Lands, including and without limiting the generality of the foregoing, the construction of drainage ditches, tile drains, retaining walls, dams or ponds or any similar undertakings, as well as the dumping, excavation, dredging, or removal of loam, gravel, soil, rock, sand or other materials;

(j) Vegetation

remove, destroy or cut or allow removal, destruction or cutting of trees, shrubs or other vegetation;

(k) Plants and Animals

plant or allow the planting or other introduction of non-native plant or animal species within the Lands;

(l) Livestock

permit agricultural livestock to enter or to use the Lands and maintain any fencing along the boundaries of the Lands in a condition that will prevent agricultural livestock from entering onto the Lands; or,

(m) Conservation

undertake or allow others to undertake any activities, actions or uses detrimental or adverse to water conservation or erosion control, soil conservation or the preservation of native plant and animal species.

- 4.2 The request for approval referred to in paragraph 4.1 shall be delivered to the Municipality and such approval shall be deemed to have been given by the failure of the Municipality to reply in writing within sixty (60) days of making of such request.

## ARTICLE 5

### EASEMENT

- 5.1 The Owners hereby grants to the Municipality an easement to permit the Municipality's employees, officers, agents, workers and contractors, together with their supplies, equipment, materials and machinery, to enter on and have access to the Lands at reasonable times and subject to the requirements specified below and for the following purposes:

- (a) inspection, in order to determine compliance with this Agreement;
- (b) to carry out any maintenance, alteration, improvements, work, or restoration of the natural features reasonably required pursuant to Articles 4 and 7 of this Agreement; and

- (c) for all purposes reasonably necessary or incidental to the exercise of the rights hereby created or related to any of the foregoing purposes.
- 5.2 Prior to entry or access to the Lands for the purposes identified in Section 5.1 the Municipality shall provide written notice to the Owners.
  - (a) for the purposes specified in paragraph 5.1 (a) at least twenty four (24) hours written notice; and
  - (b) for the purposes specified in paragraph 5.1 (b) and (c) at least ten (10) days written notice. This notice shall describe the nature, scope, design, location, timetable and any other material aspect of the activity proposed.
- 5.3 No right of access by the general public to any portion of the Lands is granted by this Agreement.

## ARTICLE 6

### OWNERS' OBLIGATIONS AND INDEMNITY

- 6.1 The Owners shall at the expense of the Owners, continue to care for and maintain the Lands as would a careful and prudent owner. In particular, and without limiting the generality of the foregoing, the Owners shall:
  - (a) maintain the Lands in a good condition, and keep the Lands free of construction liens; and
  - (b) pay as they become due municipal and provincial taxes, rates and fees charged or levied against the Lands.
- 6.2 The Owners shall and do hereby indemnify and save harmless the Municipality, its directors, officers, employees, agents and contractors from and against any and all actions, causes of action, suits, claims, demands by or on behalf of any person arising out of or occasioned by any act or omission, negligence or otherwise, in the use and maintenance of the Lands by the Owners, any licensee or lessee thereof or anyone for whom the Owners are in law responsible, including any liability arising from any existing or future environmental matters or conditions affecting the Lands.

## ARTICLE 7

### DEFAULT

- 7.1 In the event of breach of or default in the obligations and covenants of the Owners under this Agreement, the Municipality may take action available to it at law, in equity, by statute or under this Agreement provided that the Municipality shall first give to the Owners written notice of the default which notice shall specify the nature of the non-compliance and the measures necessary to secure compliance with the terms of the Agreement. If notice of default is given, the Owners shall have sixty (60) days following receipt of the notice of default to complete the required measures and to rectify the non-compliance or default.
- 7.2 If the Municipality in its sole discretion determines that the circumstances require immediate action to prevent or mitigate damage to the natural features of the Lands, the Municipality may pursue its remedies under this Article 7 without prior notice to the Owners and without waiting for the expiry of the sixty (60) day notice period as otherwise required under paragraph 7.1.
- 7.3 In the event that the Owners have failed to provide compliance within the sixty (60) day period allowed, then the Municipality shall be entitled to enter onto the Lands and to complete those works and measures necessary to provide compliance and to remedy the default at the expense of the Owners. Until paid to the Municipality by the Owners, such costs of remedy incurred by the Municipality shall be a debt owed by the Owners to the Municipality and shall be a charge upon



the Lands enforceable in the same manner as a Mortgage and recoverable by the Municipality in a court of law.

- 7.4 The parties recognize that damages based upon market value may not be adequate or effective for destruction of or restoration of the natural features of the Lands as they existed prior to default or breach of the Agreement. Accordingly, the parties agree that:
- (a) compensation to the Municipality in the event of default or breach of the Agreement may be based upon market value, restoration or replacement costs whichever, in the opinion of the court shall better compensate the Municipality; and
  - (b) in addition, and without limiting the scope of the other enforcement rights available to the Municipality under this Agreement, the Municipality may bring an action or an application for injunctive relief to prohibit or prevent default or the continuance of default under this Agreement.

## ARTICLE 8

### NOTICE

- 8.1 Any notice to be given or required under this Agreement (which term in this paragraph includes any request or waiver) shall be in writing and sent by personal delivery, facsimile transmission or by registered prepaid mail to the parties.
- 8.2 Any notice so delivered or any notice so forwarded by facsimile or other means of communication shall be deemed to have been given on the next business day following the day of delivery or forwarding and any notice so mailed shall be deemed to have been given on the fourth business day following the day of mailing. Either party may in any manner aforesaid give notice to the other party of any change in address or fax number thereof and thereafter the new address or fax number shall be the address of such party for the purpose of giving notice hereunder.

## ARTICLE 9

### GENERAL PROVISIONS

- 9.1 Rights reserved by Owner: The Owners reserve to themselves, and to their successors and assigns, and any transferee there from, all rights accruing from their ownership of the Lands, including the right to engage in or permit or invite others to engage in, all uses of the Lands that are not expressly prohibited in this Agreement and are not inconsistent with the purpose and terms of this Agreement.
- 9.2 Owner not Liable: No person who is an Owner shall be liable to the Municipality for any breach of or default in the obligations owed to the Municipality under this Agreement committed after the registration of a transfer by such person of that person's interest in the Lands.
- 9.3 Registration: The Municipality may register this Agreement against the title to the Lands and the Owners shall execute any document that may be required to allow such registration.
- 9.4 Failure to Exercise or Enforce Rights: No failure by the Municipality to require performance by the Owners of any provision of this Agreement shall affect the right of the Municipality thereafter to enforce such obligations and no failure by the Owners to perform any of its rights or obligations hereunder shall be taken as a waiver of such performance or the performance of any other obligation in the future.
- 9.5 Time of the Essence: Time shall be of the essence of this Agreement and shall be deemed to remain so notwithstanding any extension of any time limit.
- 9.6 Severability: All provisions of this Agreement including each of the covenants shall be severable and should any be declared invalid or unenforceable, the validity and enforceability of the remaining provisions shall not be affected thereby.

- 9.7 Costs: Save as provided herein or ordered by any court or tribunal, each party shall be responsible for its own legal fees and related expenses arising from the negotiations and implementation of the Agreement.
- 9.8 Joint and Several: Whenever the Owner comprises more than one person, the Owners' obligations in this Agreement shall be joint and several.
- 9.9 Entire Agreement: This Agreement is the entire agreement between the parties with respect to the matters dealt with herein, and no understandings or agreements, verbal collateral or otherwise, exist between the parties except as herein expressly set out.
- 9.10 Enurement: This Agreement including the Easement and the Covenants shall run with the Lands in perpetuity or until such time as the Municipality, or its successor or assign authorizes their release and shall enure to the benefit of and be binding upon the parties hereto and their respective successors, assigns, heirs, executors, and personal representatives as the case may be.
- 9.11 Acts Beyond Party's Control: Neither party shall be liable to the other for damage to or change in the Lands resulting from causes beyond the control of such party, including without limitation, accidental fire, flood, storm, earth quake, subsidence, trespass, insect infestation or disease.

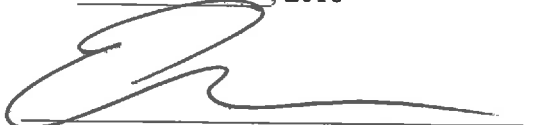
IN WITNESS WHEREOF the Owners and the Municipality have executed this Agreement.


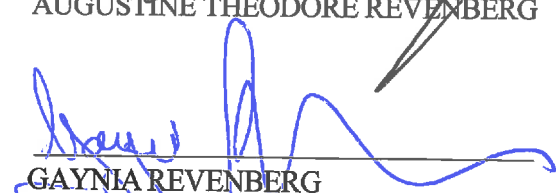
This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original and all of which taken together will be deemed to constitute one and the same instrument.

SIGNED, SEALED AND DELIVERED  
In the presence of

Date \_\_\_\_\_, 2018

Date March 7, 2018

  
Witness of (Landowner)

) The Corporation of the Town of TECUMSEH  
)  
)  
)  
) Per: \_\_\_\_\_  
) I have the authority to bind the Corporation  
)  
)   
) AUGUSTINE THEODORE REVENBERG  
)  
)  
)   
) GAYNIA REVENBERG  
)

## SCHEDULE "A"

### Legal Description (over which the Conservation Easement shall apply)

Part Lot 1, Concession 8, (Geographic Township of Sandwich South), Town of TECUMSEH, in the County of Essex, and Province of Ontario designated as Parts 1 and 6 on Reference Plan 12R-27295.

being part of PIN 75009-0085 and containing 0.851 acres and part of the PIN 75009-0116 and containing 11.51 acres

SCHEDULE "B"

BASELINE DOCUMENTATION REPORT

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## 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	

	Meeting Date	Resolution	Subject	Action/Direction	Depart.	Status/Action Taken
1/18	January 30, 2018		Video Surveillance	Administration to follow up on video surveillance and potential grant funding for acquiring a system.	ICS	
2/18	January 30, 2018		PIC on Wildlife Control	An educational workshop (PIC) on pesticides and wildlife control.	Clerks	Pending coordination of a date with MNR
6/18	February 27, 2018		St. Mary's School	A request is made to amend Bylaw 2012-50, being a bylaw to designate community safety zones within the Town of Tecumseh, to include St. Mary's School on County Road 34 and extend to Malden Road.	PWES/Clerks	

**The Corporation of the Town of Tecumseh**

**By-Law Number 2018 -21**

Being a by-law to confirm the proceedings of the **March 13, 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 **March 13, 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 **March 13, 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 13th day of March, 2018.

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Gary McNamara, Mayor

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Laura Moy, Clerk