

Regular Meeting of Council

Minutes

Date: Tuesday, March 24, 2020
Time: 7:00 pm
Location: This meeting is being conducted electronically and can be viewed at the Town's website
www.tecumseh.ca

Present:

Mayor, Gary McNamara
Deputy Mayor, Joe Bachetti
Councillor, Bill Altenhof
Councillor, Andrew Dowie
Councillor, Brian Houston
Councillor, Tania Jobin
Councillor, Rick Tonial

Also Present:

Chief Administrative Officer, Margaret Misk-Evans
Director Parks & Recreation Services, Paul Anthony
Director Public Works & Environmental Services, Phil Bartnik
Director Fire Services & Fire Chief, Wade Bondy
Director Information & Communication Services, Shaun Fuerth
Director Planning & Building Services, Brian Hillman
Director Financial Services & Chief Financial Officer, Tom Kitsos
Director Corporate Services & Clerk, Laura Moy
Deputy Clerk & Manager Legislative Services, Jennifer Alexander
Manager Strategic Initiatives, Lesley Reeves

A. Roll Call

B. Order

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

C. Disclosure of Pecuniary Interest

Deputy Mayor Joe Bachetti declared a conflict of interest for Report PBS-2020-14 D19 BASHI, Comments from Public Meeting No. 2 and Final Recommendation, and By-laws 2020-23, 2020-24, 2020-25 as his parents own property in the area.

D. Motion to Conduct a Meeting Electronically

1. **CS-2020-11 Electronic Meetings during a Declared Emergency**
2. **By-law 2020-29**

A By-law to Amend By-law No. 2020-13, being a by-law to governing the proceedings of the meetings of Council and Committees

Motion: RCM - 93/20

Moved by Councillor Tania Jobin

Seconded by Councillor Brian Houston

That Report CS-2020-11 entitled Electronic Meetings during a Declared Emergency, and By-law 2020-29 being a by-law to amend Procedural By-law 2020-13 to permit electronic meetings when an emergency has been declared, be **brought forward** on the agenda.

Carried

Motion: RCM - 94/20

Moved by Councillor Tania Jobin

Seconded by Councillor Brian Houston

That CS-2020-11 entitled Electronic Meetings During a Declared Emergency – Amending of Procedural By-law **be received;**

And that the Town's Procedural By-law No. 2020-13 be amended to permit the electronic holding of Council and Committee meetings during a Declared Emergency, and to allow:

- the use of electronic participation at meetings,
- members to participate in both open meeting and closed meetings;
and
- members participating electronically count towards quorum;

And further that By-law 2020-29 being a By-law to Amend the Procedural By-law 2020-13, being a by-law to govern the proceeding of meetings of Council and committees **be given** first, second, third and final readings.

Carried

E. Moment of Silence

The moment of silence is waived in light of the electronic holding of this meeting.

F. National Anthem

The National Anthem is waived in light of the electronic holding of this meeting.

G. Minutes

1. **Regular Council Minutes - March 10, 2020**
2. **Special Council Meeting - March 16, 2020**

Motion: RCM - 95/20

Moved by Councillor Tania Jobin

Seconded by Councillor Brian Houston

That the March 10, 2020 minutes of the Regular Council Meeting, and the minutes of the March 16, 2020 Special Meeting of Council, as were duplicated and delivered to the members, **be adopted**.

Carried

H. Supplementary Agenda Adoption

Motion: RCM - 96/20

Moved by Councillor Brian Houston

Seconded by Councillor Bill Altenhof

That the supplementary items added to the Regular Meeting agenda include the following Reports and By-laws:

- CS-2020-02 Business Continuity - Essential Services;
- CS-2020-10 Delegation of Authority during a Declared Emergency;
- CS-2020-11 Electronic Meetings during a Declared Emergency;
- PBS 2020-12 Postponement of Tabling Draft 1 of the New Tecumseh Official Plan;
- By-law 2020-21 - Official Plan Amendment, D19 SKY, Skyline Real Estate Holdings - 11873 and 11917 Tecumseh Road;
- By-law 2020-22 - 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;
- By-law 2020-23 Official Plan Amendment D19 - Bashi;
- By-law 2020-24 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;
- By-law 2020-25 being a By-law to designate as a Site Plan Control area part of the area covered by the Official Plan for lands in the former Township of Sandwich South;

- By-law 2020-26 a By-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the constructing of various drains;
- By-law 2020-27 being a by-law to execute a Site Plan Control Agreement between The Corporation of the Town of Tecumseh and 2253746 Ontario Inc.;
- By-law 2020-28 being a By-Law to Delegate Authority during a Declared Emergency, **be approved.**

Carried

I. Delegations

There are no delegations presented to Council.

J. Communications - For Information

1. Township of Pelee dated February 28, 2020

Re: 911 Misdials

2. Norfolk County dated March 1, 2020

Re: Issues regarding the mapping of Provincially Significant Wetlands

3. Town of Lakeshore dated March 2, 2020

Re: Notice of Public Meeting

4. Town of Ajax dated March 5, 2020

Re: Supporting Conservation Authorities

5. Grey County dated March 16, 2020

Re: Resolution Supporting 100% Canadian Wines Excise Exemption

6. Association of Municipalities of Ontario dated March 19, 2020

Re: Queen's Park Update: New Provincial Legislation to Allow Virtual Municipal Council Meetings

Motion: RCM - 97/20

Moved by Councillor Rick Tonial

Seconded by Councillor Bill Altenhof

That Communications - For Information 1 through 6 as listed on the Tuesday, March 24, 2020 Regular Council Agenda **be received.**

Carried

K. Communications - Action Required

1. Watson and Associates Economists Ltd. dated March 18, 2020

Re: Draft Regulations for the Development Charges Act and Planning Act (Community Benefits Charge Related)

Motion: RCM - 98/20

Moved by Councillor Andrew Dowie
Seconded by Councillor Rick Tonial

That the Town of Tecumseh **support** Watson and Associates Economists Ltd. comments and recommendations regarding the draft regulations for the *Development Charges Act* and the *Planning Act* on Community Benefits Charge, and be submitted to the Environmental Registry of Ontario as comments from the Town.

Carried

2. The Town of Tecumseh Business Improvement Area

Re: BIA Budget

Councillor Brian Houston presents the Town of Tecumseh Business Improvement Area (BIA) proposed Budget for 2020. He explains a 12.8 percent levy increase from 2019, resulting from the relocation of the BIA office and covering new expenses such as utilities, lease, internet and office maintenance fees.

The BIA is actively recruiting for a new Coordinator as a result of a retirement.

Some of the key initiatives for 2020 are highlighted including the Gallery without Walls banner contest, the Tecumseh BIA Dollars program, the Tecumseh Life publications, beautification projects, Night Markets, Christmas Party and social media growth strategy.

The Mayor comments regarding contingencies with COVID-19 pandemic and moving the dates of the Night Markets. Councillor Brian Houston indicates they are at the preliminary stages of planning these events and will follow the recommendations and guidelines of the provincial health authorities.

Motion: RCM - 99/20

Moved by Councillor Brian Houston
Seconded by Councillor Rick Tonial

That the Town of Tecumseh Business Improvement Area 2020 proposed budget, **be approved**

Carried

L. Committee Minutes

1. Police Services Board - March 4, 2020

Motion: RCM - 100/20

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Tania Jobin

That the minutes of the March 4, 2020 meeting of the Police Services Board as were duplicated and delivered to the Committee members, **be accepted.**

Carried

2. Youth Advisory Committee -February 24, 2020

Motion: RCM - 101/20

Moved by Councillor Rick Tonial

Seconded by Councillor Andrew Dowie

That the minutes of the February 24, 2020 meeting of the Youth Advisory Committee as were duplicated and delivered to the Committee members, **be accepted.**

Carried

3. Senior Advisory Committee - February 27, 2020

Motion: RCM - 102/20

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

That the minutes of the February 27, 2020 meeting of the Senior Advisory Committee as were duplicated and delivered to the Committee members, **be accepted.**

Carried

4. Heritage Committee - February 24, 2020

Motion: RCM - 103/20

Moved by Councillor Rick Tonial

Seconded by Councillor Bill Altenhof

That the minutes of the February 24, 2020 meeting of the Heritage Committee as were duplicated and delivered to the Committee members, **be accepted.**

Carried

5. Cultural and Arts Committee - February 24, 2020

Motion: RCM - 104/20

Moved by Councillor Andrew Dowie

Seconded by Councillor Brian Houston

That the minutes of the February 24, 2020 meeting of the Cultural and Arts Committee as were duplicated and delivered to the Committee members, **be accepted.**

Carried

M. Reports

1. Chief Administrative Officer

a. CAO-2020-01 Business Continuity - Essential Services

Motion: RCM - 105/20

Moved by Councillor Andrew Dowie

Seconded by Councillor Bill Altenhof

That Report CAO- 2020- 01 Business Continuity – Essential Services, **be received;**

And that Council authorize the Treasurer to direct Essex Powerlines Corporation to waive late payment penalty and interest charges for water and sanitary billings for Town of Tecumseh accounts through to and including April 30, 2020, with further review at that time.

Carried

2. Corporate Services & Clerk

a. CS-2020-09 Request for Noise By-Law Exemption - County of Essex

Motion: RCM - 106/20

Moved by Councillor Brian Houston

Seconded by Councillor Bill Altenhof

That the Corporation of the County of Essex be granted an exemption from the Town's Emission of Sounds By-law No. 2002-07, as amended, for the three (3) month period commencing May 1, 2020 through to and including July 31, 2020, during the hours of 8:00 pm to 7:00 am to facilitate the improvement of the pavement condition of County Road 22 from Manning Road westerly to the City of Windsor border.

Carried

- b. CS-2020-10 Delegation of Authority during a Declared Emergency

Motion: RCM - 107/20

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Brian Houston

That Report CS-2020-10 entitled Delegation of Authority during a Declared Emergency By-law, **be received;**

And that By-Law 2020-28 being a by-law to Delegate Authority during a Declared Emergency, **be adopted.**

Carried

3. Fire Services

- a. FIRE-2020-04 Lake Flooding Preparedness Update

Motion: RCM - 108/20

Moved by Councillor Tania Jobin
Seconded by Councillor Brian Houston

That the Lake Flooding Preparedness Update presented in the Fire and Emergency Services Department Report FIRE-2020-04, **be received.**

Carried

4. Parks & Recreation Services

- a. PRS-2020-08 Taste of Tecumseh Festival 2020

The Members request the guidance of Administration on this event and others scheduled, on whether to proceed in consideration of the COVID-19 pandemic. Director Parks & Recreation Services advises the Members that the Optimist Club will make a decision in early April on whether to postpone the event.

In light of the current circumstances, the Director Corporate Services & Clerk explains that other Town events such as the Soiree Coffee House, and senior workshops have been deferred and participants have been contacted. These events will be rescheduled later in the year, where appropriate.

Motion: RCM - 109/20

Moved by Councillor Brian Houston
Seconded by Councillor Bill Altenhof

That the Optimist Club of St. Clair Beach **be authorized** to sell and serve alcoholic beverages for consumption by patrons at Lakewood Park from Friday, June 12, 2020 through to and including Saturday, June 13, 2020, subject to compliance with the provisions of the Town's Municipal Alcohol Risk Management Policy 31 for the purposes of hosting the 2020 Taste of Tecumseh Festival;

And that relief be granted from Noise By-law No. 2002-07, as amended, in order to permit the Optimist Club of St. Clair Beach to operate loud speakers or sound amplifying equipment during the 2020 Taste of Tecumseh Festival for the purposes of musical entertainment and event announcements on Friday, June 12, 2020 and Saturday, June 13, 2020 from 5:00 p.m. to 1:00 a.m.

Carried

5. Planning & Building Services

- a. PBS-2020-12 Postponement of Tabling Draft 1 of New Tecumseh Official Plan

Motion: RCM - 110/20

Moved by Councillor Tania Jobin

Seconded by Councillor Rick Tonial

That Report PBS-2020-12 COVID-19 Postponement of Tabling of Draft 1 of New Tecumseh Official Plan, **be received.**

Carried

- b. PBS-2020-13 Skyline Apartments, 11873-11917 Tecumseh Road, Results from Public Meeting and Final Recommendation

Motion: RCM - 111/20

Moved by Councillor Andrew Dowie

Seconded by Councillor Bill Altenhof

That a by-law having the effect of amending the Tecumseh Official Plan land use designation for a 4.4 hectare (10.9 acre) area of land situated southeast of the Tecumseh Road/Southfield Drive intersection (11837 and 11917 Tecumseh Road), by redesignating the subject property from “General Commercial” and “Residential” to a new site-specific policy in the “Residential” designation, in order to recognize the two existing apartment buildings located on the northern portion of the property and to facilitate the development of the southern portion of the property for a 150-unit, four-storey apartment building, and in keeping with PBS-2019-39 and PBS-2020-13, **be adopted;**

And that a by-law having the effect of amending the Tecumseh Zoning By-law 1746 for a 4.4 hectare (10.9 acre) area of land situated southeast of the Tecumseh Road/Southfield Drive intersection (11837 and 11917 Tecumseh Road), by rezoning the subject property from “General Commercial Zones (C3) and (C3-1)” and “Residential Zone 2 (R2)” to site-specific zones “Residential Zone 3 (R3-16), “Residential Zone 3 (R3-17)” and “Residential Zone 3 (R3-18)”, in order to recognize the two existing apartment buildings located on the northern portion of the subject area and to facilitate the development of the southern portion of the subject

area for a 150-unit, four-storey apartment building, and in keeping with PBS-2019-39 and PBS-2020-13, **be adopted.**

Carried

- c. PBS-2020-14 D19 BASHI, Comments from Public Meeting No. 2 and Final Recommendation

Deputy Mayor Joe Bachetti declares a pecuniary interest and refrains from voting on this report.

Motion: RCM - 112/20

Moved by Councillor Andrew Dowie

Seconded by Councillor Rick Tonial

That a by-law having the effect of amending the Sandwich South Official Plan land use designation for a 0.66 hectare (1.63 acre) parcel of land located on the northeast corner of the County Road 42/Lesperance Road intersection (12300 County Road 42) from “Neighbourhood Commercial” to “Medium Density Residential” with a site-specific policy establishing a maximum density of 36 units per hectare, in order to facilitate the development of the lands for four, six-unit, three-storey dwellings, for a total of 24 dwelling units and in keeping with PBS-2018-27, PBS-2020-06 and PBS-2020-14, **be adopted;**

And that a by-law having the effect of amending the Sandwich South Zoning By-law 85-15 for a 0.66 hectare (1.63 acre) parcel of land located on the northeast corner of the County Road 42/Lesperance Road intersection (12300 County Road 42) from “General Commercial Zone (C1)” to a new site-specific “Residential Zone 2 (R2-5)”, in order to facilitate the development of the lands for four, six-unit, three-storey dwellings, for a total of 24 dwelling units and in keeping with PBS-2018-27, PBS-2020-06 and PBS-2020-14, **be adopted.**

And further that a by-law placing the 0.66 hectare (1.63 acre) parcel of land located on the northeast corner of the County Road 42/Lesperance Road intersection (12300 County Road 42) under site plan control in accordance with Section 6.4.3 of the Sandwich South Official Plan, **be adopted.**

Carried

6. Public Works & Environmental Services

- a. PWES-2020-17 Amendment to Drainage Assessment Schedule for Works Completed under Section 78 in 2019

Motion: RCM - 113/20

Moved by Councillor Andrew Dowie
Seconded by Councillor Brian Houston

That Report PWES-2020-17 entitled Amendment to Drainage Assessment Schedule for Works Completed under Section 78 of the Drainage Act in 2019 – 7th Concession Drain, **be received;**

And that By-Law 2020-26 being a Capital Drain Levying By-law to provide for the collection of construction drainage assessments, for the 7th Concession Drain approved by By-law 2018-13, **be given** first, second, third, and final readings.

Carried

- b. PWES-2020-18 Tecumseh Road Sanitary Sewer - Lesperance Road to Southfield Drive - Tender Award

Motion: RCM - 114/20

Moved by Councillor Andrew Dowie
Seconded by Councillor Brian Houston

That the tender for the Tecumseh Road Sanitary Sewer in the amount of \$1,478,595 excluding HST **be awarded** to D'Amore Construction (2000) Ltd. and that the Mayor and Clerk **be authorized** to execute an agreement, satisfactory in form to the Town's Solicitor, with D'Amore Construction (2000) Ltd.;

And that funding allocations, reflecting an \$824,200 decrease, **be adjusted** as follows:

- Road Lifecycle Reserve – decrease from \$672,600 to \$404,500
- Wastewater Sewers Reserve Fund – decrease from \$2,395,100 to \$1,839,000.

Carried

N. By-Laws

1. By-Law 2020-23

Official Plan Amendment D19 BASHI

2. By-Law 2020-24

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 (Planning File: D19 BASHI, F&S Enterprises 12300 County Road 42)

3. By-Law 2020-25

Being a By-law to designate as a site plan control area part of the area covered by the Official Plan for lands in the former Township of Sandwich South.

Affecting a 0.66 hectare (1.63 acre) parcel of land located on the northeast corner of the County Road 42/Lesperance Road intersection (12300 County Road 42), legally described as Parts 2 and 3 on 12R-20271, in accordance with Section 6.4.3 of the Sandwich South Official Plan.

Deputy Mayor Joe Bachetti having declared a pecuniary interest refrains from voting on by-laws 2020-23, 2020-24, and 2020-25.

Motion: RCM - 115/20

Moved by Councillor Rick Tonial

Seconded by Councillor Andrew Dowie

That By-law 2020-23 Official Plan Amendment, D19 Bashi;

That By-law 2020-24 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;

That By-law 2020-25 being a by-law to designate as a Site Plan Control for the lands in the former Township of Sandwich South.

Be given first and second reading.

Carried

Motion: RCM - 116/20

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

That By-law 2020-23 Official Plan Amendment, D19 Bashi;

That By-law 2020-24 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;

That By-law 2020-25 being a by-law to designate as a Site Plan Control for the lands in the former Township of Sandwich South.

Be given third and final reading.

Carried

4. By-Law 2020-21

Official Plan Amendment, D19 SKY, Skyline Real Estate Holdings - 11873 and 11917 Tecumseh Road

5. By-Law 2020-22

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. (Planning File: D19 SKY – Skyline Real Estate Holdings 11873 and 11917 Tecumseh Road)

6. By-Law 2020-26

Being a by-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the constructing of various drains

7. By-Law 2020-27

Being a by-law to execute a Site Plan Control Agreement between The Corporation of the Town of Tecumseh and 2253746 Ontario Inc.

8. By-Law 2020-28

Being a by-law to Delegate Authority during a Declared Emergency

Motion: RCM - 117/20

Moved by Councillor Rick Tonial

Seconded by Councillor Brian Houston

That By-law 2020-21 Official Plan Amendment, D19 SKY, Skyline Real Estate Holdings - 11873 and 11917 Tecumseh Road.

That By-law 2020-22 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. (Planning File: D19 SKY – Skyline Real Estate Holdings 11873 and 11917 Tecumseh Road).

That By-law 2020-26 being a by-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the constructing of various drains.

That By-law 2020-27 being a by-law to execute a Site Plan Control Agreement between the Corporation of The Town of Tecumseh and 2253746 Ontario Inc.

That By-law 2020-28 being a by-law to delegation authority during a declared emergency.

Be given first and second reading.

Carried

Motion: RCM - 118/20

Moved by Councillor Rick Tonial

Seconded by Councillor Andrew Dowie

That By-law 2020-21 Official Plan Amendment, D19 SKY, Skyline Real Estate Holdings - 11873 and 11917 Tecumseh Road.

That By-law 2020-22 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.

That By-law 2020-26 being a by-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the constructing of various drains.

That By-law 2020-27 being a by-law to execute a Site Plan Control Agreement between the Corporation of The Town of Tecumseh and 2253746 Ontario Inc.

That By-law 2020-28 Being a by-law to delegation authority during a declared emergency.

Be given third and final reading.

Carried

O. Unfinished Business

1. March 24, 2020

The Members receive the Unfinished Business listing for Tuesday, March 24, 2020.

P. New Business

Business Open on Social Media

In an effort to support local business during this time, it is requested that a list of businesses that are open or serving take-out be shared on the Town's website and social media platforms. It is noted that Tourism Windsor Essex Pelee Island has created a list of restaurants offering take-out and delivery services.

Q. Motions

1. Confirmatory By-law

a. By-Law 2020-30

Being a by-law to confirm the proceedings of the March 24, 2020 regular meeting of the Council of The Corporation of the Town of Tecumseh.

Motion: RCM - 119/20

Moved by Councillor Bill Altenhof

Seconded by Deputy Mayor Joe Bachetti

That By-Law 2020-30 being a by-law to confirm the proceedings of the Tuesday, March 24, 2020, regular meeting of the Council of The Corporation of the Town of Tecumseh **be given** first, second, third and final reading.

Carried

R. Notices of Motion

There are no notices of motion presented to Council.

S. Next Meeting

Tuesday, April 14, 2020

7:00 pm Regular Council Meeting

T. Adjournment

Motion: RCM - 120/20

Moved by Councillor Tania Jobin

Seconded by Councillor Rick Tonial

That there being no further business, the Tuesday, March 24, 2020 meeting of the Regular Council **be adjourned** at 8:04 pm.

Carried

Gary McNamara, Mayor

Laura Moy, Clerk