



## The Corporation of the Town of Tecumseh

Planning & Building Services

**To:** Mayor and Members of Council

**From:** Brian Hillman, Director Planning & Building Services

**Date to Council:** July 14, 2020

**Report Number:** PBS-2020-22

**Subject:** Community Mediation Windsor-Essex  
One-Year Pilot Community Mediation Program with Town of Tecumseh  
OUR FILE: A01-CMWE

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### Recommendations

It is recommended:

**That Report Number PBS-2020-22 be approved;**

**And that Council authorize** entering into a One-Year Pilot Community Mediation Program between the Town of Tecumseh and Community Mediation Windsor-Essex in order to assist Town residents in resolving neighbourhood conflicts/disagreements;

**And further that** the use of Town facilities to host the mediation sessions at no cost to the users, **be approved.**

### Background

Addressing public concerns and complaints is part of the service provided by the Town across all departments. Many of these complaints involve neighbouring property owners who raise issues regarding property standards, grading, illegal uses, noise, barking dogs, trees, etc. that are investigated and processed against existing Town By-laws. In some instances, the issues are aggravated or driven by underlying circumstances where the relationship between neighbours has degraded. In these cases, even if it is found that there is no breach of any Town By-law or the matter of non-compliance is satisfactorily resolved, complaints continue to be received by the Town.

These neighbourhood disputes create a strain on the organization as considerable time can be spent on matters which the Town has no reasonable means of satisfactorily addressing. The public often becomes frustrated as there is a perception that issues are not being adequately resolved. Accordingly, the public frequently brings these types of matters forward to Council members as a means to seeking a resolution. Our experience has shown that this is typically not a productive use of the Town's time and generally results in on-going frustration amongst the stakeholders.

In order to provide Town residents with an alternative means to resolving these types of disputes, Town Administration met with representatives of Community Mediation Windsor-Essex (CMWE) to determine if their services could assist Town residents. CMWE is a free service by the Family Services Windsor-Essex Counselling & Advocacy Centre. The service helps individuals resolve conflicts and disagreements across a broad spectrum of scenarios, including:

- i. Disagreements between neighbours, roommates, colleagues, service providers and contractors;
- ii. Issues between property owners and tenants;
- iii. Conflicts at school, at volunteer activities or in the workplace; and
- iv. Disputes between family members.

Community mediation is a collaborative process undertaken by trained mediators who help people in conflict resolve situations through the use of safe, voluntary and mutually agreeable decision-making. In addition to providing a means to finding consensus, the process helps to rebuild relationships, empower parties to resolve future conflicts and can transform the way participants think about conflict and each other.

CMWE has community mediators that are trained volunteers from a wide variety of backgrounds, cultures and professions. Through a partnership with St. Clair College, CMWE trains and uses paralegal students from the College as some of the community mediators.

Additional information regarding this program may be found in Attachment 1, which is a listing of "Program Frequently Asked Questions" as provided by CMWE.

The proposal is for the Town to use the services provided by CMWE under circumstances where it is believed mediation would be of assistance in order to resolve points of conflict between neighbours that are beyond the scope of Town By-laws. The arrangement between the Town and CMWE would function with the following caveats:

- i. The Town would refer the neighbours to CMWE for undertaking a community mediation process. It is understood that the process is fully reliant on the willingness of both neighbours to engage in the process and without this mutual willingness the process cannot proceed;

- ii. The Town would provide a meeting space in Town facilities (at no cost) that is able to meet COVID-19 requirements and accommodate up to six participants, comprising two co-mediators and the two neighbours (which commonly have one additional person joining each of them).

It is currently proposed that the service be offered as a one-year pilot project, beginning in September 2020. This start date would allow time to work out logistics and protocols between the Town and CMWE. There would be no cost to the Town or the participants for the service during the pilot period. At the conclusion of the pilot project, the program would be evaluated in terms of quantifying the uptake and rate of success along with having regard to whether the service was deemed to have offered a valuable service to the Town and its residents and whether it should continue.

## Comments

As previously noted, there are circumstances where we believe certain neighbourhood conflicts would benefit from this program. It has the potential of removing the Town from time-consuming issues for which it is not reasonably able to provide assistance. At the same time, it will offer neighbours who are at odds with one another a professional process that can greatly assist in arriving at a mutually agreed upon resolution. If successful, this would allow the Town to focus its resources towards more appropriate tasks, thereby optimizing service delivery, while providing frustrated residents with a means to better addressing points of conflict.

The number of referrals to the CMWE would be tracked, as would the outcomes of the mediation processes (in general terms), for reporting to Council at the end of the one-year pilot project. An evaluation of the program would be undertaken at the end of the pilot program with consideration as to whether it should be continued. At the time of the evaluation, CMWE advised that there may be the need to consider a financial contribution from the Town to CMWE on a go-forward basis to assist in covering costs associated with the program.

Based on the foregoing, Town Administration believes that the one-year pilot project for the provision of community mediation services by CMWE would be of benefit to the Town and its residents. It is noted that Ms. Joyce Zuk, Executive Director, Family Services Windsor Essex and Ms. Elizabeth Strutt-MacLeod, Coordinator/Professor, School of Community Studies, St. Clair College, will be in attendance as a delegation at the July 14, 2020 Regular Council Meeting in order to provide additional information to Council on the program.

## Consultations

Chief Administrative Officer  
Community Mediation Windsor-Essex (CMWE)

## Financial Implications

None at this time.

## Link to Strategic Priorities

Applicable	2019-22 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 type="checkbox"/>	Ensure that 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 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:

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Reviewed by:

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

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

**Attachment  
Number**

**Attachment  
Name**

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Community Mediation Windsor-Essex – Frequently Asked  
Questions Chart