

## **Regular Meeting of Council**

### **Minutes**

Date: Tuesday, October 27, 2020  
Time: 7:00 pm  
Location: Electronic meeting

#### **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. Report Out of Closed Meeting**

There is no closed meeting scheduled.

#### **D. Moment of Silence**

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

#### **E. National Anthem**

The national anthem is waived in light of the electronic holding of this meeting.

**F. Disclosure of Pecuniary Interest**

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

**G. Minutes**

**1. Regular Council Meeting - October 13, 2020**

**2. Public Council Meeting - October 13, 2020 ZBA - Housekeeping Amendment to Sandwich South Zoning By-law**

**Motion: RCM - 303/20**

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Brian Houston

**That** the October 13, 2020 minutes of the Regular Meeting of Council and the October 13, 2020 minutes of the Public Meeting of Council, as were duplicated and delivered to the members, **be adopted**.

Carried

**H. Supplementary Agenda Adoption**

**Motion: RCM - 304/20**

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

**That** the supplementary items added to the Regular Meeting agenda regarding a letter from the Minister of Infrastructure and Communities dated October 27, 2020 on the Disaster Mitigation and Adaptation Fund, **be approved**

Carried

**I. Delegations**

**1. Town of Tecumseh Business Improvement Area, Board of Management, Candice Dennis, Chair; Paul Bistany, Treasurer; Joe Fratangeli and Linda Proctor, Directors**

Re: 2021 BIA Budget

The Chair of the BIA Board, Candice Dennis, presents the 2021 Budget to the Members. She highlights the various funds allocated in each line item.

Discussion is held on the BIA Dollar program and how the program encourages people to shop local. A list of participating business can be found on the BIA's website.

A suggestion is made to have pre-made gift bags containing gift cards for residents to purchase as it would support business that have been suffering during this pandemic. A Member indicates that some local service groups have prepared gift card gift sets and there could be opportunity for a potential partnership in this endeavor.

In response to an inquiry on the level of staffing, the BIA Chair explains the staffing changes regarding to outsourcing bookkeeping and the full time status of the BIA coordinator position.

The Chair requests the Members and public to support local businesses and get your Tecumseh BIA dollars for this year.

**Motion: RCM - 305/20**

Moved by Councillor Brian Houston

Seconded by Councillor Bill Altenhof

**That** the Town of Tecumseh Business Improvement Area 2021 BIA Budget, **be approved.**

Carried

**J. Communications - For Information**

**1. Loyalist Township dated October 9, 2020**

Re: Funding for Community Groups and Service Club affected by Pandemic

**2. Township of Blandford-Blenheim dated October 13, 2020**

Re: Unlicensed and Unmonitored Cannabis Grow Operations

**3. Township of South-West Oxford dated October 22, 2020**

Re: Assessing Aggregate Resource Properties

**4. County of Northumberland dated October 21, 2020**

Re: Aggregate Resource Property Valuation

**5. County of Northumberland dated October 21, 2020**

Re: Cannabis Land Use Management and Enforcement Issues

**6. County of Northumberland dated October 21, 2020**

Re: Unauthorized Car Rally held in Wasaga Beach

**7. County of Northumberland dated October 21, 2020**

Re: Review of the Municipal Election Act

**8. Minister of Infrastructure and Communities**

Re: Disaster Mitigation and Adaptation Fund - Tecumseh

The Mayor discussed the funding announcement through the Disaster Mitigation and Adaptation Fund. Gratitude is expressed by the Members to Administration for their efforts in submitting the plan, the local MP Irek Kusmierczyk and to all that assisted in obtaining this funding.

**Motion: RCM - 306/20**

Moved by Councillor Rick Tonial

Seconded by Councillor Tania Jobin

**That** Communications - For Information 1 through 8 as listed on the Tuesday, October 27, 2020 Regular Council Agenda, **be received**.

Carried

**K. Communications - Action Required**

There are no communication - action required items presented to Council.

**L. Committee Minutes**

**1. Police Services Board - October 15, 2020**

In response to an inquiry on the delay with criminal checks at the Tecumseh OPP detachment, the CAO explains that the OPP are aware of the challenges with the new online platform for requesting a criminal check. She indicates that the processing delays should be cleared by the end of the year.

**Motion: RCM - 307/20**

Moved by Councillor Andrew Dowie

Seconded by Councillor Tania Jobin

**That** the October 15, 2020 minutes of the Police Services Board, as were duplicated and delivered to the members, **be adopted**.

Carried

**2. The Town of Tecumseh Business Improvement Area - March 4, 2020 and October 14, 2020 Annual General Meetings**

**Motion: RCM - 308/20**

Moved by Councillor Rick Tonial

Seconded by Councillor Brian Houston

**That** the March 4, 2020 and October 14, 2020 minutes of the Town of Tecumseh BIA Annual General Meetings, as were duplicated and delivered to the members, **be adopted**.

Carried

**M. Reports**

**1. Corporate Services and Clerk**

- a. CS-2020-33 Manning Road Farm Lease – Option to Renew

**Motion: RCM - 309/20**

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

**That** Report CS-2020-33 entitled Manning Road Farm Lease – Option to Renew, **be received;**

**And that** the request of Olinda Farms Inc. (Olinda) to extend the Farm Lease to farm the Town's 18 acres of farmland located on the south side of Baseline Road, for a further two-year term as provided for in the current Farm Lease, **be approved;**

**And that** By-law No. 2020-67 being a by-law to authorize the Mayor and the Clerk to execute a Farm Lease Agreement between the Town and Olinda for the 2021 to 2022 Crop Years, **be adopted.**

Carried

- b. CS-2020-34 St. Clair Beach Retirement Community Parking Lease Agreement

**Motion: RCM - 310/20**

Moved by Councillor Bill Altenhof

Seconded by Deputy Mayor Joe Bachetti

**That** CS-2020-34 entitled Chartwell St. Clair Beach Retirement – Parking Lease Agreement, **be received;**

**And that** By-law No. 2020-66 being a by-law to authorize the Mayor and the Clerk to execute an Agreement with Chartwell Master Care LP O/A Chartwell St. Clair Beach Retirement Chartwell Retirement Residences (Chartwell) for the lease of additional parking spaces at the municipal parking lot located at Lakewood Park, **be adopted.**

Carried

**2. Financial Services**

- a. FS-2020-15 Budget Variance Report - August 31, 2020

**Motion: RCM - 311/20**

Moved by Councillor Brian Houston

Seconded by Councillor Bill Altenhof

**That** FS-2020-15 Budget Variance Report – August 31, 2020, **be received.**

**And that** the Director Financial Services **be authorized** to apply to the Safe Restart Agreement – Municipal Operating Fund Stream Phase 2 for additional funding, provided financial analysis conducted prior to October 30, 2020 satisfies program eligibility criteria to the satisfaction of the Chief Administrative Officer and Director Financial Services.

Carried

**b. FS-2020-16 Mediation with Windsor Utilities Commission (WUC) Respecting the Bulk Water Supply Agreement**

Ed Hooker, the Town Solicitor provides a brief comment on the report.

**Motion: RCM - 312/20**

Moved by Councillor Brian Houston

Seconded by Councillor Bill Altenhof

**That** the Minutes of Settlement of the mediation and arbitration process between the Town of Tecumseh and Windsor Utilities Commission with respect to the Bulk Water Supply Agreement involving the two parties; **be approved;**

**And that** the Town solicitor **be authorized** by Council to advise the mediator/arbitrator to give effect to these Minutes of Settlement as attached to this report;

**And furthermore that** the Clerk and Mayor **be authorized** to execute the Minutes of Settlement in advance of submission to the mediator/arbitrator.

Carried

**3. Planning and Building Services**

**a. PBS-2020-36 Site Plan Control, 2292093 Ontario Inc.(Subaru), 1602 Sylvestre Drive**

**Motion: RCM - 313/20**

Moved by Councillor Tania Jobin

Seconded by Deputy Mayor Joe Bachetti

**That** a by-law authorizing the execution of the “2292093 Ontario Inc.” site plan control agreement, satisfactory in form to the Town’s Solicitor, which allows for the construction of a 2027 square metre (21,824 square foot) automobile dealership building and associated parking, landscaping, display areas and on-site services/works on a 1.73 hectare (4.29 acre) parcel of land situated southwest of the County Road 22/Sylvestre Drive fly-off ramp (1602 Sylvestre Drive), **be adopted**, subject to the following occurring prior to the Town’s execution of the Agreement:

- i) final stormwater management design and stormwater management calculations, and associated site service drawings being approved by the Town;

- ii) the Owner executing the site plan control agreement; and
- iii) the Owner posting security for performance pursuant to paragraph 6.1 of the agreement;

**And that** the execution of such further documents as are called for by the site plan control agreement approved above including, but not limited to, the execution of the acknowledgement/direction required to register the site plan control agreement on title to the lands and such other acknowledgements/directions for any related transfers or real property registrations contemplated by the site plan control agreement, by the Mayor and Clerk, **be authorized.**

Carried

#### **4. Public Works and Environmental Services**

- a. PWES-2020-34 Request to Levy 2015-2018 Municipal Drain Maintenance Costs

**Motion: RCM - 314/20**

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

**That** Report PWES-2020-34 Request to Levy 2015-2018 Municipal Drain Maintenance Costs, **be received;**

**And that** By-Law 2020-65 to levy maintenance costs for the drains attached in Appendix A, **be adopted.**

Carried

#### **N. By-Laws**

##### **1. Bylaw-2020-65**

A By-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the construction of various drains.

##### **2. By-laws 2020-66**

Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and St. Clair Beach Retirement Community

##### **3. By-law 2020-67**

Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Olinda Farms Inc.

**Motion: RCM - 315/20**

Moved by Councillor Tania Jobin

Seconded by Councillor Bill Altenhof

**That** By-law 2020-65 being a by-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the construction of various drains;

**That** By-law 2020-66 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and St. Clair Beach Retirement Community;

**That** By-law 2020-67 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Olinda Farms Inc.

**Be given** first and second reading.

Carried

**Motion: RCM - 316/20**

Moved by Councillor Brian Houston

Seconded by Councillor Andrew Dowie

**That** By-law 2020-65 being a by-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the construction of various drains;

**That** By-law 2020-66 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and St. Clair Beach Retirement Community;

**That** By-law 2020-67 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Olinda Farms Inc.

**Be given** third and final reading.

Carried

**O. Unfinished Business**

**1. October 27, 2020**

The Members receive the Unfinished Business listing for Tuesday, October 27, 2020.

**P. New Business**

**Public Information Centre on Draft Official Plan**

A Member requests that the notice of the Public Information Centre on the draft Official Plan be post on the front page of the Town's website and shared on social media to increase public awareness and engagement.



**Q. Motions**

**1. Public Utilities Upgrades and Resident Consultation**

This motion was brought forward by Councillor Andrew Dowie

**Motion: RCM - 317/20**

Moved by Councillor Andrew Dowie

Seconded by Councillor Rick Tonial

**Whereas** Tecumseh Town Council welcomes and values the investment in the delivery of services by public utilities to properties within municipal boundaries;

**And Whereas** significant upgrades and installations have been occurring to improve public utility services to residents and businesses of the Town of Tecumseh;

**And Whereas** the COVID-19 pandemic has resulted in an indefinite shift to work-from-home activities for many residents;

**And Whereas** residents are more reliant than ever on the continued daytime maintenance of public utilities;

**And Whereas** periodically, residents are experiencing losses to electrical supply and telecommunications services as a result of planned outages or the inadvertent severing of existing plant as a result of new installations;

**And Whereas** project contact information and scheduling information is sometimes shared with residents on a voluntary basis by public utilities;

**And Whereas** jurisdiction for the regulation of public telecommunications utilities resides with the federal government and cannot be mandated by the Town of Tecumseh.

**Now Therefore Be It Hereby Resolved:**

**That** all Public Utilities working in the municipal right-of-way **deliver** project contact information to residents in advance of the undertaking of construction activities, and

**That** all Public Utilities **deliver** notice of a planned outage to service infrastructure at least at least two business days, and ideally seven days prior to the planned outage, and

**That** all Public Utilities **supply** on-site utility markings when locates are requested through Ontario One Call for the municipal right-of-way in order to reduce the instances of unplanned outages, and

**That** all Public Utilities **undertake** a survey of private sprinkler installations prior to construction, and

**That** all Public Utilities **advise** residents of their landscaping restoration plan including timelines for reinstatement and contact information.

Carried

**2. Regulations regarding Storage and Parking of Commercial and Recreational Vehicles and Trailers in Residents' Zones**

This motion was brought forward by Councillor Andrew Dowie

**Motion: RCM - 318/20**

Moved by Councillor Andrew Dowie

Seconded by Deputy Mayor Joe Bachetti

**Whereas** at its Special Meeting of December 8, 2009, Tecumseh Town Council received public feedback regarding Planning & Building Services Department Report No. 32/09 regarding Harmonization of Regulations Regarding Storage and Parking of Commercial and Recreational Vehicles/Trailers in Residential Zones;

**And Whereas** Tecumseh Town Council did not accept harmonization of these regulations at a subsequent meeting of Council;

**And Whereas** on occasion, residents are reporting the presence of parked commercial, storage and recreation vehicles, units and trailers within the municipal right-of-way up to, and including, the municipal pavement edge in such a manner that it obscures sightlines to and from vehicles exiting private driveways;

**And Whereas** on occasion, residents are reporting the placement of these vehicles, units and trailers within the minimum side yard width for significant periods of time that result in similar impact to adjoining properties as a permanent structure including stormwater runoff, shade and loss of privacy.

**Now Therefore Be It Hereby Resolved:**

**That** the Tecumseh Town Council **requests** that Administration bring considerations to regulate the parking of these vehicles, units and trailers within the municipal right-of-way in the former Town of Tecumseh, to ensure that visibility sightlines are maintained to private driveways, and to recommend appropriate regulations surrounding the parking of such vehicles, units and trailers in the minimum side yard of a private property at the time the Town's Zoning By-law is reviewed.

Carried

**3. Short Term Rentals**

This motion was brought forward by Councillor Andrew Dowie

**Motion: RCM - 319/20**

Moved by Councillor Andrew Dowie

Seconded by Deputy Mayor Joe Bachetti

**Whereas** the Ontario Ministry of Finance released in 2018 the "Home-Sharing Guide for Ontario Municipalities";

**And Whereas** the City of Toronto and City of Vaughan have regulated short-term rentals within their municipal boundaries and the City of Windsor has advised of its intent to regulate short-term rentals;

**And Whereas** residents of various neighbourhoods report unwelcome behaviour by tenants of short-term rental properties that have resulted in calls for law enforcement, conflict with short-term rental tenants over behaviour, and reported loss of environmental enjoyment of their properties;

**And Whereas** such incidents appear to be correlated to properties wherein the owner does not reside in the property and would not meet the definition of "home-sharing" as set by the Province.

**Now Therefore Be It Hereby Resolved:**

**That** the Tecumseh Town Council **requests** that Administration undertake a regulatory review for both the short-term, owner-absent rental and the home-sharing short term rental categories.

Carried

**4. Confirmatory By-law**

**Motion: RCM - 320/20**

Moved by Councillor Bill Altenhof

Seconded by Councillor Tania Jobin

**That** By-Law 2020-68 being a by-law to confirm the proceedings of the Tuesday, October 27, 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.

**S. Next Meeting**

Tuesday, November 10, 2020

6:00 pm Public Council Meeting - Zoning By-law Amendment - Winds Holdings Inc. (Eleven Winds) 13375 Desro Drive

7:00 pm Regular Council Meeting

**T. Adjournment**

**Motion: RCM - 321/20**

Moved by Councillor Rick Tonial

Seconded by Councillor Brian Houston

**That** there being no further business, the Tuesday, October 27, 2020 meeting of the Regular Council **be adjourned** at 9:30 pm.

Carried

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Gary McNamara, Mayor

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Laura Moy, Clerk