

Regular Meeting of Council

Minutes

Date: Tuesday, June 8, 2021
Time: 7:00 pm
Location: Electronic meeting live streamed at:
<https://video.isilive.ca/tecumseh/live.html>.

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 Misek-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 Committee & Community Services, Christina Hebert
Manager Planning Services, Chad Jeffery
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

An electronic In-Camera meeting was held earlier this afternoon at 4:30 pm, which was closed to the public under section 239 (2) (b) of the *Municipal Act, 2001* which permits a meeting, or part of a meeting, to be closed to the public when the subject matter being considered is personal matters about an

identifiable individual. At the meeting, Council reviewed the applications for the Rural Broadband Advisory Committee.

D. Moment of Silence

The Members of Council and Administration observe a moment of silence in recognition of the 215 Indigenous children whose remains were discovered at a former residential school in Kamloops, British Columbia and for the recent hate crime that killed a Muslim family in London, Ontario.

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 - May 25, 2021

Motion: RCM - 172/21

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Tania Jobin

That the May 25, 2021 minutes of the Regular Council Meeting, as were duplicated and delivered to the members, **be adopted**.

Carried

H. Supplementary Agenda Adoption

Motion: RCM - 173/21

Moved by Councillor Bill Altenhof

Seconded by Councillor Andrew Dowie

That the supplementary Communication for Information items on the Briday Victoria Development, the County of Essex Notice of a Public Information Centre for County Road 22 Design Alternatives and Strategy Study, and the Report PBS-2021-29 Supplementary Report to PBS-2021-28 Official Plan and Zoning By-law Amendments, Briday Development Corporation, **be accepted**.

Carried

I. Delegations

1. Tony Priolo, Vice President, Education - Strategic Engagement and Community Outreach, Ontario Cannabis Store and Lowell Rubin Vaughan, Senior Manager - Strategic Engagement - Stakeholder Engagement

Mr. Tony Priolo is joined by Lowell Rubin-Vaughan to present a PowerPoint entitled "Ontario Cannabis Store", as appended on the

agenda. Mr. Priolo explains the Ontario Cannabis Store is a crown corporation of the Government of Ontario, the sole wholesaler to Ontario's private cannabis retailers and the online retailer of recreational cannabis in the province. Mr. Rubin-Vaughan highlights the regulatory requirements to open a cannabis retail store in Ontario and sector trends.

Motion: RCM - 174/21

Moved by Councillor Andrew Dowie

Seconded by Councillor Tania Jobin

That Report CS-2021-09 entitled "Retail Cannabis Stores", be **brought forward** on the agenda for discussion and consideration.

Carried

Motion: RCM - 175/21

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

That CS-2021-09 entitled "Retail Cannabis Stores", **be received;**

And that opting in to retail cannabis sales in the Town of Tecumseh **be approved** by Council.

Carried

J. Communications - For Information

1. Municipality of Calvin dated May 25, 2021

Re: AGCO Licensing of Small Organizations

2. Municipality of Calvin dated May 26, 2021

Re: Durham Dead End Road

3. County of Essex dated May 19, 2021

Re: Advocacy for Reform - Municipal Freedom of Information Protection of Privacy Act

4. Town of Plympton-Wyoming dated May 27, 2021

Re: Advocacy for Reform MFIPPA

5. Regional Municipality of York dated May 27, 2021

Re: Reopening Due to Vaccine Numbers

6. County of Perth dated May 26, 2021

Re: Domestic COVID-19 Vaccine Production and Capacity

7. Township of Archipelago dated May 21, 2021

Re: Banning Unencapsulated Polystyrene Foam

- 8. Township of Archipelago dated May 21, 2021**
Re: Bill 297 Microplastics Filters
- 9. Town of Amherstburg dated May 28, 2021**
Re: COVID-19 Support for Small Business
- 10. Township of West Lincoln dated May 26, 2021**
Re: 988 Suicide and Crisis Prevention Hotline
- 11. Township of West Lincoln dated May 26, 2021**
Re: Review of Cannabis Licensing and Enforcement
- 12. Town of Amherstburg dated May 28, 2021**
Re: Advocacy for Reform – MFIPPA Legislation
- 13. Town of Amherstburg dated May 28, 2021**
Re: Road Management Action on Invasive Phragmites
- 14. Lake of Bays dated June 2, 2021**
Re: Support for Review of Municipal Freedom of Information and Protection of Privacy Act
- 15. Lake of Bays dated June 2, 2021**
Re: Road Management Action on Invasive Phragmites
- 16. Town of Fort Erie dated June 1, 2021**
Re: Provincial Hospital Funding of Major Capital Equipment
- 17. Town of Fort Erie dated June 1, 2021**
Re: 2021 Capital Gains Tax
- 18. Sharon Mrkalj dated June 3, 2021**
Re: Briday Development
- 19. Lucy Pereira dated June 3, 2021**
Re: Briday Development
- 20. Windsor Essex County Health Unit dated June 4, 2021**
Re: Town of Tecumseh consideration to opting in to Retail Cannabis Sales/Stores
- 21. Mark Lukaniuk dated June 7, 2021**
Re: Briday Development

22. Tamra Teno dated June 7, 2021

Re: Briday Development

23. County of Essex dated June 4, 2021

Re: Notice of Public Information Centre on County Road 22 Design Alternatives and Strategy Study

24. Mike and Renee McCann dated June 7, 2021

Re: Old Victoria Property

25. Ron and Lori McConnell dated June 7, 2021

Re: Briday Development Proposal

26. Danielle and Tom LaChance dated June 7, 2021

Re: Former Victoria Public School Rezoning

27. Mark Mrkalj dated June 7, 2021

Re: Briday Proposal

The Deputy Mayor responds to a Communications item and the comments inferred at the March 30, 2021 Public Council Meeting where he stated that residents can move if they don't like development. The Deputy Mayor clarifies for the public record that he does support development that retains local residents and potentially cause them to consider moving like he had to when living in Windsor. His comments were taken out of context and perceived inaccurately

Motion: RCM - 176/21

Moved by Councillor Tania Jobin

Seconded by Councillor Rick Tonial

That Communications - For Information 1 through 27 as listed on the Tuesday, June 8, 2021 Regular Council Agenda, **be received**.

Carried

K. Communications - Action Required

There are no Communication-Action Required items presented to Council.

L. Committee Minutes

1. Town of Tecumseh Business Improvement Area Minutes - May 19, 2021

A Member requests that the financial reporting portion of the BIA Minutes be revised and formatted for ease of readability.

Motion: RCM - 177/21

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

That the Wednesday, May 19, 2021, minutes of the Town of Tecumseh Business Improvement Area as were duplicated and delivered to the members, **be accepted**.

Carried

2. Policies & Priorities Committee Meeting - May 25, 2021

Motion: RCM - 178/21

Moved by Councillor Rick Tonial

Seconded by Councillor Bill Altenhof

That the Tuesday, May 25, 2021 minutes of the Policies and Priorities Committee Meeting as were duplicated and delivered to the members, **be adopted**.

Carried

M. Reports

1. Corporate Services & Clerk

a. CS-2021-09 Retail Cannabis Stores

This report was brought forward on the agenda for Council's consideration and discussion.

b. CS-2021-10 Rural Broadband Advisory Committee

Motion: RCM - 179/21

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

That Report CS-2021-10 entitled "Rural Broadband Advisory Committee Appointments", **be received**;

And that the applications from Darrin Drouillard, Dan Grosu, Aldo DiNardo and Nicole Colenutt to for the Rural Broadband Advisory Committee (Committee) **be selected** for appointment to the Committee;

And further that the term of the Committee members' appointment be for the remaining term of Council, ending November 14, 2022, or until such time as new members are appointed;

And furthermore that applicants **be notified** of Council's decision and a by-law **be prepared** to formally appoint the new members to this Committee at the next meeting of Council.

Carried

- c. CS-2021-11 Fire Route Designation on Marine Drive

Motion: RCM - 180/21

Moved by Councillor Bill Altenhof

Seconded by Councillor Rick Toniai

That CS-2021-11 entitled "Fire Route Designation on Marine Drive" **be received;**

And that By-law No. 2021-47 authorizing the Mayor and Clerk to execute Fire Route Agreements with Essex Condominium Corporation 21, Essex Condominium Corporation 27, and Essex Condominium Corporation 40 to designate Marine Drive as a Fire Route, **be adopted.**

Carried

- d. CS-2021-12 Essex Power Corporation - Appointment of Proxyholder for Shareholder's 2021 Annual Meeting

Motion: RCM - 181/21

Moved by Councillor Brian Houston

Seconded by Councillor Andrew Dowie

That Mayor Gary McNamara **be appointed** proxyholder for the Town of Tecumseh to cast its shareholder's votes at Essex Power Corporation's 2021 Shareholders' Annual Meeting scheduled to be held on Wednesday, June 23, 2021;

And that Mr. Tom Burton **be appointed** as an alternate proxyholder for the Town of Tecumseh to cast its shareholder's votes at Essex Power Corporation's 2021 Shareholders' Annual Meeting, if Mayor Gary McNamara is absent from the meeting;

And further that the Director Corporate Services & Clerk **be authorized** to sign all necessary proxy forms to implement this resolution and to forward them to Essex Power Corporation.

Carried

2. Financial Services

- a. FS-2021-07 Amendment of Financing Agreement with Ontario Infrastructure and Lands Corporation (OILC)

Motion: RCM - 182/21

Moved by Councillor Brian Houston

Seconded by Councillor Bill Altenhof

That By-law No. 2021-44 **be adopted** to authorize the Director Financial Services and Mayor to execute Amending Agreement No. 2 to Financing Agreement No. 11Tec3704311108FA between Ontario Infrastructure and Lands Corporation and The Corporation of the Town of Tecumseh.

Carried

3. Planning & Building Services

- a. PBS-2021-28 Official Plan and Zoning By-Law Amendments - Briday Victoria Development Corporation - 12433 Dillon Drive (Former Victoria Public School) - Proposed Residential Condominium Development - Final Recommendation

Motion: RCM

Moved by Councillor Brian Houston

Seconded by Councillor Rick Tonial

This motion was withdrawn by the mover and seconder.

That a by-law having the effect of amending the Tecumseh Official Plan by changing the land use designation for a 2.29 hectare (5.66 acre) parcel of land situated on the south side of Dillon Drive, approximately 40 metres east of its intersection with St. Pierre Street (12433 Dillon Drive and Former McColl Street Right-of-Way), from “Community Facility” to “Residential” and “Recreational”, in order to facilitate the development of the lands for a 63-unit residential development consisting of six, two-storey townhouse dwellings totalling 23 units, one, two-storey stacked townhouse dwelling containing 16 units and one three-storey stacked townhouse dwelling containing 24 units and a municipal park in keeping with PSB-2021-28, **be adopted**;

And that a by-law having the effect of amending the Tecumseh Zoning By-law 1746 by:

- adding a new definition for a “Stacked Townhouse Dwelling”; and
- rezoning a 2.29 hectare (5.66 acre) parcel of land situated on the south side of Dillon Drive, approximately 40 metres east of its intersection with St. Pierre Street (12433 Dillon Drive and former McColl Street Right-of-Way) from “Community Facility

Zone (CF)” and “Residential Zone 1 (R1)” to “Holding Residential Zone 3 (H)R3-19” and “Recreational Zone (RE)”

in order to facilitate the development of the lands for a 63-unit residential condominium development consisting of six, two-storey townhouse dwellings totaling 23 units, one, two-storey stacked townhouse dwelling containing 16 units and one three-storey stacked townhouse dwelling containing 24 units and a municipal park in keeping with PSB-2021-28, **be adopted.**

Motion: RCM - 183/21

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Tania Jobin

That Report PBS-2021-28 Official Plan and Zoning By-Law Amendments - Briday Victoria Development Corporation - 12433 Dillon Drive (Former Victoria Public School) - Proposed Residential Condominium Development - Final Recommendation, **be deferred;**

And that Administration reconnect with the applicant to discuss a reduction of a maximum of two-storey units and density;

And further that Administration report back to Council.

Carried

- b. PBS-2021-29 Supplementary Report to PBS-2021-28 Official Plan and Zoning By-law Amendments, Briday Development Corporation

Motion: RCM - 184/21

Moved by Councillor Brian Houston

Seconded by Deputy Mayor Joe Bachetti

That PBS-2021-29, entitled Supplementary Report to PBS-2021-28, Official Plan and Zoning By-law Amendments, Briday Victoria Development Corporation, **be received.**

Carried

4. Public Works & Environmental Services

- a. PWES-2021-28 Tecumseh Roadway Signage Inventory and Condition Assessment

A Member requests to add a sign at County Road 8 and Manning Road coming in from Essex. The Director indicates that this location can be reviewed.

Motion: RCM - 185/21

Moved by Councillor Bill Altenhof

Seconded by Deputy Mayor Joe Bachetti

That Report PWES-2021-28 Tecumseh Community Signage Inventory and Condition Assessment **be received;**

And that the maintenance recommendations contained within the 2020 Community Sign Survey completed by Generator Design of Canada Inc. **be included** as part of the annual Roads Operational Budget;

And further that the replacement of Sign No.11: Brighton Road at VIA Rail and Sign No. 16: Tecumseh Road at Pike Creek, and the installation of a new sign on County Road 9 at South Talbot Road **be incorporated** as part of the annual Public Works & Environmental Services Capital Works Plan.

Carried

N. By-Laws

By-law 2021-41 was not considered due to the drainage report entitled "Reassessment of the Cyr Drain & Extension" dated March 17, 2021 was sent back to the drainage engineer at the Public Council Meeting held on June 8, 2021 at 5:45 pm.

By-laws-2021-45 and 2021-46 were not considered due to the motion to defer Report PBS-2021-28 Official Plan and Zoning By-Law Amendments - Briday Victoria Development Corporation - 12433 Dillon Drive (former Victoria Public School) - Proposed Residential Condominium Development - Final Recommendation.

1. By-Law 2021-41

Being a bylaw to provide for the repair and improvements to the CYR Drain

2. By-Law 2021-42

Being a bylaw to provide for the Realignment of the South Talbot Drain

3. By-Law 2021-43

Being a by-law to approve a two-year Pilot Program for Licensing Urban Hens

4. By-Law 2021-44

Being a by-law to authorize the execution of an Amending Agreement with the Ontario Infrastructure and Lands Corporation and The Corporation of the Town of Tecumseh

5. By-Law 2021-45

Amendment No. 1 to the Town of Tecumseh Official Plan

6. By-Law 2021-46

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.

7. By-Law 2021-47

Being a By-law to amend Schedule J (Fire Agreements) of By-law No. 2001-36, as amended to regulate traffic and parking on highways and private roadways under the jurisdiction of the Municipality.

Motion: RCM - 186/21

Moved by Councillor Brian Houston

Seconded by Councillor Rick Tonial

That By-Law 2021-42 being a by-law to provide for the Realignment of the South Talbot Drain;

That By-Law 2021-43 being a by-law to approve a two year Pilot Program for Licensing Urban Hens;

That By-Law 2021-44 being a by-law to authorize the execution of an Amending Agreement with the Ontario Infrastructure and Lands Corporation and The Corporation of the Town of Tecumseh;

That By-Law 2021-47 being a by-law to amend Schedule J (Fire Agreements) of By-law No. 2021-36, as amended to regulate traffic and parking on highways and private roadways under the jurisdiction of the Municipality.

Be given first and second reading.

Carried

Motion: RCM - 187/21

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Tania Jobin

That By-Law 2021-43 being a by-law to approve a two year Pilot Program for Licensing Urban Hens;

That By-Law 2021-44 being a by-law to authorize the execution of an Amending Agreement with the Ontario Infrastructure and Lands Corporation and The Corporation of the Town of Tecumseh;

That By-Law 2021-47 being a by-law to amend Schedule J (Fire Agreements) of By-law No. 2021-36, as amended to regulate traffic and parking on highways and private roadways under the jurisdiction of the Municipality.

Be given third and final reading.

Carried

O. Unfinished Business

1. June 8, 2021

The Members receive the Unfinished Business listing for Tuesday, June 8, 2021.

P. New Business

There are no new business items.

Q. Motions

1. Confirmatory By-law 2021-48

Motion: RCM - 188/21

Moved by Councillor Tania Jobin

Seconded by Councillor Brian Houston

That By-Law 2021-48 being a by-law to confirm the proceedings of the Tuesday, June 8, 2021, 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

Councillor Bill Altenhof provides a notice of motion regarding the recommendation by Windsor Essex County Health Unit for appropriate policies and statements in relation to opting-in of cannabis retail sales.

S. Next Meeting

Tuesday, June 22, 2021

4:30 pm Policies & Priorities Committee

6:00 pm Public Council Meeting - ZBA/OPA Greater Essex County District School Board

7:00 pm Regular Council Meeting

T. Adjournment

Motion: RCM - 189/21

Moved by Councillor Bill Altenhof

Seconded by Councillor Rick Toniai

That there being no further business, the Tuesday, June 8, 2021 meeting of the Regular Council **be adjourned** at 9:50 pm.

Carried

Gary McNamara, Mayor

Laura Moy, Clerk