

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

Tecumseh Council meets in regular public session on Tuesday, October 9, 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 Public Works & Environmental Services

Director Information & Communication Services

Director Financial Services & Treasurer

Director Planning & Building Services

Director Corporate Services & Clerk

Director Fire Services & Fire Chief

Deputy Clerk & Manager Legislative Services

Manager Committee & Community Services

Manager Planning Services

Tony Haddad

Paul Anthony

Phil Bartnik

Shaun Fuerth

Luc Gagnon

Brian Hillman

Laura Moy

Doug Pitre

Jennifer Alexander

Christina Hebert

Chad Jeffery

5. Disclosure of Pecuniary Interest

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

6. Minutes

Motion: RCM - 294/18

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Brian Houston

That the minutes of the September 25, 2018 Regular Meeting of Council, and the minutes of the September 25, 2018 Public Meeting of Council, as were duplicated and delivered to the members, are adopted.

Carried

7. Supplementary Agenda Adoption

There are no supplementary agenda items.

8. Delegations

a. **Heritage Committee Chair Ian Froese and Vice-Chair Marian Drouillard**

Re: Cultural Heritage Properties

Marian Drouillard, Vice Chair and Member, Chris Carpenter, presents an updated Heritage List containing a proposed property inventory and registry. The Committee recommends Lacasse Park, St. Anne's Cemetery, and Tecumseh Area Historical Society including the log cabins and sheds, to be added to the Municipal Registry Listing for non-designated properties.

Motion: RCM - 295/18

Moved by Councillor Andrew Dowie
Seconded by Deputy Mayor Rita Ossington

That Report No.CS-2018-18 Properties of Cultural Heritage Value be moved forward on the agenda for discussion.

Carried

Motion: RCM - 296/18

Moved by Councillor Andrew Dowie
Seconded by Councillor Rita Ossington

That the Property Inventory of Potential Heritage Sites as prepared by the Heritage Committee, as at May 28, 2018, be received;

And that the Municipal Register of Cultural Heritage Properties Listing, be adopted to include the following:

- Lacasse Park, 590 Lacasse Boulevard;
- St. Anne's Cemetery, 1521 Lesperance Road;
- Tecumseh Area Historical Society [including Log Cabin and Sheds], 12350 Tecumseh Road;

And further that notice be given to the above-listed property owners advising them of their inclusion on the Municipal Register of Cultural Heritage Properties Listing.

Carried

b. Mr. John Fase, Resident

Re: Petretta Construction for the former Pud's Place Marina.

Davide Petretta, Petretta Construction, is present to answer questions from Council.

Mr. Fase raises concerns on item 12 c.) PBS-2018-35 D19 PETTEC, 14328-14336 Tecumseh Rd, Review of Public Meetings, Administrative Response and Recommendation. He is opposed to the proposed development outlined in the report. Concerns are raised over intensification and density targets being too high for this neighbourhood and the proposed height of the five-storey building is not keeping to the standard of the area. The number of units would increase the volume of vehicles in this area causing safety concerns.

Mr. Fase notes that Mr. Petretta called him to offer financial support to the six houses on the west side of Aloha Drive to assist with planted privacy. He refused the offer and indicated he had the best interest of the community in mind, not the money.

Mr. Petretta advises that the concerns expressed by Mr. Fase has been addressed in various traffic studies and planning reports. He clarifies that his offer was to provide financial support to implement buffering along some of the area properties. The residents were not offered a bribe as characterized by Mr. Fase.

The Manager Planning Services clarifies some of the comments made by Mr. Fase with respect to affordable housing, medium and low density, maximum heights, and provisions of the Official Plan for the former Village of St. Clair Beach. He notes that the comments made by Mr. Fase does not alter the recommendation before Council this evening for consideration.

Councillor Bill Altenhof thanks those in the audience this evening, and commends Mr. Petretta on the proposed development. While he supports such a development, there are many issues such as traffic and speeding that should be addressed.

A copy of Councillor Bill Altenhof's speaking notes are available in the Corporate Services Department.

There is a request for a recorded vote on the report and on the two associated by-laws.

Councillor Andrew Dowie states his support for the proposed development and believes that it will sell out quickly. He validates the concerns expressed by area residents with regards to flooding and traffic. The questions raised have been addressed by the developer and Administration, and agrees that this development is compatible with other developments. The negatives are being overestimated and the positives are being underestimated.

Councillor Brian Houston thanks residents involved in this process and recognizes that this development is not a single family home. He notes the open and transparent process to address concerns for developments like this one. The Town needs this development and it will create a life long community. The developer has accommodated and adequately addressed concerns raised at past meetings. He is in support of this application.

A copy of Councillor Brian Houston's speaking notes are available in the Corporate Services Department.

The Mayor comments on the need to look at the diversity of development to support the aging community and for growth, as well as increased assessment to support the municipality.

Motion: RCM - 297/18

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Brian Houston

That Report No. PBS-2018-35 regarding an Official Plan and Zoning By-law Amendment by 2593430 Ontario Limited (Petretta Construction) for 14328 and 14346 Tecumseh Road, be brought forward on the agenda for discussion.

Carried

Motion: RCM - 298/18

Moved by Councillor Brian Houston
Seconded by Councillor Andrew Dowie

That a by-law having the effect of amending the St. Clair Beach Official Plan land use designation for a 1.3 hectare (3.2 acre) parcel of land located on the north side of Tecumseh Road, approximately 45 metres east of its intersection with Brighton Road (14328 and 14346 Tecumseh Road), from “Commercial” to “Medium Density Residential” with a site-specific policy establishing a maximum density of 51 units per hectare and permitting a five-storey, 65-unit condominium apartment building, limited ground-floor commercial uses and marina uses, in keeping with PBS-2018-35, be adopted;

And that a by-law having the effect of amending the St. Clair Beach Zoning By-law 2065 for a 1.3 hectare (3.2 acre) parcel of land located on the north side of Tecumseh Road, approximately 45 metres east of its intersection with Brighton Road (14328 and 14346 Tecumseh Road), from “General Commercial Zone (C1-5)” to a site-specific “Holding - Residential Type Three Zone (H) R3-13” which will establish site-specific zoning regulations in order to facilitate the development of the lands for a five-storey, 65-unit condominium apartment building, limited ground-floor commercial uses and marina uses, in keeping with PBS-2018-35, be adopted.

Recorded Vote

Mayor Gary McNamara	Support
Deputy Mayor Joe Bachetti	Support
Councillor Rita Ossington	Opposed
Council Andrew Dowie	Support
Councillor Bill Altenhof	Opposed
Councillor Brian Houston	Support
Councillor Tanya Jobin	Support

Carried

9. Communications - For Information**a. City of Amaranth dated September 20, 2018**

Re: Licensing Process to Take Water for Commercial Water Bottling Facilities

Motion: RCM - 299/18

Moved by Councillor Tania Jobin

Seconded by Councillor Brian Houston

That Communications - For Information as listed on the Tuesday, October 9, 2018 Regular Council Agenda are received.

Carried

10. Communications - Action Required

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

11. Committee Minutes

There are no Committee Minutes presented to Council.

12. Reports**a. Corporate Services & Clerk****1. CS-2018-18 2018 Properties of Cultural Heritage Value**

This report was moved forward in the agenda for discussion.

b. Financial Services**1. FS-2018-15 Ontario Infrastructure and Lands Corporation (OILC) Borrowing 2018****Motion: RCM - 300/18**

Moved by Councillor Andrew Dowie

Seconded by Councillor Brian Houston

That borrowing upon 3.00 percent (estimated) 5 year amortizing debenture in the Principal amount of up to \$193,000 for the financing of Rossi Drive Sanitary Sewer construction costs for 2018 be approved.

Carried

c. Planning & Building Services**1. PBS-2018-35 D19 PETTEC, 14328-14336 Tecumseh Rd, Review of Public Meetings, Administrative Response and Recommendation.**

This report was moved forward in the agenda for discussion.

2. PBS-2018-36 Official Plan and Zoning By-law Amendment, 1643 Lesperance Rd., Home Hardware

Motion: RCM - 301/18

Moved by Councillor Andrew Dowie
Seconded by Councillor Rita Ossington

That the scheduling of a public meeting to be held on November 13, 2018 at 5:00 p.m., for the applications submitted by Home Hardware Stores Limited to amend the Sandwich South Official Plan and Zoning By-law 85-18 for the southerly 0.23 hectares (0.56 acres) of a 1.34 hectare (3.32 acre) parcel of land located on the southwest corner of the County Road 22/Lesperance Road intersection, which applications propose to:

- i. revise the current site-specific “General Commercial” land use policy that prohibits a vehicular driveway access to Westlake Drive; and
- ii. revise the current “General Commercial Zone (C1-7)” zone that prohibits a vehicular driveway access to Westlake Drive;

to remove the noted prohibition and allow for the installation of a vehicular driveway access onto Westlake Drive that will serve as a second vehicular ingress/egress access point for the existing Home Hardware Store, be authorized.

Carried

3. PBS-2018-37 2140 Fasan Drive, Site Plan Control

Motion: RCM - 302/18

Moved by Councillor Rita Ossington
Seconded by Councillor Brian Houston

That “Proposed Site Plan – A0”, as prepared by Aleo Associates Inc., and attached to PBS-2018-37 as Attachment 2, which depicts a 533 square metre (5,740 square foot) industrial addition, along with associated on-site works on a 0.32 hectare (0.8 acre) property located on the north side of Fasan Drive (2140 Fasan Drive), be approved, subject to:

- the Owner depositing with the Town security in the form of cash or letter of credit in the amount of ten thousand dollars (\$10,000) to ensure that all of the services and other obligations of the Owner are completed to the satisfaction of the Town, which cash or letter of credit security deposit shall be returned to the Owner upon completion and final inspection of all obligations of the Owner as shown on the aforementioned plans;
- final stormwater management design, stormwater management calculations, and associated site service drawings being approved by the Town;

All of which is in accordance with Section 41 of the Planning Act, R.S.O. 1990.

Carried

13. By-Laws

Motion: RCM - 303/18

Moved by Councillor Tania Jobin
Seconded by Councillor Brian Houston

That By-Law 2018-59, being a by-law to authorize the execution of a Service Agreement between the Corporation of the Town of Tecumseh (Municipality) and Ontario Clean Water Agency Ontarienne Des Eaux (OCWA);

That By-Law 2018-60, being a by-law to authorize the execution of a Source Protection Transfer Agreement between The Corporation of the Town of Tecumseh (Municipality) and the Towns of Amherstburg, Essex, Kingsville, Lakeshore, LaSalle, the Municipalities of Chatham-Kent and Leamington, Township of Pelee, the Corporation of the City of Windsor and the Essex Region Conservation Authority;

Be given a first and second reading.

Carried

Motion: RCM - 304/18

Moved by Councillor Bill Altenhof
Seconded by Councillor Tania Jobin

That By-Law 2018-59, being a by-law to authorize the execution of a Service Agreement between the Corporation of the Town of Tecumseh (Municipality) and Ontario Clean Water Agency Ontarienne Des Eaux (OCWA);

That By-Law 2018-60, being a by-law to authorize the execution of a Source Protection Transfer Agreement between The Corporation of the Town of Tecumseh (Municipality) and the Towns of Amherstburg, Essex, Kingsville, Lakeshore, LaSalle, the Municipalities of Chatham-Kent and Leamington, Township of Pelee, the Corporation of the City of Windsor and the Essex Region Conservation Authority.

Be given a third and final reading.

Carried

Motion: RCM - 305/18

Moved by Councillor Brian Houston
Seconded by Councillor Tania Jobin

That By-law 2018-61, being an Amendment No.15 to the Official Plan for the Town of Tecumseh for those lands in the former Village of St. Clair Beach;

That By-law 2018-62, being a by-law to amend By-Law 2065, the Town's Comprehensive Zoning By-Law for those lands in the former Village of St. Clair Beach. (D19 PETTEC – Condominium Development, 14328 & 14346 Tecumseh Road)

Be given a first, second, third and final reading.

Recorded Vote

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

Carried

By-law 2018-63, being a by-law to provide for the repair and improvements to the East Townline Drain (St. Clair Outlet) is deferred until the Public Council Meeting on this Drain is rescheduled.

14. Unfinished Business**a. October 9, 2018**

The Members receive the Unfinished Business listing for Tuesday, October 9, 2018.

15. New Business**Cogeco Services in South End**

Director Information & Communication Services responds to a query regarding the availability of high-speed internet in the south end of the municipality. He explains the advocacy work undertaken in the past year to put in infrastructure for internet in the Maidstone Hamlet area. A Request for Proposal was initiated for service to approximately 120 residents who did not have high-speed internet. The cable company will inform residents when this service is available.

East Townline Drain

A request is made for information to be placed on the Town's website regarding the drainage process.

Director Public Works & Environmental Services advises that the Ontario Ministry of Agriculture, Food and Rural Affairs does have resources available to distribute to raise awareness for residents.

Walkway at Brighton/Tecumseh Road

A request is made for repainting the walkways on Brighton Road at Tecumseh and Derby Roads.

Director Public Works & Environmental Services advises that an effort is being made to complete the painting before the winter weather.

Brighton Road Roundabouts

A request is made to expand the Traffic study to include the Brighton Road roundabout, noting resident safety concerns in relation to the Petretta Development.

Director Public Works & Environmental Services advises that after the concern was raised, a study will be initiated for 2019. While the scope has not yet been defined, he

anticipates the study will include Brighton Road from Riverside Drive to the Town limits, specifically reviewing the intersections and roundabouts.

The Mayor reiterates his suggestion for traffic calming devices near the roundabouts at Starwood Lane and Aloha Drive, funded from the capital budget.

Complaints

A member raises a concern regarding the process for residents calling Town Hall to file a complaint. Their complaint is recorded into Issue Traq and the resident has no idea of the status of the complaint or the Town's response.

By-laws and Property Standards

In response to a query, the Director Planning & Building Services advises there is only one property standards by-law that is enforced. Most by-laws are Town wide. The three by-laws that are not enforced Town wide are zoning related. The zoning and official plans between the former municipalities have not yet been consolidated. He notes there are some issues that have affected the Town ability to amalgamate these by-laws, such as the parking of recreational vehicles and trailers.

Multi-use Sportsplex

A suggestion is made to leverage provincial and federal funding by engaging seniors, accessibility and indigenous groups, to provide input into the design of the Sportsplex.

The Director Parks & Recreation confirms this is part of the process and meetings are scheduled to benefit all areas of the community.

Skateboard Park

Disgust is expressed for the vandalism and graffiti painted at the Skateboard Park. Upon installation, it was made very clear that such actions would not be tolerated. Direction is given to fence the park off and ban it to the public pending the repairs. This will send a clear message that these actions will not be tolerated.

Discussion ensues on the limited use of video surveillance. A suggestion is made to install night vision cameras to help prevent such incidents and to assist with identifying individuals in the future.

Members encourage anyone with information to come forward and to contact the OPP or Crime Stoppers.

Direction is given to raise public awareness and send a press release on the closure of the park for repairs.

16. Motions

a. Confirmatory By-law

Motion: RCM - 306/18

Moved by Councillor Brian Houston
Seconded by Deputy Mayor Joe Bachetti

That By-Law 2018-64 being a by-law to confirm the proceedings of the Tuesday, October 9, 2018, regular meeting of the Council of The Corporation of the Town of Tecumseh be given first, second, third and final reading.

Carried

17. Notices of Motion

There are no notices of motion presented to Council.

18. Next Meeting

Tuesday, November 13

5:00 pm Public Meeting of Council - Home Hardware

7:00 pm Regular Meeting of Council

19. Adjournment

Motion: RCM - 307/18

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Bill Altenhof

That there being no further business, the Tuesday, October 9, 2018 meeting of the Regular Council now adjourn at 8:47 pm.

Carried

Gary McNamara, Mayor

Laura Moy, Clerk