

Regular Meeting of Council

Minutes

Date: Tuesday, August 13, 2019

Time: 7:00 pm

Location: Tecumseh Town Hall - Council Chambers
917 Lesperance Road
Tecumseh, Ontario N8N 1W9

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 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
Manager Water & Wastewater, Denis Berthiaume
Manager Committee & Community Services, Christina Hebert
Manager Planning Services, Chad Jeffery
Financial Analyst, Zora Visekruna
Manager Building Services & Chief Building Official, Mike Voegeli
Manager Strategic Initiatives, Lesley Reeves

A. Order

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

B. Moment of Silence

The Members of Council and Administration observe a moment of silence.

C. National Anthem

The Members of Council and Administration observe the National Anthem of O Canada.

D. Roll Call

E. Disclosure of Pecuniary Interest

Councillor Bill Altenhof declares a pecuniary interest on agenda item 13. a By-law 60 and item 13 b. By-law 2019-61.

Councillor Andrew Dowie declares a pecuniary interest on agenda item 12.e.5. PBS 2019-29 CIP Grant Funding Request, 12222 Tecumseh Road, Parking Lot Improvements.

F. Minutes

1. Regular Council Meeting - July 23, 2019

2. Public Council Meeting - July 23, 2019

Motion: RCM - 238/19

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Tania Jobin

That the minutes of the Tuesday June 23, 2019 Regular Meeting of Council, and the minutes of the Tuesday, June 23, 2019 Public Meeting of Council, as were duplicated and delivered to the members, are adopted.

Carried

G. Supplementary Agenda Adoption

Motion: RCM - 239/19

Moved by Councillor Andrew Dowie

Seconded by Councillor Bill Altenhof

That the supplementary agenda, being the addition of a delegation by James Sylvestre Developments, be approved.

Carried

H. Delegations

1. Youth Advisory Committee and Senior Advisory Committee

Re: Annual Accomplishments and Initiatives

Members of the Youth Advisory Committee, Kristi Koutros and Suzie Sawicki, and Members of the Senior Advisory Committee, Paul Morand and Nancy Tenant provide a summary of the activities they have initiated for 2018-2019.

The Senior Advisory Committee Members highlight the need for affordable living for seniors in the community, initiate programs that promote interaction with others and provide alternate transportation such as busing.

The Youth Advisory Committee (YAC) will be making applications to the RBC Future Launch Community Challenge, hosting its third annual Career Fair and sponsoring other events hosted by the Town in 2019.

In response to an inquiry on the Youth Fair, the YAC members indicate that having a morning and afternoon session would provide more opportunity for students to attend the fair.

2. Majors McGuire Inc, Ron McGuire

Re: Fire Facility Use Agreement

Mr. Ron McGuire, along with Ryan McGuire and Gary Kind, present their proposal to rent the Town's fire facilities at Station No. 2 to provide confined space and other safety training to local private and public organizations.

Motion: RCM - 240/19

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

That Report FIRE-2019-07 Majors McGuire Confined Space Facility Rental be brought forward on the agenda for discussion.

Carried

Motion: RCM - 241/19

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

That Report FIRE-2019-07 Majors McGuire Confined Space Training Facility Rental to utilize the Town of Tecumseh Fire Department facilities for confined space rescue training be received.

Carried

3. James Sylvestre Developments Ltd., Jeff Sylvestre

Re: Development Charges By-law

Mr. Jeff Sylvestre speaks in favour of development charges being competitive to encourage local development, as well as phasing in the charges. He requests that the current Appendix in the Town's Zoning By-law, which has a competitive advantage over neighbouring communities, replace the proposed Appendix E in the new by-law.

The Director Planning & Building Services advises that Report PBS-2019-26 speaks for itself. He explains the rationale for Appendix E being included in the by-law. He also notes that the municipal comparison charges provided by Sylvestre Developments are under review by the respective municipalities.

In response to an inquiry, Mr. Gary Scandlan, explains the legislative requirements and known changes to the legislation.

In response to an inquiry regarding phasing in of the charges, the Director Financial Services & Chief Financial Officer explains that the general levy or water or wastewater rates, depending on the nature of the development, would be required to support the shortfall.

4. Watson & Associates Economists Ltd., Gary Scandlan

Re: Development Charges By-law

Motion: RCM - 242/19

Moved by Councillor Bill Altenhof

Seconded by Deputy Mayor Joe Bachetti

That Report PBS-2019-26 2019 Development Charges, Results of Public Meeting and Final Recommendation be moved forward on the agenda for discussion.

Carried

Motion: RCM - 243/19

Moved by Councillor Andrew Dowie

Seconded by Deputy Mayor Joe Bachetti

That it be deemed that no further public meeting be required with respect to the 2019 Development Charges Study and By-law;

And that the 2019 Development Charges Background Study, dated June 13, 2019, as amended (if applicable), as prepared by Watson & Associates Economists Ltd, be received and approved;

And further that the capital projects included in the capital project listing set out in Chapter 5 of the 2019 Development Charges Background Study, dated June 13, 2019, as amended (if applicable), subject to annual review during the capital budget process, be approved;

And furthermore that the development charge approach to calculating wastewater charges on an urban-area basis and all other charges on a uniform Town-wide basis, be continued;

And further moreover that whenever appropriate, request that grants, subsidies and other contributions be clearly designated, by the donor as being to the benefit of existing development or new development, as applicable;

And further moreover that the assumptions contained in the 2019 Development Charges Background Study, dated June 13, 2019 as amended (if applicable), as an "anticipation" with respect to capital grants, subsidies and other contributions, be adopted;

And further moreover that the Local Service Policy, set out in Appendix E of the 2019 Development Charges Background Study, dated June 13, 2019, as amended by PBS-2019-26, which has the effect of incorporating the requirements of Bill 73 and other legislative changes, be received and approved;

And further moreover that Development Charges By-law 2014-68, be repealed;

And further moreover that Development Charges By-law 2019-63, Option A "By-law for the imposition of development charges", to be effective September 1, 2019 for the five (5) year period ending August 31, 2024, be approved.

Carried

I. Communications - For Information

1. Enwin Utilities Ltd. dated July 18, 2019

Re: Reintroduction of Fluoridation

2. Town of Lakeshore dated July 18, 2019

Re: Notice of the Passing of a Zoning By-Law Amendment

3. James Sylvestre Development Ltd Letter dated July 19, 2019

Re: Development Charges Background Study dated June 13, 2019

4. Ministry of Municipal Affairs and Housing dated July 22, 2019

Re: Provincial Policy Statement Review - Draft Policy

5. Town of Lakeshore dated July 25, 2019

Re: Notice of Complete Application and Public Meeting

Motion: RCM - 244/19

Moved by Councillor Andrew Dowie

Seconded by Councillor Rick Tonial

That Communications - For Information A through E as listed on the Tuesday, August 13, 2019 Regular Council Agenda are received.

Carried

J. Communications - Action Required

There are no Communications - Required Action presented to Council.

K. Committee Minutes

1. Town of Tecumseh Business Improvement Area - July 10, 2019

Motion: RCM - 245/19

Moved by Councillor Andrew Dowie

Seconded by Councillor Rick Tonial

That the July 10, 2019 minutes of the Town of Tecumseh Business Improvement Area, as were duplicated and delivered to the Members of Council, are accepted.

Carried

2. Youth Advisory Committee - July 15, 2019

Motion: RCM - 246/19

Moved by Councillor Andrew Dowie

Seconded by Councillor Tania Jobin

That the July 15, 2019 minutes of the Youth Advisory Committee, as were duplicated and delivered to the Members of Council, are accepted.

Carried

3. Heritage Committee - July 15, 2019

Motion: RCM - 247/19

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

That the July 15, 2019 minutes of the Heritage Committee, as were duplicated and delivered to the Members of Council, are accepted.

Carried

4. Cultural and Arts Advisory Committee - July 15, 2019

Motion: RCM - 248/19

Moved by Councillor Rick Tonial

Seconded by Councillor Bill Altenhof

That the July 15, 2019 minutes of the Cultural and Arts Advisory Committee, as were duplicated and delivered to the Members of Council, are accepted.

Carried

L. Reports

1. Chief Administrative Officer

a. CAO-2019-05 Municipal Modernization Fund Allocation

Motion: RCM - 249/19

Moved by Councillor Brian Houston

Seconded by Councillor Rick Tonial

That Council endorse the overall expenditure plan outlined in Attachment 2 to Report CAO-2019-05 for the one-time Municipal Modernization Fund received from the Province of Ontario;

And that Town Administration be authorized to proceed with implementation of the expenditure plan subject to Council approval of specific items as required;

And further that Council authorize Municipal Modernization Fund expenditures of up to \$50,000 for the purchase, installation and annual support and maintenance fees (2019 and 2020) of eSCRIBE software and

hardware required to implement Council meeting webcasting as per Report CS-2019-10.

Carried

2. Corporate Services & Clerk

a. CS-2019-07 2020 December Holiday Schedule

Motion: RCM - 250/19

Moved by Councillor Bill Altenhof

Seconded by Councillor Tania Jobin

That the Tecumseh Town Hall Offices close for the 2020 December Holiday Season from Thursday, December 24, 2020, through to and including Friday, January 1, 2021.

Carried

b. CS-2019-12 Closed Meeting Investigator Appointment - 2020

Motion: RCM - 251/19

Moved by Councillor Andrew Dowie

Seconded by Councillor Rick Tonial

That Report CS-2019-12 Closed Meeting Investigation Services be received;

And that notice of termination be given to LAS before October 1, 2019, in accordance with the provision in paragraph 16 of the Agreement between The Corporation of the Town of Tecumseh and LAS to discontinue closed meeting investigation services effective January 1, 2020;

And further that closed meeting complaints be investigated by the Provincial Ombudsman, commencing January 1, 2020;

And furthermore that the funds in the Closed Meeting Reserve of \$17,500, be reallocated to the Integrity Commissioner Reserve.

Carried

c. CS-2019-18 Call for 2019 Award Nominations

Motion: RCM - 252/19

Moved by Councillor Rick Tonial

Seconded by Councillor Brian Houston

That Report CS-2019-18 regarding the nomination and selection process for Awards, be received;

And that paragraph 4.02 of the Awards Policy No. 2 be amended as follows:

4.02 A Special Meeting of Council (or a Committee comprised of Members of Council) will be held on the fourth Tuesday of November each year, either before or after the Regular Meeting of Council, in order that the members may review the nominations and select the award recipient for each of the awards;

And further that nominations received for the Awards be considered at a Special Meeting of Council (or a Committee comprised of Members of Council) to be held on Tuesday, November 26, 2019, at 6:00 pm.

Carried

- d. CS-2019-20 Advisory and Statutory Committees - Call for 2020 Applications

Motion: RCM - 253/19

Moved by Councillor Tania Jobin

Seconded by Councillor Andrew Dowie

That a Notice of Call be issued for Applications for the:

Committee of Adjustment;

Tecumseh Accessibility Advisory Committee;

Cultural & Arts Advisory Committee;

Heritage Committee;

Senior Advisory Committee; and

Youth Advisory Committee;

And that a Special Meeting of Council be held on Tuesday, November 26, 2019, at 6:00 pm, to give consideration to the applications received before the October 31st deadline and to consider filling the vacancies on the above referenced committees.

Carried

3. Fire & Emergency Services

- a. FIRE-2019-07 Majors McGuire Confined Space Training Facility Rental

This Report FIRE 2019-07 Majors McGuire Confined Space Training Facility Rental was moved forward on the agenda to delegations for discussion and consideration.

4. Financial Services

a. FS-2019-09 Water and Sanitary Billing

Motion: RCM - 254/19

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Bill Altenhof

That performance of the Water and Sanitary billing and collection function for the Town continue to be provided by Essex Powerlines Corporation (EPC) for the 2019 and 2020 budget years;

And that the Water and Sanitary billing and collection function be reviewed by Administration for the 2021 budget year.

Carried

b. FS-2019-10 Budget Variance Report - June 2019

Motion: RCM - 255/19

Moved by Councillor Brian Houston

Seconded by Councillor Rick Tonial

That Report FS-2019-10 Budget Variance Report – June 2019, is received.

Carried

5. Planning & Building Services

a. PBS-2019-27 Tecumseh Transit Service, January to June Statistical Review

In response to an inquiry, the bus route is running on schedule since the stop to Food Basics was implemented. Discussion ensues over Tecumseh riders being able to transfer onto Windsor busses at no additional cost. It is requested that the Chief Administrative Officer contact Transit Windsor to discuss options.

Motion: RCM - 256/19

Moved by Councillor Brian Houston

Seconded by Councillor Rick Tonial

That Report PBS-2019-27 Tecumseh Transit Service, January to June Statistical Review, be received.

Carried

b. PBS-2019-28 Six Month Permit Report

Motion: RCM - 257/19

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

That Report PBS-2019-28 2019 Six Month Permit Report be received.

Carried

- c. PBS-2019-26 2019 Development Charges, Results of Public Meeting and Final Recommendation

This Report PBS-2019-26 Development Charges, Results of Public Meeting and Final Recommendation was moved forward on the agenda to Delegations for discussion and consideration.

- d. PBS-2019-25 Official Plan and Zoning By-law Amendments, Briday Developments, Scheduling of a Public Meeting

Motion: RCM - 258/19

Moved by Councillor Brian Houston

Seconded by Councillor Andrew Dowie

That the scheduling of a public meeting, to be held on Tuesday, September 10, 2019 at 5:00 p.m., in accordance with the *Planning Act* for applications submitted by Zelinka Priamo Ltd., on behalf of the Owner, Briday Victoria Development Corporation 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), to amend the Tecumseh Official Plan and Tecumseh Zoning By-law 1746 by:

- i. Redesignating the property from “Community Facility” to “Residential”; and
- ii. Rezoning the subject property from “Community Facility Zone (CF)” and “Residential Zone 1 (R1)” to a site-specific “Residential Zone 3 (R3-16)”;

to facilitate the development of the lands for a 63-unit residential condominium development consisting of five, two-storey townhouse dwellings totalling 23 units and two, three-storey stacked townhouse dwellings totalling 40 units, be authorized.

Carried

- e. PBS-2019-29 CIP Grant Funding Request, 12222 Tecumseh Road, Parking Lot Improvements

Councillor Andrew Dowie declares a pecuniary interest on this report and refrains from voting.

Motion: RCM - 259/19

Moved by Councillor Bill Altenhof
Seconded by Councillor Rick Tonial

That the Grant Application for the Tecumseh Road Main Street Community Improvement Plan (CIP) Financial Incentive Program, for the property located at 12222 Tecumseh Road (Roll No. 374406000001800), be deemed eligible and approved for the Parking Area Improvement Grant Program, in accordance with Section 11.3 (5) of the CIP, for a total amount of \$10,000 toward the parking lot improvements being proposed, in accordance with PBS-2019-29.

Carried

M. By-Laws

1. By-Law 2019-60

Being a by-law to amend By-law No. 2019-06 being a by-law constituting and appointing a Committee of Adjustment and empowering the granting of Minor Variances for the term of Council 2019-2022

2. By-Law 2019-61

Being a by-law to amend By-Law No. 2019-07 being a by-law delegating the authority for the giving of consents for the term of Council 2019-2022

Councillor Bill Altenhof having declared a pecuniary interest refrains from voting on by-laws 2019-60 and 2019-61.

Motion: RCM - 260/19

Moved by Councillor Brian Houston
Seconded by Councillor Tania Jobin

That By-law 2019-60 being a by-law to amend By-law 2019-06 constituting and appointing a Committee of Adjustment and empowering the granting of Minor Variances for the term of Council 2019-2022;

That By-law 2019-61 being a by-law to amend By-Law 2019-07 being a by-law delegating the authority for the giving of consents for the term of Council 2019-2022.

Be given first and second reading.

Carried

Motion: RCM - 261/19

Moved by Councillor Brian Houston
Seconded by Deputy Mayor Joe Bachetti

That By-law 2019-60 being a by-law to amend By-law 2019-06 constituting and appointing a Committee of Adjustment and empowering the granting of Minor Variances for the term of Council 2019-2022;

That By-law 2019-61 being a by-law to amend By-Law 2019-07 being a by-law delegating the authority for the giving of consents for the term of Council 2019-2022.

Be given third and final reading.

Carried

3. By-Law 2019-62

A by-law to amend By-law No. 2006-84 being a by-law to provide for the remuneration of Members of Council for the Corporation of the Town of Tecumseh

4. By-Law 2019-63

A by-law for the imposition of development charges.

Motion: RCM - 262/19

Moved by Councillor Brian Houston

Seconded by Councillor Rick Tonial

That By-law 2019-62 being a by-law to amend by-law 2006-84 being a by-law to provide for the remuneration of Members of Council for the Corporation of the Town of Tecumseh;

That By-law 2019-63, Option A, being a by-law for the imposition of development charges.

Be given first and second reading.

Carried

Motion: RCM - 263/19

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

That By-law 2019-62 being a by-law to amend by-law 2006-84 being a by-law to provide for the remuneration of Members of Council for the Corporation of the Town of Tecumseh;

That By-law 2019-63, Option A, being a by-law for the imposition of development charges.

Be given third and final reading.

Carried

N. Unfinished Business

1. August 13, 2019

The Members receive the Unfinished Business listing for Tuesday, August 13, 2019.

O. New Business

Service Line Warranties

A Member has received resident inquiries regarding the number of letters they are receiving and the pressure felt on them to participate. The letters have discrepancies in the property owner information as well as the amount of coverage provided. It is requested that Administration contact Service Line Warranties and ensure accuracy of the information provided to residents.

Tree Limb Damage

Tree failure causing damage to personal property is raised and the need for a consistent approach for inspections, maintenance and removal. The Chief Administrative Officer advised that the Town is consistent with adjudication of claims and how they are investigated. She explains the need to balance preservation of tree canopy with public safety.

Regional Hospital

A Member urges Council that area municipalities have a united front in support for the County Road 42 location of the regional hospital; and requests area MPP's to send letters of support to the Provincial government.

Ste. Antoine's School

A Member raised awareness on a constitutional challenge currently underway regarding student admissions into Ontario French language schools and the growing number of English speaking students being admitted. The decision of this case is concerning as it may affect French school enrollment numbers in the future. Administration is requested to monitor the case and outcome.

Highway 3 Expansion

Gratitude is extended to the Provincial government on the recent announcement approving the expansion of Highway 3. The Mayor will send a letter of thanks.

Corn Festival

Tecumseh's Corn Festival is next weekend at Lacasse Park. The Mayor invites the Members and public to attend and enjoy the festivities.

P. Motions

1. In-Camera Meeting

There was no In-Camera Meeting.

2. Confirmatory By-Law

a. By-Law 2019-64

Being a by-law to confirm the proceedings of the August 13, 2019 regular meeting of the Council of The Corporation of the Town of Tecumseh.

Motion: RCM - 264/19

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

That By-Law 2019-64 being a by-law to confirm the proceedings of the Tuesday, August 13, 2019, regular meeting of the Council of The Corporation of the Town of Tecumseh be given first, second, third and final reading.

Carried

Q. Notices of Motion

There are no notices of motion presented to Council.

R. Next Meeting

Tuesday, September 10, 2019

7:00 pm Regular Council Meeting

S. Adjournment

Motion: RCM - 265/19

Moved by Councillor Brian Houston

Seconded by Councillor Rick Tonial

That there being no further business, the Tuesday, August 13, 2019 meeting of the Regular Council now adjourn at 9:19 pm.

Carried

Gary McNamara, Mayor

Laura Moy, Clerk