

## Regular Council Meeting Agenda

**Date:** Tuesday, February 23, 2021, 7:00 pm

**Location:** Electronic meeting live streamed at: <https://video.isilive.ca/tecumseh/live.html>.

**Pages**

- A. Roll Call
- B. Order
- C. Report Out of Closed Meeting
- D. Moment of Silence
- E. National Anthem
- F. Disclosure of Pecuniary Interest
- G. Minutes
  - 1. Regular Council Meeting - February 9, 2021 5 - 16
  - 2. Public Council Meeting - January 26, 2021 - Draft New Official Plan 17 - 21
- H. Supplementary Agenda Adoption
- I. Delegations
- J. Communications - For Information
  - 1. Town of Kingsville dated January 8, 2021 22 - 27  
Re: Removal of the Windsor International Airport from NAV Canada Closure List
  - 2. Township of Perth South dated February 2, 2021 28 - 31  
Re: Ontario Announces Working Group to Better Focus Conservation Authorities
  - 3. Ministry of the Environment, Conservation and Parks dated February 5, 2021 32 - 36  
Re: Conservation Authorities Act

4.	Ministry of Agriculture, Food and Rural Affairs dated February 11, 2021 Re: Food Premises Regulation under the Health Protection and Promotion Act	37 - 38
5.	Township of Guelph-Eramosa dated February 8, 2021 Re: Advocacy for Reform on MFIPPA	39 - 41
6.	Town of Amherstburg dated February 8, 2021 Re: Support for Bill S-216, an Act to Enact the Modern Slavery Act and to Amend the Customs Tariff	42 - 43
7.	City of St. Catharines dated February 8, 2021 Re: Universal Paid Sick Days in Ontario	44 - 45
8.	Town of Orangeville dated February 10, 2021 Re: Greenhouse Gas Emissions	46 - 47
9.	Township of Georgian Bay dated February 10, 2021 Re: Insurance Rates Reduction	48 - 48
10.	Save the OFC dated February 5, 2021 Re: Save the Ontario Fire College	49 - 49
11.	Town of Gravenhurst dated February 11, 2021 Re: Ontario Fire College	50 - 51
12.	Town of Amherstburg dated February 12, 2021 Re: Ontario Fire College	52 - 59
13.	Conmee Township dated February 10, 2021 Re: Criminal Records and Municipal Election Candidates	60 - 60
14.	Enbridge dated February 17, 2021 Re: Panhandle Regional Expansion Project	61 - 66
15.	AMTCO dated February 18, 2021 Re: Open Letter to Municipal Councils, Services during COVID-19	67 - 68
16.	Windsor Construction Association dated February 18, 2021 Re: COVID Stimulus Funding	69 - 71

**K. Communications - Action Required**

**L. Committee Minutes**



1.	Police Services Board - February 11, 2021	72 - 78
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## **M. Reports**

1.	Corporate Services & Clerk	
a.	CS-2021-03 Parking Lot Lease Agreement Renewal 12150 Tecumseh Road J Kalbol Enterprises Inc	79 - 85
b.	CS-2021-05 Parking Lot Lease Agreement Renewal 12150 Tecumseh Road J Kalbol Enterprises Inc. Supplementary Report	86 - 90
c.	CS-2021-04 Monroe Island Servicing Agreement	91 - 104
2.	Planning & Building Services	
a.	PBS-2021-08 Town of Tecumseh Draft New Official Plan, February 2021, Revision to Schedule E-2	105 - 110
b.	PBS-2021-04 Town of Tecumseh Draft New Official Plan, February 2021 Draft for Council Adoption	111 - 297
c.	PBS-2021-05 2020 Year End Permit Report	298 - 302
d.	PBS-2021-06 Site Plan Control Approval, 1840 Blackacre Drive	303 - 313
e.	PBS-2021-07 Canada Healthy Communities - Pilot Program of On-Demand Transit for Tecumseh Transit Service	314 - 322
3.	Public Works & Environmental Services	
a.	Drinking Water Quality Management System Operational Plan Version 11	323 - 564

## **N. By-Laws**

1.	By-Law 2021-10	565 - 741
	Being a by-law to adopt the new Town of Tecumseh Official Plan.	
2.	By-Law 2021-11	742 - 764
	Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Her Majesty the Queen in Right of Ontario as represented by the Minister of Government and Consumer Services	
3.	By-Law 2021-12	765 - 773
	Being a by-law to authorize the execution of a Servicing Agreement between The Corporation of the Town of Tecumseh and Municipality of Lakeshore and April Pawluk and Ryan Pawluk.	

**O. Unfinished Business**

1. February 23, 2021

774 - 775

**P. New Business**

**Q. Motions**

1. Confirmatory By-law

776 - 777

**R. Notices of Motion**

**S. Next Meeting**

Tuesday, March 9, 2021

5:45 pm Public Council Meeting - Curtis Drain

6:15 pm Public Council Meeting - Dawson Drain

7:00 pm Regular Council Meeting

**T. Adjournment**

## **Regular Meeting of Council**

### **Minutes**

Date: Tuesday, February 9, 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 Water & Wastewater, Brad Dupuis  
Manager Committee & Community Services, Christina Hebert  
Manager Roads & Fleet, Kirby McArdle  
Manager Strategic Initiatives, Lesley Reeves  
Water Quality Compliance/Water Employee, Nicole Bradley

#### **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.

#### **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 - January 26, 2021**

**Motion: RCM - 31/21**

Moved by Councillor Rick Tonial

Seconded by Councillor Brian Houston

**That** the January 26, 2021 minutes of the Regular Council Meeting, as were duplicated and delivered to the members, **be adopted**.

Carried

**H. Supplementary Agenda Adoption**

There are no supplementary agenda items.

**I. Delegations**

**1. Bob Hamilton, Fire Prevention Officer**

Re: Retirement Recognition

The Members welcome Bob Hamilton, Fire Prevention Officer, and his wife, Maureen, to the meeting to be recognized on his retirement after 43 years of service to the Town's Fire Services and the community.

**J. Communications - For Information**

**1. City of Port Colborne dated January 22, 2021**

Re: Drainage Matters on CNR Lands

**2. Town of Plympton-Wyoming dated January 18, 2021**

Re: Drainage Matters and Coordination with National Railways

**3. Municipality of West Nipissing Dated February 1, 2021**

Re: Municipal Drainage Matters and the Need for Coordination with National Railways

**4. Municipality of West Nipissing dated January 7, 2021**

Re: Request to Support Communities with Emergency Operational Funding

- 5. City of Port Colborne dated January 25, 2021**  
Re: Tile Drainage Installation Act
- 6. Municipality of Grey Highlands dated January 20, 2021**  
Re: Insurance Rates
- 7. Town of Gore Bay dated January 25, 2021**  
Re: Municipal Insurance Rates
- 8. Town of Bracebridge dated January 22, 2021**  
Re: Infrastructure funding
- 9. Township of Lake of Bays dated February 3, 2021**  
Re: Municipal Infrastructure Funding
- 10. Municipality of Leamington dated January 22, 2021**  
Re: Removal of Windsor International Airport from NAV Canada Closure List
- 11. Essex Region Conservation Authority dated January 25, 2021**  
Re: Essex Region Source Protection Committee, Municipal Representation and 2020 Annual Report
- 12. Township of South Stormont dated January 25, 2021**  
Re: Reopening small businesses
- 13. Township of North Glengarry date January 25, 2021**  
Re: Support to reopen small businesses
- 14. City of Port Colborne dated January 26, 2021**  
Re: Unlicensed and Unmonitored Cannabis Grow Operations
- 15. Norfolk County dated January 22, 2021**  
Re: Endorsement of Bill 197
- 16. Township of Augusta dated January 25, 2021**  
Re: Ontario Fire College
- 17. Township of Baldwin dated February 1, 2021**  
Re: Ontario Fire College
- 18. Township of Lake of Bays dated February 3, 2021**  
Re: Ontario Fire College

**19. Township of Asphodel-Norwood dated February 1, 2021**

Re: Community Safety and Well-Being Plan Extension Request

**20. Town of Amherstburg dated February 1, 2021**

Re: COVID-19 Child Care Funding

**21. Town of Amherstburg dated February 1, 2021**

Re: Request for Longer Grant Application Timelines

**22. Township of Lake of Bays dated February 3, 2021**

Re: Bill 229, Protect, Support and Recover from COVID-19 Act

**23. Township of Lake of Bays dated February 3, 2021**

Re: Municipal Elections Act

**24. Perth County dated February 2, 2021**

Re: Significant Negative Impacts of Current Value Assessments

**Motion: RCM - 32/21**

Moved by Councillor Bill Altenhof

Seconded by Councillor Andrew Dowie

**That** Communications - For Information 1 through 24 as listed on the Tuesday, February 9, 2021 Regular Council Agenda, **be received.**

Carried

**K. Communications - Action Required**

**Motion: RCM - 33/21**

Moved by Councillor Andrew Dowie

Seconded by Deputy Mayor Joe Bachetti

That Council endorse the appointment of Kevin Webb, City of Windsor, appointment to the Essex Region Source Protection Committee effective April 14, 2021 and with the expiration of appointment of April 14, 2026.

Carried

**L. Committee Minutes**

**1. Town of Tecumseh Business Improvement Area - January 13, 2021**

**Motion: RCM - 34/21**

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

**That** the January 13, 2021 minutes of the Town of Tecumseh Business Improvement Area Meeting as were duplicated and delivered to the members, **be adopted**.

Carried

**2. Lakeshore-Tecumseh Intermunicipal Committee - November 5, 2020**

**Motion: RCM - 35/21**

Moved by Councillor Rick Tonial

Seconded by Councillor Brian Houston

**That** the November 5, 2020 minutes of the Lakeshore-Tecumseh Intermunicipal Committee Meeting as were duplicated and delivered to the members, **be adopted**.

Carried

**M. Reports**

**1. Chief Administrative Officer**

**a. CAO-2021-04 Community Safety and Well-Being Plan Update and Forthcoming Public Consultation Opportunities**

**Motion: RCM - 36/21**

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

**That** Report CAO-2021-04 entitled "Community Safety and Well-Being Plan Update and Forthcoming Public Consultation Opportunities" **be received**.

Carried

**2. Corporate Services & Clerk**

- a. CS-2021-03 Parking Lot Lease Agreement Renewal 12150 Tecumseh Road J Kalbol Enterprises Inc

**Motion: RCM - 37/21**

Moved by Councillor Andrew Dowie

Seconded by Councillor Bill Altenhof

**That** CS-2021-03 entitled "Parking Lot Lease Agreement Renewal – 12150 Tecumseh Road – J. Kalbol Enterprises Inc." **be deferred** to the next February 23, 2021 Regular Council Meeting.

Carried

**3. Planning & Building Services**

- a. PBS-2021-02 Site Plan Control Agreement, D11 SKY, Skyline Real Estate Holdings, East Side Southfield Drive

**Motion: RCM - 38/21**

Moved by Councillor Rick Tonial

Seconded by Councillor Tania Jobin

**That** by-laws authorizing the execution of the "Skyline Real Estate Holdings Inc.", "Skyline Real Estate Holdings (II) Inc." and "Skyline Real Estate Holdings (III) Inc." site plan control agreements, satisfactory in form to the Town's Solicitor, which agreements recognize the existing two apartment building properties and associated driveway improvements located at 11873 and 11917 Tecumseh Road and allow for the construction of two four-storey, 71-unit apartment buildings totalling 142 dwelling units and associated parking, landscaping and on-site services/works on the 1.71 hectare (4.22 acre) parcel of land situated on the east side of Southfield Drive, immediately north of Southfield Park (1200-1250 Southfield Drive), **be adopted**, subject to the following occurring prior to the Town's execution of the three Agreements:

- i) final stormwater management design and stormwater management calculations, and associated site service drawings being approved by the Town;
- ii) the Owner executing the three site plan control agreements; and
- iii) the Owner posting security for performance pursuant to paragraph 6.1 of the agreements;

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



registrations contemplated by the site plan control agreements, by the Mayor and Clerk, **be authorized.**

Carried

- b. PBS-2021-03 CIP Report, DC Grant, Skyline Apartments, East Side Southfield

**Motion: RCM - 39/21**

Moved by Councillor Rick Tonial

Seconded by Deputy Mayor Joe Bachetti

**That** the Grant Application for the Tecumseh Road Main Street Community Improvement Plan (CIP) Financial Incentive Program, for the vacant property located at 1200-1250 Southfield Drive, immediately north of Southfield Park (Roll No. 374402000000382), **be deemed eligible and approved** for the Development Charges Grant Program in the amount of \$100,000 in relation to the construction of two four-storey, 71-unit apartment buildings proposed for the subject property, all of which is in accordance with Section 11.3 (5) of the CIP and with PBS-2021-03.

**And that** the construction timeline requirement for the proposed development be extended from one year to two years, in accordance with Section 11.3 (5) of the CIP and with PBS-2021-03.

Carried

**4. Public Works & Environmental Services**

- a. PWES-2021-03 DMAF Agreement for Climate Change and Flooding Resiliency Project

**Motion: RCM - 40/21**

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

**That** a by-law **be prepared** to authorize the Mayor and Clerk to sign the Agreement for Climate Change and Flooding Resiliency Project between Her Majesty the Queen in Right of Canada, as represented by the Minister of Infrastructure and Communities ("Canada") and The Corporation of the Town of Tecumseh ("Town"), in a form satisfactory to the Town's Solicitor, financial content satisfactory to the Town's Chief Financial Officer and technical content satisfactory to the Town's Engineer, for the grant received from the Disaster Mitigation and Adaptation Fund for the flood resiliency project that includes the following:

- Construction of a new consolidated Scully and St. Mark's Pump Station and a Riverside Drive Trunk Storm Sewer;
- Decommissioning of the existing St. Mark's Storm Pump Station; and

- Construction of a new Peter J. Cecile Pump Station.

**And that** the Town's portion of the total project costs, being \$16.05M of the total \$26.75M, **be funded** through a combination of Lifecycle Stormwater Reserves and Debt with up to \$15M of Debt to be incurred.

Carried

- b. PWES-2021-06 Food and Organic Waste Management Plan

**Motion: RCM - 41/21**

Moved by Councillor Bill Altenhof

Seconded by Councillor Tania Jobin

**That** Report PWES-2021-06 Food and Organic Waste Management Plan **be received** for information.

Carried

- c. PWES-2021-07-2021 Supply of Various Vehicles

**Motion: RCM - 42/21**

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Brian Houston

**That** Administration **be authorized** to obtain quotes for the 2021 Supply of Various Vehicles as **follows**:

<b>1.</b>	<b>Public Works Vehicle Estimated Price</b>
PW 11-12 1500 Pickup Truck	\$35,000
PW 04-10 Single Axle Plow Truck	\$295,000
<b>2. Water Vehicle</b>	<b>Estimated Price</b>
W 04-12 2500 Service Truck	\$90,000
W 07-12 1500 Pickup Truck	\$37,000
W 09-10 Backhoe	\$150,000
<b>3. Parks Vehicles</b>	<b>Estimated Price</b>
P 13-14 Kubota L5460 Tractor	\$35,000
P 26-11 Tilt Trailer	\$6,000
P 42-16 Kubota Utility Vehicle 4x4	\$15,000
P 43-16 Kubota Utility Vehicle 4x4	\$15,000
P 46-16 Kubota Utility Vehicle 4x4	\$15,000

<b>4. Maintenance Vehicle</b>	<b>Estimated Price</b>
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M 01-12 1500 Pickup Truck	\$30,000
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<b>5. Fire Apparatus</b>	<b>Estimated Price</b>
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F5-21 High Water Rescue Vehicle	\$210,000
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**And that** the following equipment **be declared** surplus and disposed of through Part VI, Disposal of Surplus or Scrap Materials and equipment of the Town's Purchasing By-law:

<b>Public Works Vehicle</b>	<b>Unit Number</b>	<b>Year Purchased</b>
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PW 11-12 1500 Pickup Truck	PW 11-12	2011
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PW 04-10 Single Axle Plow	PW 04-10	2009
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<b>Water Vehicle</b>	<b>Unit Number</b>	<b>Year Purchased</b>
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W 04-12 2500 Service Truck	W 04-12	2012
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W 07-12 1500 Pickup Truck	W 07-12	2011
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W 09-10 Backhoe (TBD)	W09-10	2009
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<b>Parks Vehicle</b>	<b>Unit Number</b>	<b>Year Purchased</b>
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P13-14 Kubota L5460	P13-14	2014
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P26-11 Tilt Trailer	P26-11	2011
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P42-16 Kubota Utility Vehicle	P42-16	2016
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P43-16 Kubota Utility Vehicle	P43-16	2016
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P46-16 Kubota Utility Vehicle	P46-16	2016
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<b>Maintenance Vehicle</b>	<b>Unit Number</b>	<b>Year Purchased</b>
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M01-12 Pickup Truck	M01-12	2011
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**And further that** Appendix A titled "Town of Tecumseh 2021-2030 Ten Year Fleet Funding and Replacement Schedules" and Appendix B titled "Town of Tecumseh 2021-2030 Ten Year Fire and Rescue Services Apparatus Funding and Replacement Schedules" attached to Public Works & Environmental Services Report PWES-2021-07 **be adopted** as amended;

**And furthermore that** funding for the purchase of the 2021 Supply of Various Vehicles outlined in Appendix A in the amount of \$ 723,000 plus associated costs for outfitting, \$15,000, for a total of \$738,000 **be funded** from the Fleet Vehicle Reserve.

**And furthermore that** funding for the purchase of the 2021 Supply of Various Vehicles outlined in Appendix B in the amount of \$210,000 plus associated costs for outfitting, \$5,000, for a total of \$215,000 be funded from the Lifecycle Fire Apparatus Reserve, subject to confirmation of approval of the Town's Investing in Canada's Infrastructure Program (ICIP) application as per Report CAO-2021-03.

Carried

- d. PWES-2021-08 Tecumseh (Water) Distribution System 2020 Inspection Report

**Motion: RCM - 43/21**

Moved by Councillor Bill Altenhof

Seconded by Councillor Rick Tonial

**That** the Ministry of the Environment, Conservation and Parks Inspection Report for the Tecumseh (Water) Distribution System, dated December 7, 2020, **be received**.

Carried

- e. PWES-2021-09 Annual Summary Report for the Year 2020 Town of Tecumseh (Water) Distribution System (260004969)

**Motion: RCM - 44/21**

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

**That** the Annual Summary Reports for the Town of Tecumseh (Water) Distribution System (260004969) for the Year 2020, as prepared in accordance with the *Safe Drinking Water Act*, O. Reg. 170/03, Schedule 22 Summary Report, **be adopted**;

**And that** the Annual Summary Reports **be made available** for public viewing through the Town of Tecumseh website.

Carried

**N. By-Laws**

**1. By-Law 2021-08**

Being a by-law to amend By-Law No. 2019-32 being a by-law to appoint a Property Standards Committee for the term of Council 2019-2022

**Motion: RCM - 45/21**

Moved by Councillor Rick Tonial

Seconded by Councillor Bill Altenhof

**That** By-law 2021-08 being a by-law to amend By-Law No. 2019-32 being a by-law to appoint a Property Standards Committee for the term of Council 2019-2022.

**Be given** first and second reading.

Carried

**Motion: RCM - 46/21**

Moved by Councillor Bill Altenhof

Seconded by Deputy Mayor Joe Bachetti

**That** By-law 2021-08 being a by-law to amend By-Law No. 2019-32 being a by-law to appoint a Property Standards Committee for the term of Council 2019-2022.

**Be given** third and final reading.

Carried

**O. Unfinished Business**

**1. February 9, 2021**

The Members receive the Unfinished Business listing for Tuesday, February 9, 2021. A Member comments on the status of a previous item regarding a request for snow removal for the south side sidewalk on Riverside Drive.

**P. New Business**

**Weston Park**

A Member raised awareness of the off road vehicle activity occurring at Weston Park. Administration has installed barriers to prevent activity and suspicious behaviour being monitored by the OPP.

**Snow Removal**

Gratitude is expressed to Administration for their quick efforts with snow removal and resident inquiries.

**Future Public School Site**

A Member acknowledges the Greater Essex County District School Board's announcement regarding the future site for the construction of a new elementary school in Lakeshore and their commitment to create a strong education hub for the area.

**Final Disposal of Plastic Waste**

A request for a response from the Solid Waste Authority Board regarding the Federal Private Member's Bill C-204 to prohibit the export of certain types of plastic waste to foreign countries for final disposal and its impact on local landfills.

**Windsor Essex Catholic District School Board**

Members express best wishes to Terry Lyons, Director of Education for the Windsor Essex Catholic District School Board on his upcoming retirement.

**Q. Motions**

**1. Confirmatory By-law**

**Motion: RCM - 47/21**

Moved by Councillor Rick Tonial

Seconded by Councillor Bill Altenhof

**That** By-Law 2020-09 being a by-law to confirm the proceedings of the Tuesday, February 9, 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**

There are no notices of motion.

**S. Next Meeting**

Tuesday, February 23, 2021

7:00 pm Regular Council Meeting

**T. Adjournment**

**Motion: RCM - 48/21**

Seconded by Councillor Bill Altenhof

**That** there being no further business, the Tuesday, February 9, 2021 meeting of the Regular Council **be adjourned** at 8:55 pm.

Carried

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Gary McNamara, Mayor

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Laura Moy, Clerk

## Public Meeting of Council

### Minutes

Date: Tuesday, January 26, 2021  
Time: 5:00 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 Corporate Services & Clerk, Laura Moy  
Deputy Clerk & Manager Legislative Services, Jennifer

Alexander

Manager Planning Services, Chad Jeffery  
Manager Strategic Initiatives, Lesley Reeves  
Deputy Treasurer & Tax Collector, Zora Visekruna

#### **A. Roll Call**

#### **B. Call to Order**

The Mayor calls the meeting to order at 5:00 pm.

#### **C. Disclosure of Pecuniary Interest**

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

#### **D. Introduction and Purpose of Meeting**

The purpose of the meeting is to hear public comment on the Town's Draft New Official Plan, pursuant to the provisions of the *Planning Act, R.S.O. 1990*.

The Director Planning and Building Services, Brian Hillman, and Manager Planning Services, Chad Jeffery, present report PBS-2021-01 Town of Tecumseh New Official Plan, Results of Public Information Centres.

The Director Planning and Building Services summarizes the purpose of the Official Plan which is a significant planning policy document required pursuant to the *Planning Act*.

The Manager Planning Services explains the virtual consultation process undertaken as a result of COVID-19 and provincial orders against public gatherings, and the implementation of electronic Public Information Centers (PIC). The PICs provided opportunity to engage with the public and key stakeholders from a broad spectrum of the community. Public comments are outlined in the report appended to the agenda. He explains the next steps in the planning process for approval of the Draft New Official Plan.

## **E. Delegations**

### **1. Joe Iwaniw, President of 2178817 Ontario Inc.**

Mr. Joe Iwaniw requests clarification on his property at 1106 Laramie, which is currently light industrial and asks that some of those uses continue to be permitted along with some commercial, as referenced in the Draft New Official Plan (OP). The Manager Planning Services explains the uniqueness of Mr. Iwaniw's property and what is permitted and references the planning report wherein a flexible approach is recommended for the property.

### **2. Josette Eugeni, Resident**

Jeff Sylvestre and Josette Eugeni request that the OP be revised to expand the southerly limit of the Tecumseh North Settlement Area so that it includes land they own south of County Road 42. Mrs. Eugeni raises the concept of "horse trading" of lands between separate settlement areas and notes the use of package treatment plants are not supported. She further notes that some lands outside of the current recommended Maidstone Hamlet Settlement Area could be removed from that settlement area in lieu of their lands south of County Road 42 being added to the Tecumseh North Settlement Area. The Director Planning and Building Services addresses these concerns as indicated in the report appended on the agenda. He notes the OP does not address horse trading as it is addressed at the County level.

Ms. Eugeni raised concerns with the matter of restoration overlay as it relates to drains and routine maintenance. Specifically, she disagrees with the approach of municipal drains and buffers connecting natural heritage areas. The Director explains the overall concept and recognizes revisions are required.

In response to an inquiry, the Director clarifies the designation and objectives of Natural Heritage features particularly in relation to allowing limited passive parks use such as trails and the issue of parkland dedication in relation to the *Planning Act*.



**3. Judy Robson, Resident**

Judy Robson expresses gratitude to the Town for its efforts with the virtual Public Information Centres and public engagement on this matter. She indicates several concerns including: The Ontario Municipal Board 2018 decision on the distinction between the meaning of Community and Municipality; municipally owned lands situated between Highway 3 and McCord Drive; the prohibition of greenhouse facilities for the growing of cannabis in hamlet areas; precise completion date for the Oldcastle Hamlet Special Planning Study; a pedestrian crosswalk at Highway 3 and Oldcastle Road; and timing on the adoption of a new Zoning By-law. Ms. Robson has filed her speaking notes with the Clerk.

The Director indicates that the report clarifies these concerns which is appended to the agenda. He clarifies that there is no proposal to have cannabis growing facilities in any of the settlement areas on Business Park lands. The Director notes that there is a commitment by way of specific policy in the Official Plan regarding the lands designated Future Development in Oldcastle and the need for further study to ensure that appropriate land use designations are applied to these lands upon completion of the study.

**4. Perry Burford, Resident**

Mr. Perry Burford, a member of the Friends of Oldcastle Development Group, strongly opposes the municipally owned parcel of land located between Highway 3 and McCord Drive, being sold. He explains that this land should be reserved for community use such as a library or community centre.

The Director acknowledges that the lands are proposed to be designated Commercial in the New OP and that Council direction on the preferred path forward will be required.

The Mayor opens the floor for any further questions. There are no further questions raised from the delegations.

Members speak to the idea of this municipal property remaining in the Community Facility designation. The Director explains the historical community interest expressed with this land for commercial development. The CAO and Mayor note that this is a public meeting to hear input and that decisions of Council on matters will not be made at this meeting.

A Member requests to include comments on equity and inclusivity in the New Official Plan. The Manager Planning Services acknowledged that this issue had been raised by others during the virtual PIC and that appropriate wording would be incorporated into the OP.

It is suggested that future park development within the Town include a more naturalist approach to reduce maintenance and to seek sustainable

energy opportunities. The Director advises that the Parks and Recreation Master Plan, which is under review, is the more appropriate place for these types of detailed parks design considerations to be developed.

The Manager Planning Services indicates that the Climate Change and Energy policies included in the Draft New Official Plan are quite comprehensive; and that the County of Essex and the Essex Region Conservation Authority have been consulted on them.

In repose to an inquiry regarding a common façade in commercial development, the Manager advises that urban design/architectural principles are outlined in the OP from a policy perspective, with the option to develop more specific Architectural Design Guidelines in the future.

#### **F. Communications**

**1. Notice of Virtual / Electronic Public Meeting for Tecumseh Draft New Official Plan dated January 4, 2021**

Re: Notice of virtual / electronic public meeting to comment on the Town's Draft New Official Plan

**2. Sue Rau dated November 12, 2020**

Re: Official Plan

**Motion: PCM - 01/21**

Moved By Councillor Rick Tonial

Seconded By Councillor Brian Houston

**That** Communications - For Information 1 and 2 as listed on the Tuesday, January 26, 2021 Public Council Meeting Agenda, **be received**.

Carried

#### **G. Reports**

**1. PBS-2021-01 Town of Tecumseh New Official Plan, Results of Public Information Centres**

**Motion: PCM - 02/21**

Moved By Deputy Mayor Joe Bachetti

Seconded By Councillor Tania Jobin

**That** Report PBS-2021-01 Town of Tecumseh Draft New Official Plan, September 2020, Results of Public Information Centres, **be received**;

**And that** "Next Steps in the New Official Plan Process" as outlined in Report PBS-2021-01, **be authorized**.

Carried

**H. Adjournment**

**Motion: PCM - 03/21**

Moved By Councillor Bill Altenhof

Seconded By Councillor Rick Toniai

**That** there being no further business, the Tuesday, January 26, 2021 meeting of the Public Council Meeting **be adjourned** at 6:49 pm.

Carried

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Gary McNamara, Mayor

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Laura Moy, Clerk



2021 Division Road North  
Kingsville, Ontario N9Y 2Y9  
Phone: (519) 733-2305  
[www.kingsville.ca](http://www.kingsville.ca)  
[kingsvilleworks@kingsville.ca](mailto:kingsvilleworks@kingsville.ca)

VIA EMAIL ([lmoy@tecumseh.ca](mailto:lmoy@tecumseh.ca))

January 29, 2021

Town of Tecumseh  
917 Lesperance Road  
Tecumseh, Ontario N8N 1W9

Attention: Laura Moy, Director Corporate Services and Clerk

**RE: Removal of the Windsor International Airport from NAV Canada closure list**

At its Regular Meeting held January 11, 2021, Kingsville Council considered your correspondence addressed to the Minister of Transportation in regard to the above-captioned matter. In support, the following Resolution #18-2021 was passed by Kingsville Council that evening:

**“Moved By** Councillor Thomas Neufeld

**Seconded By** Deputy Mayor Gord Queen

That Council supports Town of Tecumseh Resolution RE: Removal of the Windsor International Airport from NAV Canada closure list.”

A copy of this letter has been forwarded to the parties listed below along with the originating correspondences from both your municipality and the Warden of the County of Essex.

Yours very truly,

A handwritten signature in blue ink that reads "Sandra Kitchen".

Sandra Kitchen, Deputy Clerk-Council Services  
Legislative Services Department [skitchen@kingsville.ca](mailto:skitchen@kingsville.ca)

**Attachments**

1. *Town of Tecumseh Correspondence dated December 9, 2020 and County of Essex Warden's correspondence dated December 2, 2020*

cc: County of Essex; Attention: G. McNamara, Warden  
cc: Nav Canada ([wilsonn@navcanada.ca](mailto:wilsonn@navcanada.ca))  
cc: Taras Natyshak, MPP Essex  
cc: Minister of Transportation ([marc.garneau@parl.gc.ca](mailto:marc.garneau@parl.gc.ca))  
cc: Rick Nicholls, MPP Chatham-Kent-Leamington  
cc: Percy Hatfield, MPP Windsor-Tecumseh  
cc: Chris Lewis, MP Essex  
cc: David Epp, MP Chatham-Kent-Leamington  
cc: Irek Kusmierczyk MP, Windsor-Tecumseh  
cc: Drew Dilkens, Mayor, City of Windsor



## The Corporation of the Town of Tecumseh

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December 9, 2020

Minister of Transportation  
House of Commons  
Ottawa, Ontario K1A 0A6

Sent via email: [marc.garneau@parl.gc.ca](mailto:marc.garneau@parl.gc.ca)

**Attention: The Honourable Marc Garneau**

Dear Minister Garneau:

**Re: Removal of the Windsor International Airport from NAV Canada closure list**

The Council of the Town of Tecumseh, at its regular meeting held Tuesday, December 08, 2020, gave consideration to correspondence from the County of Essex, dated December 2, 2020, requesting removal of the Windsor International Airport from NAV Canada closure list, a copy of which is enclosed.

At their meeting, Tecumseh Council passed the following resolution:

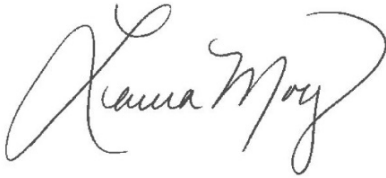
**“That** the Town of Tecumseh **support** the County of Essex resolution regarding the Removal of Windsor International Airport from NAV Canada closure list; and to send a letter to Transportation Minister Garneau, requesting that Navigation Canada (NAV Canada) remove Windsor International Airport from their list of airports currently being studied for possible removal of air traffic controllers, and noting the economic impact that loss of air traffic would have on the region.”

On behalf of Tecumseh County Council, I am writing to express their opposition to the review by Navigation Canada (NAV Canada) for the possible removal of Windsor International Airport air traffic controllers.

Continued...

By copy of this letter, we formally request that the local MP's and MPP's support the above motion.

Yours very truly,



Laura Moy, Dipl.M.M., CMMIII HR Professional  
Director Corporate Services & Clerk

LM/pb

Attachments

1. County of Essex letter dated December 2, 2020

cc: Hon. Marc Garneau, Minister of Transport ([marc.garneau@parl.gc.ca](mailto:marc.garneau@parl.gc.ca)) [wilsonn@navcanada.ca](mailto:wilsonn@navcanada.ca)  
Taras Natyshak, MPP, Essex ([tnatyshak-qp@ndp.on.ca](mailto:tnatyshak-qp@ndp.on.ca)) Rick Nicholls, MPP, Chatham-Kent-  
Essex ([rick.nicholls@pc.ola.org](mailto:rick.nicholls@pc.ola.org)) Percy Hatfield, MPP, Windsor-Tecumseh ([Phatfield-qp@ndp.on.ca](mailto:Phatfield-qp@ndp.on.ca)) Chris Lewis, MP, Essex ([chris.lewis@parl.gc.ca](mailto:chris.lewis@parl.gc.ca)) David Epp, MP, Chatham-  
Kent-Leamington ([dave.epp@parl.gc.ca](mailto:dave.epp@parl.gc.ca)) Irek Kusmierczyk, MP ([irek.kusmierczyk@parl.gc.ca](mailto:irek.kusmierczyk@parl.gc.ca))  
Drew Dilken, Mayor, City of Windsor ([mayoro@citywindsor.ca](mailto:mayoro@citywindsor.ca)) Local Area Municipalities

December 2, 2020

Neil R. Wilson  
President and Chief Executive Officer  
Nav Canada  
77 Metcalfe Street  
Ottawa ON K1P 5L6

**Sent via email:** wilsonn@navcanada.ca

Dear Mr. Wilson,

**Re: Removal of Windsor International Airport from NAV Canada closure list**

---

Essex County Council, at its Wednesday, December 2, 2020 meeting, adopted the following resolution:

**263-2020**

**Moved By:** Tom Bain

**Seconded by:** Richard Meloche

**That** County Council send a letter to Transportation Minister Garneau, requesting that Navigation Canada (NAV Canada) remove Windsor International Airport from their list of airports currently being studied for possible removal of air traffic controllers, and noting the economic impact that loss of air traffic would have on the region.

**Carried**

The Windsor International Airport is a popular point of entry into Canada, providing business and general aviation options, and serving Essex County as well as the City of Windsor and surrounding communities.

Removal of the air traffic controllers would result in a closure of the Windsor International Airport, which would have a detrimental economic impact on the region.

On behalf of Essex County Council, I am writing to express our strong opposition to the review by Navigation Canada (NAV Canada) for the possible removal of Windsor International Airport air traffic controllers.



Further, on behalf of Essex County Council and by copy of this letter, we formally request that the local MP's and MPP's support the above motion.

Your consideration on this resolution is greatly appreciated.

Sincerely,



Gary McNamara  
Warden, County of Essex  
Mayor, Town of Tecumseh

CC:

- Hon. Marc Garneau, Minister of Transport ([marc.garneau@parl.gc.ca](mailto:marc.garneau@parl.gc.ca))
- Taras Natyshak, MPP, Essex ([tnatyshak-gp@ndp.on.ca](mailto:tnatyshak-gp@ndp.on.ca))
- Rick Nicholls, MPP, Chatham-Kent-Essex ([rick.nicholls@pc.ola.org](mailto:rick.nicholls@pc.ola.org))
- Percy Hatfield, MPP, Windsor-Tecumseh ([Phatfield-gp@ndp.on.ca](mailto:Phatfield-gp@ndp.on.ca))
- Chris Lewis, MP, Essex ([chris.lewis@parl.gc.ca](mailto:chris.lewis@parl.gc.ca))
- David Epp, MP, Chatham-Kent-Leamington ([dave.epp@parl.gc.ca](mailto:dave.epp@parl.gc.ca))
- Irek Kusmierczyk, MP ([irek.kusmierczyk@parl.gc.ca](mailto:irek.kusmierczyk@parl.gc.ca))
- Drew Dilkens, Mayor, City of Windsor ([mayoro@citywindsor.ca](mailto:mayoro@citywindsor.ca))
- Local Area Municipalities



**Corporation of the Township of Perth South**

3191 Road 122  
St. Pauls, ON N0K 1V0  
Telephone 519-271-0619  
Fax 519-271-0647  
[mayor@perthsouth.ca](mailto:mayor@perthsouth.ca)

February 2, 2021

**Via Email:** [minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca)

Honourable Jeff Yurek  
Minister of Environment, Conservation, and Parks  
777 Bay Street  
College Park - 5th Floor  
Toronto, ON M7A 2J3

**Re: ONTARIO ANNOUNCES WORKING GROUP TO BETTER FOCUS  
CONSERVATION AUTHORITIES**

Dear Minister,

The Municipality of Perth South ("Perth South") is pleased to see your Ministry's development of regulations for the *Conservation Authorities Act*, 1990 R.S.O. 1990, c. C.27 (the "Act"). Perth South supports the proposed changes your government passed respecting conservation authorities in schedule 6 of Bill 229, the *Protect, Support and Recover from COVID-19 Act* (Budget Measures), 2020 ("Bill 229"). I expressed this support in my email to you on November 5, 2020.

Our municipality, like many others across Ontario, has encountered longstanding conflicts regarding operational scope and costs with our principal conservation authority the Upper Thames River Conservation Authority ("UTRCA"). Despite requests made in writing and through delegations at annual Board Budget meetings no resolution has been found. It is for this reason that Perth South was pleased to see the changes made through Bill 229; however, we were disappointed when the Working Group composition was announced as it is dominated by conservation authorities who are tasked with recommending the very regulations that govern them. I am sure you can agree that the initial optics of the governed designing the governance of themselves is concerning. Conservation authorities, most of whom opposed your reforms, should not be relied upon to develop fair and objective recommendations on their own.

Further to my email of January 12, 2021, I am writing to you to confirm and clarify your full intent and scope for the Working Group your Ministry announced on December 16, 2020 to develop updated regulations. We are hopeful that you will direct this Working Group with clear, limited, and specific instructions that will focus on the intent of changes included in Bill 229.

Perth South seeks your clarity that this Working Group's tasks will be built on the following principles in the areas of focus highlighted:

1. *Mandatory core programs and services conservation authorities would be required to provide.*
  - (a) That 'mandatory' core programs are limited to the changes included in schedule 6 of Bill 229: conservation lands solely owned by conservation authorities, flood-control, erosion, and natural hazards;
  - (b) That conservation authorities are not permitted any discretion via regulations to exit those defined and strict categories; and
  - (c) That 'services' must be concise, limited, and have obvious direct need to fulfil core mandates not merely 'link' or 'complement' the same.
2. *The agreements between municipalities and conservation authorities and the transition period associated with non-mandatory programs and services*
  - (a) That the regulations establish a clear, consistent, and template pro-forma for these agreements that includes at a minimum:
    - i. a specified time limitation to prevent perpetuity;
    - ii. clear intent and objectives;
    - iii. clear definitions, terms, and conditions;
    - iv. the identified necessity for it/them;
    - v. accurate, evidence-supported budget forecasting;
    - vi. the impact of items (i-iv) on each participating municipality;
    - vii. supporting science-based evidence that meets or exceeds the standard(s)/threshold(s) applied to any third party deemed an applicant and/or subject to an

agreement's provisions including on any items requiring peer review;

- viii. municipal and public input mechanisms and timelines;
- ix. dispute resolution processes that adhere to the legislation and the timelines proscribed therein; and
- x. municipal refusal/opt-out clause(s) where proposals do not have the support of the participating municipality and/or do not reasonably benefit a participating municipality or municipalities given their geographical extent or limit within the watershed of the conservation authority in question.

- (b) That the "transition period," associated cannot be greater than one (1) fiscal year from the date of Bill 229's passage in the case of any pre-existing agreement and no more than two (2) years from the date of Bill 229's passage; and
- (c) That the Working Group must understand the principle that one "cannot do by regulation what one cannot do in law."

3. *How local members of the community can participate in their conservation authorities through community advisory boards*

- (a) That these advisory boards and the conservation authorities that they 'advise' are not delegated responsibilities or tasks that are a normative function of a conservation authority's operations and not delegation(s) or devolution(s) of a conservation authority's board and its committees' obligations and normal work;
- (b) That voluntarily submitted proposals for programs, projects, and services cannot be for activities either not contemplated or permitted under either conservation authorities' mandated functions or approved non-mandatory agreements;
- (c) That advisory committee's recommendations and work are neither binding nor required under a conservation authority's administrative by-laws;
- (d) That any aspect of an advisory committee's work that requires public consultation becomes a function of the conservation authority's board or its approved board-fulfilled committees not the advisory committee/group;
- (e) That membership on any advisory committee or group must be balanced and reflect its composition to watershed citizens who are

resident and contributing ratepayers in participant municipalities of the conservation authority in question;

- (f) That conservation authorities' obligations to conduct deliberate, regular, thorough, and transparent public consultation on matters of policies, programs, and services cannot be delegated to an 'advisory' committee or group. That such functions remain a core and mandatory function of a conservation authority's board; and
- (g) That community advisory boards neither relieve nor substitute a conservation authority's obligation to incorporate citizens into consultative and/or input processes that are board-led or directed.

We understand and agree that partnerships and collaboration are critical but want to ensure that there is balance in the parties that will represent the Working Group.

Perth South also looks forward to greater clarity from the Ministry with respect to conservation authority budget and levy processes in the regulation updates. We are very pleased with the avenues of appeal Bill 229 will now provide, after recently exploring the costly and difficult appeal process that previously existed.

As you work to reach the final outcome on these long overdue changes, Perth South and its residents are relying on you to ensure that the development of regulations will align with the spirit of the changes requested by Perth South and other municipalities across the province during the consultations that occurred in early 2020.

I thank you for the work you are undertaking and trust our comments will be received and conveyed with your support to this Working Group. I am confident many more municipalities in this province would echo our points of view.

Yours sincerely,



Robert Wilhelm  
Mayor  
Township of Perth South

cc: All municipalities in Ontario

Ministry of Environment, Conservation, and Parks Working Group members on  
Proposed Regulations under the Conservation Authorities Act.

Randy Pettapiece, MPP Perth-Wellington

**From:** ca.office (MECP) [<mailto:ca.office@ontario.ca>]

**Sent:** February 5, 2021 10:49 AM

**Subject: Proclamation of Provisions of the Conservation Authorities Act**

Good morning,

With the amendments to the *Conservation Authorities Act* (“CAA”) in Bill 229, the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020*, now passed by the Legislature, the government has made a series of substantive amendments to the CAA in 2017, 2019 and in 2020, resulting in a number of un-proclaimed provisions in the CAA.

On February 2, 2021, some specific provisions in the CAA were proclaimed to initiate changes to conservation authority governance, for consistency in administration, transparency and financial accountability, as well as increased municipal and provincial oversight of conservation authority operations. These provisions are not tied to any specific regulations, and relate only to provisions from the 2019 and 2020 CAA amendments. Specifically, these include:

- Government requirements (e.g. Non-derogation provision clarifying that nothing in the CAA is intended to affect constitutionally protected Aboriginal and treaty rights);
- Provisions related to conservation authority governance (e.g. changes to the conservation authority municipal membership);
- Minister’s powers (e.g., enabling the Minister to issue a binding directive to a conservation authority following an investigation); and
- Housekeeping amendments.

Please refer to the [CAA](#) on e-Laws for a complete list of the provisions that are now in force.

We are proposing that the remaining un-proclaimed provisions be proclaimed in two further stages over the coming months to align with the roll out of proposed regulations and policy. These include:

- i) Provisions related to natural hazard management, mandatory programs and services, community advisory boards, the agreements and transition period, and fees.
- ii) Provisions related to municipal levies, and standards and requirements for non-mandatory programs and services.

We have received a number of questions about the implications of certain provisions coming into force, and particularly those related to the composition of conservation authority membership. I can assure you that we are moving forward with a smooth

transition to the new framework. Please refer to the attached FAQ for critical information on the implementation of these new measures.

My team in the Conservation Authority Office are available to answer any questions that you may have about the provisions that are now in effect as a result of the stage 1 proclamation. Please do not hesitate to contact us at [ca.office@ontario.ca](mailto:ca.office@ontario.ca).

The Ministry of the Environment, Conservation and Parks will be in touch at a future date to notify you of the proclamation of the remaining provisions.

I look forward to continuing to work with you through our upcoming consultations on the new regulatory proposals under the CAA to ensure we put conservation authorities in the best position possible to be able to deliver on their core mandate.

Sincerely,

Keley Katona  
Director, Conservation and Source Protection Branch  
Ministry of the Environment, Conservation and Parks

# **Implications of Proclamation of Various Provisions: Frequently Asked Questions**

## **1. Do participating municipalities have to appoint new members to conservation authorities now in order to meet the 70% requirement?**

Immediate action is not required on the part of conservation authorities or by municipalities related to the provision requiring 70% of municipally appointed members be elected officials.

Current members should complete the remaining duration of their appointments. As new members are appointed, conservation authorities should be appointing members in a way that complies with this new requirement.

A participating municipality may also apply to the Minister of the Environment, Conservation and Parks requesting an exception to this 70% requirement. The request should include the rationale for the request, and what proportion of members the municipality is proposing to be elected officials. Requests should be sent to [minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca).

## **2. Does a conservation authority need to immediately initiate the term limits of chair/vice-chairs and rotate amongst participating municipalities?**

Immediate action is not necessarily required. Implementation of this provision could begin at the first meeting held this year (following the proclamation date of February 2, 2021), or at such other meeting as may be specified by the authority's by-laws.

A participating municipality or conservation authority may also apply to the Minister of the Environment, Conservation and Parks requesting an exception to the term limit or rotation. The request should include the alternative approach being proposed, and the rationale for the request. Requests should be sent to [minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca).

## **3. When should conservation authorities transition to the use of generally accepted accounting principles?**

If not already the practice, conservation authorities will transition to the use of generally accepted accounting principles for local government and ensure that key conservation authority documents are made available to the public (i.e., minutes of authority or executive committee meetings, auditor reports) following proclamation of these provisions on February 2, 2021.



# Implications of Proclamation of Various Provisions: Frequently Asked Questions

## **4. When do copies of municipal member agreements need to be sent to the Minister and made public?**

Please submit any existing agreements (on the number of total conservation authority members and number of members per participating municipality in a conservation authority) to the Minister within 60 days of February 2, 2021 (i.e., by April 3, 2021).

If no such agreement is in place as of February 2, 2021, but such an agreement is entered into at a future date, please provide it to the Minister within 60 days of executing the agreement. These agreements should also be made available to the public through the conservation authority's website or other appropriate means within these same timelines.

## **5. Which provisions of the Conservation Authorities Act (CAA) are you proclaiming in this first phase?**

Provisions in the CAA that come into effect February 2, 2021, as part of this first phase include:

### **Housekeeping Amendments**

- Clarifying “Minister” means the Minister of the of the Environment, Conservation and Parks (rather than the Minister of the Natural Resources and Forestry) (Bill 108, 2019).
- Administrative change by striking out “of the Environment” from “Minister of the Environment” (in the section on CA dissolutions – clause 13.1(6)(c)) (Bill 108, 2019).
- Remove a legislative date (now stale) for a past transition period for conservation authorities (CAs) to up-date administrative by-laws (Bill 229, 2020).

### **Government Requirements**

- Non-derogation provision to recognize existing Aboriginal or treaty rights (Bill 229, 2020).
- Enable the Minister to delegate his or her powers to an employee of the Ministry of the Environment, Conservation and Parks (Bill 229, 2020).

### **Governance**

- Changes to the CA municipal membership provisions including requiring 70 per cent of municipally appointed members to be elected officials with provision for the Minister to permit less than 70 per cent on application by a participating municipality (Bill 229, 2020).
- Requiring copies of municipal member agreements on number of total CA members agreed upon and numbers per participating municipality in a CA agreed upon, to be made public and provided to the Minister (Bill 229, 2020).

# Implications of Proclamation of Various Provisions: Frequently Asked Questions

- Removal of the regulation making authority regarding the composition of the CA (Bill 229, 2020).
- Minister's power to appoint a member from the agricultural sector with limitations added to the member's voting rights (Bill 229, 2020).
- Limiting the term of the chair/vice-chair and rotating of the chair/vice-chair among a CA's participating municipalities with provision for the Minister to permit an exception to these requirements upon application of the CA or participating municipality. If an exception is granted, this would allow a chair/vice-chair to hold office for more than one year or two terms, or a member to succeed an outgoing chair, vice-chair, appointed from the same participating municipality (Bill 229, 2020).
- Minor amendments to the 'powers of authorities': integrating the CA power to "cause research to be done" with the CA power to "study and investigate the watershed" in order to support the programs and services the CA delivers; to require consent of the occupant or owner of the land before a CA staff can enter the land for the purpose of a CA project (such as land surveying); and to remove the power of a CA to expropriate land (Bill 229, 2020).
- Require CAs to follow generally accepted accounting principles for local governments, make key documents (annual audit, meeting agendas and minutes and member agreements) available to the public (Bill 229, 2020).
- **Minister's Power**
- Enable the Minister to issue a binding directive to a CA following an investigation (Bill 229, 2020).
- Enable the province, upon recommendation by the Minister, to appoint a temporary administrator to assume control of a CA's operations following an investigation or the issuance of a binding directive, if the directive is not followed. Immunity is provided for the administrator (Bill 229, 2020).

**Ministry of Agriculture,  
Food and Rural Affairs**

Office of the Minister

77 Grenville Street, 11th Floor  
Toronto, Ontario M7A 1B3  
Tel: 416-326-3074  
[www.ontario.ca/OMAFRA](http://www.ontario.ca/OMAFRA)

**Ministère de l'Agriculture, de  
l'Alimentation et des Affaires rurales**

Bureau du ministre

77, rue Grenville, 11<sup>e</sup> étage  
Toronto (Ontario) M7A 1B3  
Tél. : 416 326-3074  
[www.ontario.ca/MAAARO](http://www.ontario.ca/MAAARO)



February 11, 2020

Laura Moy  
Clerk  
Town of Tecumseh  
[lmoy@tecumseh.ca](mailto:lmoy@tecumseh.ca)

Dear Laura Moy:

The best small businesses are born out of a passion and a dream.

When it comes to many home-based food businesses, they start with a love of food and a cherished family recipe. Whether passionate about making grandma's coveted baked goods or a new take on homegrown pickles, jams and preserves, we are making it easier for Ontarians to share their homemade goods with their communities and turn their passion into a successful business.

As our government recently announced, Ontario has made changes to the Food Premises Regulation under the *Health Protection and Promotion Act* that allow more flexibility for small, independent businesses to sell their low-risk, home-prepared foods from their homes or at special events like farmers' markets, festivals and fairs. While these changes came into effect on January 1, 2020, the desire to start low-risk, home based food businesses has only increased during COVID, which is why we're clarifying the rules now.

Low-risk foods are non-hazardous and do not require refrigeration. They include such items as baked goods, pickles, jams and preserves, chocolates, hard candies and brittles, fudge and toffees, granola, trail mix, nuts and seeds, and coffee beans and tea leaves.

These regulatory changes support Ontario's entrepreneurs in running a home-based food business, without compromising our high standards for food safety. The changes also give Ontarians new opportunities to buy locally produced foods.

.../2

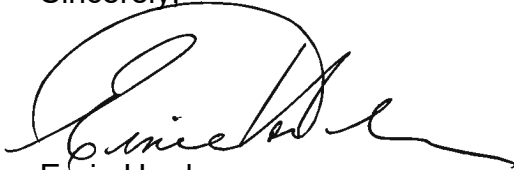
The Ministry of Health has published a guide to help such entrepreneurs take the recommended steps to succeed, in a food-safe way, in their homemade food business efforts:

[www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/selling\\_low\\_risk\\_food.pdf](http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/selling_low_risk_food.pdf) I welcome you to use your networks to share this important information with those who may be interested.

Starting a home-based food business is an excellent opportunity for people across Ontario to share their culinary creativity, build a business for themselves and be part of the province's agri-food sector. Our government is committed to encouraging this growing part of the economy and to support all the good things that are grown and produced right here in Ontario.

Thank you for your support of this initiative and for all your efforts to partners with us as we strive to build strong communities and a vibrant economy in Ontario.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ernie Hardeman', with a large, stylized initial 'E'.

Ernie Hardeman

Minister of Agriculture, Food and Rural Affairs

### **COVID-19 Reminders**

- Practise physical distancing – stay 2 metres away from others in public
- Wash your hands – with soap and water thoroughly and often
- Get the facts - [www.ontario.ca/page/covid-19-stop-spread](http://www.ontario.ca/page/covid-19-stop-spread)

February 8, 2021

**Ministry of Municipal Affairs and Housing**

17<sup>th</sup> Floor, 777 Bay Street  
Toronto, ON  
M7A 2J3

**Attention: The Hon. Steve Clark**

**Re: Advocacy for Reform – MFIPPA Legislation**

At the Township of Guelph/Eramosa's Regular Meeting of Council held on Monday February 1, 2021, the following resolution was put forward and passed:

Be it resolved that the Council of the Township of Guelph/Eramosa has received Clerk's Department Report 21/03 regarding Advocacy for Reform – MFIPPA Legislation; and

That that the following motions be passed in support of a request to review and reform of the Municipal Freedom of Information and Protection of Privacy Act:

WHEREAS the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 (MFIPPA) dates back 30 years;

AND WHEREAS municipalities, including the Township of Guelph/Eramosa, practice and continue to promote open and transparent government operations, actively disseminate information and routinely disclose public documents upon request outside of the MFIPPA process;

AND WHEREAS government operations, public expectations, technologies, and legislation surrounding accountability and transparency have dramatically changed and MFIPPA has not advanced in line with these changes;

AND WHEREAS the creation, storage and utilization of records has changed significantly, and the Municipal Clerk of the Municipality is responsible for records and information management programs as prescribed by the Municipal Act, 2001;

Jenni Spies  
Deputy Clerk

Tel: 519-856-9596  
[jspies@get.on.ca](mailto:jspies@get.on.ca)

AND WHEREAS regulation 823 under MFIPPA continues to reference antiquated technology and does not adequately provide for cost recovery, and these financial shortfalls are borne by the municipal taxpayer;

AND WHEREAS the threshold to establish frivolous and/or vexatious requests is unreasonably high and allows for harassment of staff and members of municipal councils, and unreasonably affects the operations of the municipality;

AND WHEREAS the Act fails to recognize how multiple requests from an individual, shortage of staff resources or the expense of producing a record due to its size, number or physical location does not allow for time extensions to deliver requests and unreasonably affects the operations of the municipality;

AND WHEREAS the name of the requestor is not permitted to be disclosed to anyone other than the person processing the access request, and this anonymity is used by requesters to abuse the MFIPPA process and does not align with the spirit of openness and transparency embraced by municipalities;

AND WHEREAS legal professionals use MFIPPA to gain access to information launch litigation against institutions, where other remedies exist;

AND WHEREAS there are limited resources to assist administrators or requestors to navigate the legislative process;

AND WHEREAS reform is needed to address societal and technological changes in addition to global privacy concerns and consistency across provincial legislation;

BE IT RESOLVED THAT the Ministry of Government and Consumer Services be requested to review the MFIPPA, and consider recommendations as follows:

1. That MFIPPA assign the Municipal Clerk, or designate to be the Head under the Act;
2. That MFIPPA be updated to address current and emerging technologies;
3. That MFIPPA regulate the need for consistent routine disclosure practices across institutions;
4. That the threshold for frivolous and/or vexatious actions be reviewed, and take into consideration the community and available resources in which it is applied;
5. That the threshold for frivolous and/or vexatious also consider the anonymity of requesters, their abusive nature and language in

requests to ensure protection from harassment as provided for in Occupational Health and Safety Act;

6. That the application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process;
7. That administrative practices implied or required under the Act, including those of the IPC, be reviewed and modernized;
8. That the integrity of the Act be maintained to protect personal privacy and transparent governments.

Please accept this for your information and any necessary action.

Sincerely,



Jenni Spies  
Deputy Clerk

Cc. Ted Arnott, MPP Wellington-Halton Hills  
Michael Chong, MP Wellington-Halton Hills  
Minister of Consumer Services  
Information and Privacy Commissioner of Ontario  
Association of Municipalities of Ontario  
Association of Clerks and Treasurers of Ontario  
Ontario Clerks



# The Corporation of The Town of Amherstburg

February 8, 2021

VIA EMAIL

Honourable Julie Miville-Dechene  
Senate of Canada  
[julie.miville-dechene@sen.parl.gc.ca](mailto:julie.miville-dechene@sen.parl.gc.ca)

**Re: Support of Bill S-216, an Act to enact the Modern Slavery Act and to amend the Customs  
Tariff**

Dear Honourable Miville-Dechene,

At its meeting of January 11<sup>th</sup>, 2021, Amherstburg Town Council passed the following:

***“Whereas it is estimated that at least 40 million men, women and children around the world are victims of modern slavery, a term that is not explicitly defined by international law but encompasses a whole series of practices, including sex and other trafficking and forced marriage, in which a person is exploited or forced to work through violence, threats, coercion, abuse of power or fraud;***

***And Whereas, of these, 16 million human beings, both adults and children, are trafficked for forced labour in the private sector, according to International Labour Organization estimates;***

***And Whereas Bill S-216, an Act to enact the Modern Slavery Act and to amend the Customs Tariff, is a tool for transparency to fight against modern slavery and will help Canada to more strictly adhere to the letter of its international commitments;***

***And Whereas Town of Amherstburg Council understands the severity of modern slavery and wishes to assist in motivating businesses to eliminate the use of any form of child labour in their global supply chains, and empower consumers and investors to engage meaningfully on this important issue;***

***Now therefore let it be resolved that Town of Amherstburg Council supports Bill S-216, an Act to enact the Modern Slavery Act and a letter indicating Council's support be sent to the Honourable Julie Miville-Dechene, local MP's and MPP's and all regional Town Councils.***



Regards,



Tammy Fowkes  
Deputy Clerk, Town of Amherstburg  
(519) 736-0012 ext. 2216  
[tfowkes@amherstburg.ca](mailto:tfowkes@amherstburg.ca)

cc:

Taras Natyshak, MPP, Essex County  
Email: [tnatyshak-co@ndp.on.ca](mailto:tnatyshak-co@ndp.on.ca)

Chris Lewis, MP, Essex County  
Email: [chris.lewis@parl.gc.ca](mailto:chris.lewis@parl.gc.ca)

Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk - Town of Essex  
Email: [rauger@essex.ca](mailto:rauger@essex.ca)

Jennifer Astrologo, Director of Corporate Services/Clerk - Town of Kingsville  
Email: [jastrologo@kingsville.ca](mailto:jastrologo@kingsville.ca)

Agatha Robertson, Director of Council Services/Clerk - Town of LaSalle  
Email: [arobertson@lasalle.ca](mailto:arobertson@lasalle.ca)

Kristen Newman, Director of Legislative and Legal Services/Clerk - Town of Lakeshore  
Email: [knewman@lakeshore.ca](mailto:knewman@lakeshore.ca)

Brenda Percy, Municipal Clerk/Manager of Legislative Services - Municipality of Leamington  
Email: [bpercy@leamington.ca](mailto:bpercy@leamington.ca)

Laura Moy, Director of Corporate Services/Clerk - Town of Tecumseh  
Email: [lmoy@tecumseh.ca](mailto:lmoy@tecumseh.ca)

Mary Birch, Director of Council and Community Services/Clerk -County of Essex  
Email: [mbirch@countyofessex.ca](mailto:mbirch@countyofessex.ca)

Valerie Critchley, City Clerk – City of Windsor  
Email: [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)

February 9, 2021

The Honourable Doug Ford, M.P.P.  
Premier of Ontario  
Legislative Building  
Queen's Park  
Toronto, ON M7A 1A1

Sent via email: [premier@ontario.ca](mailto:premier@ontario.ca)

**Re: Universal Paid Sick Days in Ontario  
Our File 35.31.99**

Dear Premier Ford:

At its meeting held on February 1, 2021, St. Catharines City Council approved the following motion:

“WHEREAS workers in Ontario without paid sick leave often feel forced to work when unwell so they can feed and support their families and are at risk of losing a paycheque or even their jobs if they stay home; and

WHEREAS the Canada Recovery Sickness Benefit is temporary, not accessible to all and not usable for the crucial first few days of an illness; and

WHEREAS had legislated paid sick leave been in place before the global pandemic, lives would have been saved because infection rates would have been reduced; and

WHEREAS the lack of paid sick days has especially hurt Black, Indigenous, workers of colour, women and migrant workers who are over-represented in low-paying frontline jobs with few benefits and a reduced ability to work from home; and

WHEREAS the Ontario Medical Association, 11 GTHA Mayors and Chairs representing Ontario's largest municipalities, the editorial board of the Toronto Star, the Toronto Board of Health, the Decent Work and Health Network, the Ontario Nurses Association, and several other professional associations representing thousands of healthcare workers have all called on the provincial government to legislate paid sick days;

THEREFORE BE IT RESOLVED that the City of St. Catharines endorses legislated sick leave and calls on the government of Ontario to permanently legislate universal paid sick days for all workers in Ontario during the pandemic and beyond, regardless of workplace size, type of work or immigration status; and

BE IT FURTHER RESOLVED that this motion be forwarded to the Premier of Ontario, Minister of Labour, all Regional MPPs, Niagara Region, and all Ontario Municipalities.”

If you have any questions, please contact the Office of the City Clerk at extension 1506.



Bonnie Nistico-Dunk, City Clerk  
Legal and Clerks Services, Office of the City Clerk  
:ra

Cc Minister of Labour, Hon. Monte McNaughton, [Minister.MLTSD@ontario.ca](mailto:Minister.MLTSD@ontario.ca)  
Jennifer Stevens, MPP - St. Catharines, [JStevens-CO@ndp.on.ca](mailto:JStevens-CO@ndp.on.ca)  
Jeff Burch, MPP - Niagara Centre, [JBurch-QP@ndp.on.ca](mailto:JBurch-QP@ndp.on.ca)  
Wayne Gates, MPP - Niagara Falls, [wgates-co@ndp.on.ca](mailto:wgates-co@ndp.on.ca)  
Sam Oosterhoff, MPP - Niagara West-Glanbrook, [sam.oosterhoff@pc.ola.org](mailto:sam.oosterhoff@pc.ola.org)  
Niagara Region  
Ontario Municipalities

From: Tracy MacDonald <tmacdonald@orangeville.ca>

Sent: February 10, 2021 1:39 PM

Good afternoon,

Please see below a resolution passed by the Town of Orangeville on February 8, 2021 regarding greenhouse gas emissions.

2021-069

Moved: Councillor Peters

Seconded: Councillor Andrews

Whereas the Town of Orangeville prides itself on being a municipal leader with respect to sustainability, including the endorsement of the Sustainable Neighbourhood Action Plan and a community greenhouse gas (GHG) inventory;

And whereas the Town will be establishing a long term carbon goal later this year;

And whereas municipalities account for 50% of global emissions thus necessitating further action by all sectors and other levels of government;

And whereas the Ontario government recently purchased 3 gas plants, a move that could lead to the increase of provincial greenhouse gas pollution by more than 400% by 2040;

And whereas a number of municipalities, as partners in government, have passed motions to ask Queen's Park to reverse this decision in keeping with the need to reduce, not increase, greenhouse gas emissions;

Therefore Be It Resolved That the Town of Orangeville write to the Minister of Municipal Affairs and Housing and the Minister of Environment, Conservation, Energy, and Parks to request that the Government of Ontario develop and implement a plan to phase-out all gas-fired electricity generation as soon as possible, with an emphasis on proven renewable energy technologies and energy storage, to ensure that Orangeville and other municipalities are enabled to achieve climate action goals (or "GHG emission reduction targets"); and

That the Town of Orangeville write the respective portfolio critics, all party leaders in the Legislature, and the Association of Municipalities of Ontario, requesting that the Government of Ontario develop and implement a plan to phase-out all gas-fired electricity generation, and direct the IESO to accelerate the use of renewable electricity supply, energy storage, and energy efficiency in all sectors, in order to reduce provincial greenhouse gas emissions as soon as possible and bolster our competitiveness in the global cleantech marketplace and overall emerging low-carbon economy.

Result: Carried

Regards,

Tracy Macdonald| Assistant Clerk | Corporate Services

Town of Orangeville | 87 Broadway | Orangeville ON L9W 1K1

519-941-0440 Ext. 2256 | Toll Free 1-866-941-0440 Ext. 2256

tmacdonald@orangeville.ca | [www.orangeville.ca](http://www.orangeville.ca)

**THE TOWNSHIP OF GEORGIAN BAY**  
**Council**

DATE: 9 February 2021

	YEA	NAY	
Councillor Bochek	_____	_____	MOVED BY: <u>Hazelton</u>
Councillor Cooper	_____	_____	
Councillor Douglas	_____	_____	SECONDED BY: <u>Jarvis</u>
Councillor Hazelton	_____	_____	
Councillor Jarvis	_____	_____	
Councillor Wiancko	_____	_____	
Mayor Koetsier	_____	_____	

**DEFERRED** \_\_\_\_\_ **CARRIED** X **DEFEATED** \_\_\_\_\_ **REFERRED** \_\_\_\_\_

BE IT RESOLVED THAT Council send a letter of support to the Municipality of Charleton and Dack to immediately review the recommendations to investigate the unethical practice of preferred vendors who are paid substantial amounts over industry standards, despite COVID-19 delays, as insurance premiums will soon be out of reach for many communities;

AND THAT this motion be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable Peter Bethlenfalvy, Minister of Finance, the Honourable Doug Downey, Attorney General of Ontario and all other Ontario municipalities.

**Peter Koetsier**  
Mayor

Dear Municipal Leaders:

We are writing to you regarding the Provinces' announcement on January 13<sup>th</sup>, 2021, of the impending closure of the Gravenhurst campus of the Ontario Fire College.

It is our understanding that two of the three associations who were quoted in the Governments press release as being in support of the closure were not consulted before the announcement other than to be asked if they were in support of the "modernization and regionalization" of training for the fire service in Ontario. The Government did NOT inform these associations that this meant closing down the Gravenhurst campus of the Fire College!

The Provincial Government has publicly stated that this modernization and regionalization will be more cost-effective and accessible to municipalities. This is simply not true. The Government has not shared a plan to show how their proposed modernization and regionalization of the fire service training will be more cost-effective and accessible to all municipalities in Ontario.

The Province's regionalization model currently has Memorandums of Understanding (MOU's) with a mixed bag of twenty "Regional Training Centers" (RTC's) located in various areas around the Province. The municipalities' cost to send one firefighter to an RTC range between \$300 - \$1200 for the course alone. This cost does not include accommodations or meals.

The Gravenhurst campus of the Ontario Fire College has modern facilities with modern equipment where subject matter experts provide training in all fire service disciplines. Students intermingle with each other on campus, and most have made lifelong friends while staying at the College. This social interaction will not exist at any RTC. The cost is \$65.00 for a municipality to send one firefighter to the College. That cost includes accommodations and three meals a day. This cost has not changed in well over a decade.

The fact of the matter is that each municipality's cost to train their fire service personnel to a recognized standard, which could soon become mandatory if the Government revives O. Reg 379/18, could dramatically increase by closing the Gravenhurst campus.

The Fire Protection and Prevention Act 1997, as amended, requires the Fire Marshal to "develop training programs and evaluation systems for persons involved in the provision of fire protection services." It also stipulates the fire marshal must "provide programs to improve practices relating to fire protection services" and "maintain and operate a central fire college."

As municipal leaders, would you prefer an affordable, cost effective training model that keeps students in one location with up to date, technically accurate training facilities led by subject matter expert? Or a more expensive training model in facilities that cannot match what the Gravenhurst campus can offer?

If you prefer the former, please stand with us against this ill advised closure. Let's keep your firefighters and your community safe by keeping the ONLY provincial fire training facility in Ontario open!



***Sent via Email***

February 11, 2021

**RE: TOWN OF GRAVENHURST RESOLUTION – ONTARIO FIRE COLLEGE**

At the Town of Gravenhurst Committee of the Whole meeting held on February 9, 2021 the following resolution was passed:

**Moved by Councillor Lorenz  
Seconded by Councillor Murray**

**WHEREAS** the site of the Ontario Fire College has been in institutional use since 1902 as the Muskoka Free Hospital for Consumptives and the site of many heritage buildings that require protection;

**AND WHEREAS** the Town of Gravenhurst has been home to the Ontario Fire College since 1957, providing world-class training and camaraderie to thousands of Firefighters from across the Province in a unique setting;

**AND WHEREAS** the Ontario Fire College has established the reputation to certify both Volunteer and Career firefighters in a cost effective manner, offering top-tier training to all Fire Departments in Ontario;

**AND WHEREAS** there is concern from several municipalities and firefighters across the Province that the closure is detrimental to their training and that downloading of training is simply too expensive for municipalities and not included in their 2021 budgets;

**AND WHEREAS** the Fire Marshal has a duty (F.P.P.A.S 9.2(e)) to operate and maintain a central fire college and that regional training facilities are unproven and the closure of the Ontario Fire College was implemented with no stakeholder consultation;

**AND WHEREAS** the community of Gravenhurst has benefitted from the employment opportunities that the Ontario Fire College has provided;

**AND WHEREAS** the closure of the facility will result in significant job losses and would be a detriment to the broader community;



**THEREFORE BE IT RESOLVED THAT** the Province of Ontario reconsider the closure of the Ontario Fire College;

**AND THAT** if the closure occurs, the facility and site in the Town of Gravenhurst be considered to be the location of a Regional Training Centre for Fire and Emergency Services, for all the people of Ontario;

**AND THAT** the Province engage the Town of Gravenhurst and community partners to use the site in a matter that fosters growth of the community in a responsible way;

**AND FINALLY THAT** this motion be forwarded to the Honourable Doug Ford, Premier of Ontario, the Honourable Sylvia Jones, Ontario Solicitor General, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, MPP Norm Miller, the Ontario Fire Marshal, Jon Pegg and all Ontario Municipalities.

**CARRIED**

Sincerely,



Kayla Thibeault  
Director of Legislative Services / Clerk  
Town of Gravenhurst



# The Corporation of The Town of Amherstburg

February 12, 2021

Honourable Doug Ford  
Premier of Ontario  
Email: [premier@ontario.ca](mailto:premier@ontario.ca)

VIA EMAIL

## **Re: Ontario Fire College**

Dear Honourable Ford,

At its meeting of February 8<sup>th</sup>, 2021, Council for the Town of Amherstburg passed the following:

Resolution # 20210208-033

***WHEREAS the Ontario Fire College has been in existence since 1949; and***

***WHEREAS the Ontario Fire College is one of the primary sources of certified training for Ontario Firefighters; and***

***WHEREAS the Ontario Fire College has built a reputation of integrity, credibility, and reliability in providing some of the best training to our Fire Services within the Province of Ontario; and***

***WHEREAS the Ontario Fire College has been used to train and certify both Volunteer, Part-Time and Career firefighters throughout Ontario; and***

***WHEREAS the Ontario Fire College gives Ontario Firefighters another option other than Regional Training Centers to obtain National Fire Protection Association (NFPA) certifications; and***

***WHEREAS the Ontario Fire College is the most cost-effective method to certify Firefighters to NFPA Standards in Ontario; and***

***WHEREAS the Ontario Government enacted and revoked O. Reg. 379/18: Firefighter Certification in 2018; and***

***WHEREAS when the Ontario Government revoked O. Reg. 379/18: Firefighter Certification, it was made known by the Office of the Solicitor General that the act would be amended and brought back in the future; and***

***THEREFORE, BE IT RESOLVED THAT the Council of the Corporation of the Town of Amherstburg hereby supports the resolution from the Township of Augusta and the Town of Lake of Bays and requests that the Province of Ontario reverse their decision to close the Ontario Fire College as the College is one of the best and most cost-effective methods for municipalities to train their firefighters which assists us in protecting our residents. Should the College continue to be closed as announced, that the Funds associated with the operation of the Fire College be retained for the exclusive use of the Ontario Fire Service to offset the financial impact of Fire fighter training; and,***

***BE IT FURTHER RESOLVED THAT this Resolution is forwarded to the Honourable Doug Ford Premier of Ontario, the Honourable Sylvia Jones; Ontario Solicitor General, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Ontario Fire Marshal; Jon Pegg, and all municipalities within the Province of Ontario.***

Enclosed is a copy of the correspondence from the Town of Lake of Bays, Muskoka, for convenience and reference purposes.

Regards,



Tammy Fowkes  
Deputy Clerk, Town of Amherstburg  
(519) 736-0012 ext. 2216  
[tfowkes@amherstburg.ca](mailto:tfowkes@amherstburg.ca)

cc:

Honourable Sylvia Jones, Ontario Solicitor General

Email: [sylvia.jones@pc.ola.org](mailto:sylvia.jones@pc.ola.org)

Honourable Steve Clark, Minister of Municipal Affairs and Housing

Email: [steve.clark@pc.ola.org](mailto:steve.clark@pc.ola.org)

Jon Pegg, Ontario Fire Marshall

Email: [Jon.Pegg@ontario.ca](mailto:Jon.Pegg@ontario.ca)

Chris McConnell

President, OPSEU Local 317

[savetheofc@gmail.com](mailto:savetheofc@gmail.com)

All Ontario Municipalities

February 3, 2021

Via email: [asimonian@augusta.ca](mailto:asimonian@augusta.ca)

Township of Augusta  
**Attention: Annette Simonian, Clerk**  
3560 County Road 26  
Prescott, ON  
K0E 1T0

Dear Ms. Simonian:

**RE: Correspondence – Ontario Fire College**

---

On behalf of the Council of the Corporation of the Township of Lake of Bays, please be advised that the above-noted correspondence was presented at the last regularly scheduled meeting on February 2, 2021, and the following was passed.

**“Resolution #8(f)/02/02/21**

**BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays hereby supports the resolution from the Township of Augusta regarding their request for support for the Province of Ontario to reverse their decision to close the Ontario Fire College, dated January 25, 2021;**

**AND FURTHER THAT this resolution be forwarded to the Township of Augusta, the Honourable Doug Ford Premier of Ontario, the Honourable Sylvia Jones; Ontario Solicitor General, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Ontario Fire Marshal; Jon Pegg, and all Ontario Municipalities.**

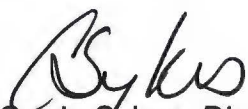
**Carried.”**

Should you have any questions, please do not hesitate to contact our Municipal Office at 705-635-2272.

...2

*Page 2*

Sincerely,



Carrie Sykes, *Dipl. M.A., CMO, AOMC*,  
Director of Corporate Services/Clerk.  
CS/cw

Encl.

Copy to:

Hon. Doug Ford, Premier of Ontario  
Hon. Sylvia Jones, Ontario Solicitor General  
Hon. Steve Clark, Minister of Municipal Affairs and Housing  
Jon Pegg, Ontario Fire Marshal  
All Ontario Municipalities

## TOWNSHIP OF AUGUSTA

Moved By: TANYA HENRY

Date: January 25, 2021

Seconded By: JEFF SHAWEN

Resolution No: 4

**WHEREAS** the Ontario Fire College has been in existence since 1949; and

**WHEREAS** the Ontario Fire College is one of the primary sources of certified training for Ontario Firefighters; and

**WHEREAS** the Ontario Fire College has built a reputation of integrity, credibility, and reliability in providing some of the best training to our Fire Services within the Province of Ontario; and

**WHEREAS** the Ontario Fire College has been used to train and certify both Volunteer, Part-Time and Career firefighters throughout Ontario; and

**WHEREAS** the Ontario Fire College gives Ontario Firefighters another option other than Regional Training Centers to obtain National Fire Protection Association (NFPA) certifications; and

**WHEREAS** the Ontario Fire College is the most cost-effective method to certify Firefighters to NFPA Standards in Ontario; and

**WHEREAS** the Ontario Government enacted and revoked O. Reg. 379/18: Firefighter Certification in 2018; and

**WHEREAS** when the Ontario Government revoked O. Reg. 379/18: Firefighter Certification, it was made known by the Office of the Solicitor General that the act would be amended and brought back in the future; and

**THEREFORE, BE IT RESOLVED THAT** the Township of Augusta requests that the Province of Ontario reverse their decision to close the Ontario Fire College as the OFC is one of the best and most cost-effective methods for municipalities to train their firefighters which assists us in protecting our residents; and

**BE IT FURTHER RESOLVED THAT** this Resolution is forwarded to the Honourable Doug Ford Premier of Ontario, the Honourable Sylvia Jones, Ontario Solicitor General, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Ontario Fire Marshal, Jon Pegg, and all municipalities within the Province of Ontario.



**RECORDED VOTE:**

	FOR	AGAINST
Councillor Bowman	_____	_____
Councillor Henry	_____	_____
Mayor Malanka	_____	_____
Councillor Schapelhouman	_____	_____
Deputy Mayor Shaver	_____	_____

CARRIED: Mayor Malanka  
MAYOR

DEFEATED: \_\_\_\_\_  
MAYOR

Declaration of pecuniary interest by: \_\_\_\_\_

Nature of interest: \_\_\_\_\_

- ☐ Disclosed His/Her/Their Interest
- ☐ Vacated His/Her/Their Seat
- ☐ Abstained from discussion and did not vote on the question



**RECORDED VOTE:**

	<b>FOR</b>	<b>AGAINST</b>
Councillor Bowman	_____	_____
Councillor Henry	_____	_____
Mayor Malanka	_____	_____
Councillor Schapelhouman	_____	_____
Deputy Mayor Shaver	_____	_____

CARRIED: *Dugan*  
MAYOR

DEFEATED: \_\_\_\_\_  
MAYOR

Declaration of pecuniary interest by: \_\_\_\_\_

Nature of interest: \_\_\_\_\_

- ☐ Disclosed His/Her/Their Interest
- ☐ Vacated His/Her/Their Seat
- ☐ Abstained from discussion and did not vote on the question



19 Holland Rd W. RR.#1  
Kakabeka Falls, ON P0T 1W0

[www.conmee.com](http://www.conmee.com)

**The following resolution was passed by the Council of the Township of Conmee at its regular meeting on January 26<sup>th</sup> 2021:**

**Resolution No. 2021-022**

Moved by: Councillor Arnold

Seconded by: Councillor MacMaster

WHEREAS duly elected Officials of a Municipality, or a Township are expected to be above reproach and to conduct themselves with integrity, truth, justice, honesty, transparency and courtesy.

AND WHEREAS there are people of dubious character who have a Criminal Record, having been convicted of a Federal Offence of any of the Federal Statutes of Canada, but not limited to the Criminal Code or Narcotic Control Act, who are currently on Council of a Municipality or have let their name stand for election for Mayor, Reeve or Councillor as a municipal candidate.

NOT WITHSTANDING the provisions of the Ontario Human Rights Code

THEREFORE BE IT RESOLVED that the Township of Conmee lobby the Provincial Government to amend The Municipal Act and Municipal Elections Act, as may be, so that people with a criminal record who have not had their record cleared from the RCMP Data Base by order of the Governor General of Canada, be prohibited from becoming a candidate in municipal elections.

AND THAT an elected local government official be disqualified from office upon conviction of a serious criminal offense and must resign

AND THAT Council of the Township of Conmee direct the Clerk to send a copy of this resolution to the Ontario Premier Doug Ford, Attorney General Doug Downey, Solicitor-General Sylvia Jones, Minister of Municipal Affairs Steve Clark, Association of Municipalities of Ontario, Rural Ontario Municipal Association, Northern Ontario Municipal Association, Thunder Bay District Municipal League, MPP Judith Monteith-Farrell, and all Ontario municipalities

**CARRIED**

February 17, 2021

**Panhandle Regional Expansion Project  
Expression of Interest and Capacity Request Form**

To serve a growing demand for natural gas across all sectors in Essex County, including Windsor, LaSalle, Amherstburg, Tecumseh, Essex, Leamington, Lakeshore, Kingsville, and in western Chatham-Kent, Enbridge Gas Inc. (“**Enbridge**”) is pleased to announce this Expression of Interest for natural gas distribution service, which may require incremental facilities to serve this area (see attached map on page 4).

This Panhandle Regional Expansion Project (the “**Project**”) is considering alternatives that could provide 65,000 to 130,000 m<sup>3</sup>/hour of additional natural gas capacity. Depending on customer location additional local reinforcement may also be required to serve new and existing customers in this developing area. The potential Project is targeting incremental net demand from all sectors and is focused on the Large Volume commercial, industrial and greenhouse growth planned over the next five to ten years. Large Volume customers would include those consuming at least 50,000 m<sup>3</sup>/year or more. Small Volume customers interested in capacity should submit their request via the [Get Connected](#) website. The purpose of this expression of interest is to gather Large Volume customer input to help prepare a forecast that identifies the location, timing and magnitude of customer growth. The information gathered through the Expression of Interest process will be used to evaluate and finalize alternatives necessary to meet the demands and timing identified (potentially as early as fall 2023 or 2024).

Enbridge Gas recognizes that with the COVID-19 pandemic, many businesses are currently facing significant challenges; however, many others are planning significant growth. To ensure adequate capacity is available to accommodate the timing of any growth, the process must move forward at this time. Concurrent with this process to express interest in new capacity, all existing contract rate class customers in the Area of Benefit (see attached map on page 4) will be offered the opportunity to “turn back” or de-contract their capacity via a concurrent Reverse Open Season using the same bid form. Bids under the Reverse Open Season will be subject to other customers contracting to take on that “turned back” capacity. In this way, Enbridge will minimize the facilities required to serve incremental demand while optimizing any unwanted existing capacity. Existing customers should submit only one form for each site. Existing customers or potential new customers contemplating an expansion on a new site/address should submit a form for each new site/address.

The development of this Project is contingent upon sufficient net market demand and approval of the Project by the Ontario Energy Board (“**OEB**”). If sufficient demand is demonstrated, Enbridge Gas will file a Leave to Construct application with the OEB, with the goal of making the Project economically viable for customers in the area. Included in that application will be a proposed economic allocation methodology. Assuming the proposed economic allocation methodology is approved; large volume customers would be expected to execute distribution contracts of at least 10 years in order to make an economic contribution towards the transmission component of the Project. The Hourly Allocation Factor process recently approved by the OEB will be used for any additional distribution facilities that may be required related to the demands served by the transmission facilities. By proposing this approach, Enbridge Gas is trying to ensure the Project is economic for customers. This allocation will

address the facilities needed to serve the area shown on the attached map (page 4). This allocation does not include costs that are required to serve each specific customer such as new facilities built at the customer's site. The proposed allocation methodology will be subject to an economic review and approval of the OEB.

Enbridge Gas will consider the size and location of all requests for new capacity in designing the optimal facilities. If insufficient net customer interest or economic approval is not forthcoming, the Project is unlikely to proceed as proposed herein.

Capacity would be available for the following services, depending on market support:

1. New firm distribution service
2. Conversion of existing interruptible distribution service to firm service
3. New interruptible distribution service

This Expression of Interest process closes, and completed Expressions of Interest Bid Forms are due, no later than **12:00 p.m. EDT on Wed. March 31, 2021.**

### **Service Description and Details**

1. As this Project requires a significant capital investment by Enbridge Gas, the term of the customer's natural gas distribution contracts will be no less than five years and not to exceed 20 years; and/or may include upfront payments for capacity and/or negotiated rates above currently OEB approved and posted, which do change over time. The facilities, rates and services included in this Expression of Interest will be subject to OEB approval and sufficient interest being received to justify a Project. The final scope of the proposed facilities will be determined using the demands from the forecast resulting from the EOI process and may change from those contemplated herein.
2. Submitting an Expression of Interest form:  
If you wish to participate in this Expression of Interest in the **Panhandle Regional Expansion Project**, please complete, sign and return the attached non-binding Expression of Interest Bid Form via email to [Economic.Development@enbridge.com](mailto:Economic.Development@enbridge.com). Completed forms must be returned by email on or before 12 p.m. EDT on Wed. March 31, 2021. The returned Bid Forms will be time-stamped by the date on the bidder's email.

### **Expression of Interest Process and Bid Form**

This process is designed to gauge interest in the Project and to assist Enbridge Gas with determining the optimal facility requirements to meet market needs and prepare an application to the Ontario Energy Board. Enbridge Gas will acknowledge receipt of all Bid Forms by email on or before the end of day on Friday, April 2, 2021. Enbridge Gas in its sole discretion reserves the right to reject any and all bids received.

Any suggested contractual Condition(s) Precedent that the customer proposes should be clearly articulated and attached to the Bid Form and will be considered during the capacity allocation process.

Enbridge Gas anticipates allocating capacity on a preliminary and conditional basis to successful



bidders by the end of June 2021. Successful bidders will then be asked to commit to the capacity by executing a Letter of Indemnity or an Enbridge Gas Distribution Contract or Letter of Agreement to more formally support the need for the project. **Any updates to the EOI process or timelines will be posted online here: [www.enbridgegas.com/PanhandleRegionalExpansion](http://www.enbridgegas.com/PanhandleRegionalExpansion)**

If you have any questions about the Panhandle Regional Expansion Project, please contact your account manager or one of the following:

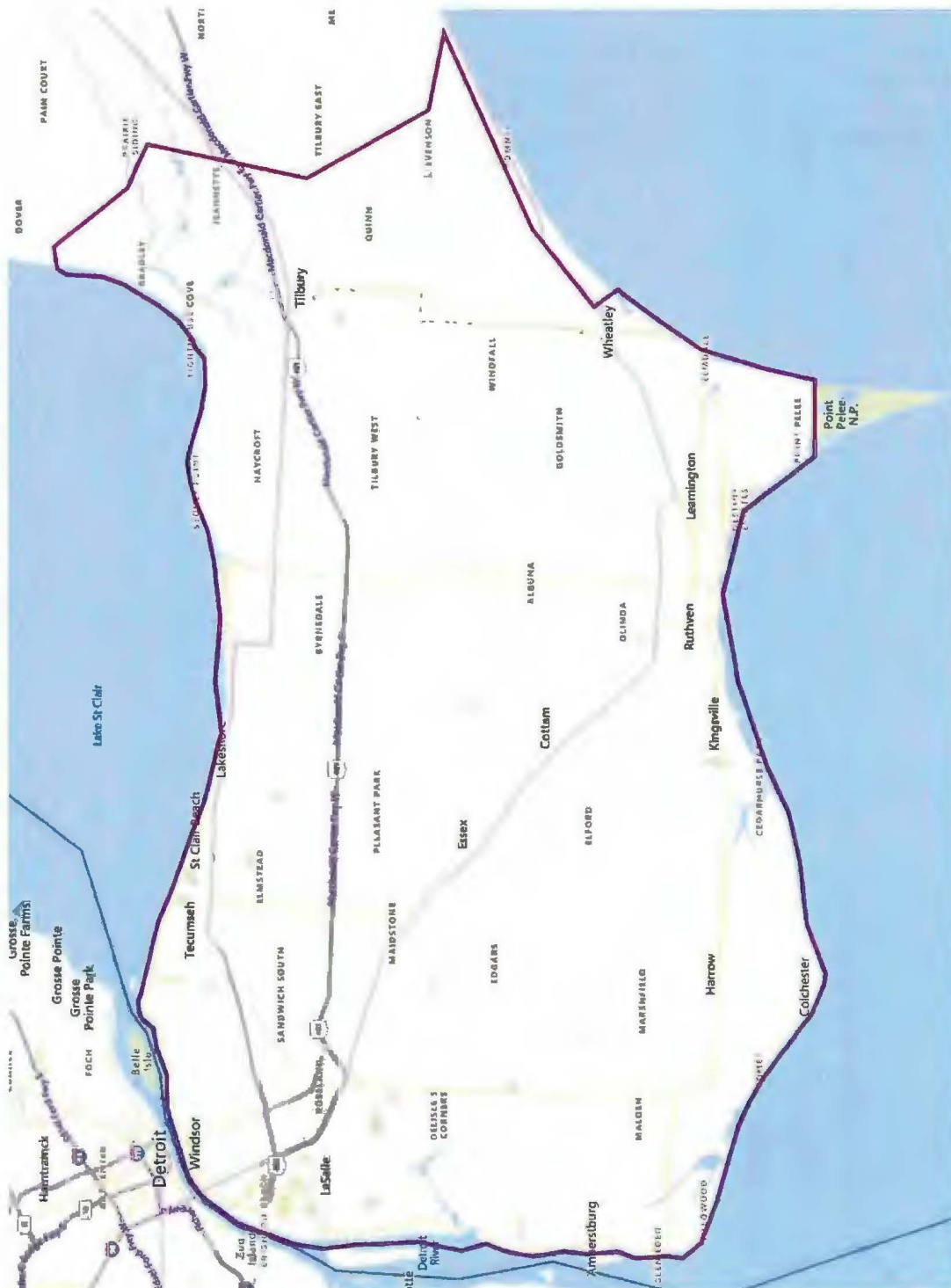
Patrick Boyer  
Account Manager  
Cell: (519) 436 4915  
[Patrick.Boyer@enbridge.com](mailto:Patrick.Boyer@enbridge.com)

Paul Rikley  
Account Manager  
Cell: (519) 350 2570  
[Paul.Rikley@enbridge.com](mailto:Paul.Rikley@enbridge.com)

Sutha Ariyalingam  
Manager, Strategic and Power Markets  
Cell: (647) 241 9969  
[Sutha.Ariyalingam@enbridge.com](mailto:Sutha.Ariyalingam@enbridge.com)

### Map of proposed project service area

The map below outlines the area that is under consideration for a potential project to expand natural gas capacity. All potential large volume commercial, greenhouse or industrial customers considering developments within this area over the next five to ten years are encouraged to participate in this Non-Binding Expression of Interest.



### Expression of Interest Non-Binding Bid Form:

Please complete, sign and return this Expression of Interest Non-Binding Bid Form ("Bid Form") on or before 12:00 p.m. EDT on Wed. March, 31, 2021, via email to [Economic.Development@enbridge.com](mailto:Economic.Development@enbridge.com)

Based on the responses received through this Bid Form and the Reverse Open Season, Enbridge Gas will be able to define the optimal facilities required to support market needs. Enbridge Gas will determine whether to proceed with the Project, as proposed or with a refined scope, or not at all, based on the assessment of the results from this signed Bid Form and project economics. Customers may only submit one Bid Form per property. Bid Forms will be treated as confidential and only aggregated or non-identifiable data will be used to support any application to the Ontario Energy Board.

Property address: \_\_\_\_\_ SA: \_\_\_\_\_  
911 address X,Y (latitude and longitude, if known) (if known)

- ☐ **New FIRM natural gas needs.** An increase of firm gas needs at the above location (i.e. new equipment, new processes), or a new firm gas load as a result of a new build.

Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Incremental (m <sup>3</sup> /h)											
Cumulative											

Ultimate incremental **firm** gas needs over planning horizon: \_\_\_\_\_ m<sup>3</sup>/hour (please provide details on estimated timing above)

- ☐ **Conversion from interruptible distribution service to firm distribution service.** The amount of incremental firm distribution service needed net of any existing firm distribution service resulting from conversion of existing interruptible service to firm distribution service.

Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Incremental (m <sup>3</sup> /h)											
Cumulative											

- ☐ **New INTERRUPTIBLE natural gas needs.** An increase of interruptible gas needs at the above location (i.e. new equipment, new processes), or a new interruptible gas load as a result of a new build where customer is willing to accept the terms and conditions of interruptible service (for example periodic curtailment of gas distribution service).

Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Incremental (m <sup>3</sup> /h)											
Cumulative											

Ultimate incremental **interruptible** gas needs (over planning horizon): \_\_\_\_\_ m<sup>3</sup>/hour (please provide details on estimated timing above)

#### Economic Development impacts related to incremental gas needs:

Number of net new jobs related to this expansion: \_\_\_\_\_ direct + \_\_\_\_\_ indirect = \_\_\_\_\_ total

Number of current jobs at risk if economical access to gas is not available: \_\_\_\_\_

Capital investment by Customer at the site conditional on economical access to gas: \$ \_\_\_\_\_

Please detail any other benefits from increased access to gas (lower GHG emissions or costs by displacing an alternative energy source etc.): \_\_\_\_\_

Total Incremental distribution service capacity (New firm + conversion of Interruptible): \_\_\_\_\_ m<sup>3</sup>/hour.

Total job impacts related to economical access to natural gas (total new + current "at risk"): \_\_\_\_\_ jobs

Customer Conditions Precedent for **growth**: If the Customer's Expression of Interest for growth is subject to Conditions Precedent, (please attach a separate page with details if space insufficient):

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Option for Reverse Open Season (Turnback of existing capacity under contract at an existing site)

- ☐ **Turn back existing FIRM distribution service.** The amount of firm distribution service at the identified location no longer required by the customer.

Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Turnback (m <sup>3</sup> /h)											
Cumulative											

- ☐ **Turn back existing INTERRUPTIBLE distribution service.** The amount of interruptible distribution service at the identified location no longer required by the customer.

Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Turnback (m <sup>3</sup> /h)											
Cumulative											

Customer Conditions Precedent for **turnback of capacity**: If the Customer's request to turn back excess or unwanted capacity is subject to Conditions Precedent, (please attach a separate page with details if space insufficient):

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Customer's legal name: \_\_\_\_\_

Name of Authorized Representative: \_\_\_\_\_  
Please Print Signature

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 2021



Dear Laura Moy,

We would appreciate your support in sharing the below open letter and for this letter to be included on your municipal council agenda:

February 18, 2021



**AN OPEN LETTER TO ONTARIO MUNICIPAL COUNCILS**

Dear Council,

As a vital municipal association with membership roots that reach deep into each and every part of Ontario, we know the challenges you have faced in continuing to provide essential municipal services within your community during the COVID-19 pandemic.

As elected officials, we know that you recognize the contribution made by your municipal staff, many of whom are members of AMCTO. Municipal professionals across this entire province have been at the forefront of service delivery, applying their knowledge and skills to innovate processes and procedures to meet the evolving needs of residents and businesses.

One key point that is often overlooked in this pandemic is that many municipal staff were prepared to act and innovate BECAUSE of the professional municipal training and development they receive from organizations like AMCTO. The leadership skills, education and technical training prepare your staff in getting ahead of immediate community needs, reacting and responding to new challenges brought on by COVID-19. This unique and sought-after skillset has allowed your staff to provide council with options and solutions for keeping your municipality running.

In these challenging financial times, there will be temptation to divert operational funding away from staff training budgets. Now more than ever, it is crucial that municipalities continue to invest in your most valuable resource – your staff.

In addition to increased levels of employee retention, engagement and empowerment, investments in staff professional development strengthens your council's ability to provide reliable, effective and efficient services to your community, both today and in the future. The question is no longer "if" you innovate but "when". Innovation comes with knowledge, training, and exposing municipal staff to new opportunities to grow and develop professionally.

On behalf of AMCTO and its over 2,200 members, please accept my heartfelt thank you for your service during these difficult times. As "Municipal Experts", AMCTO will continue to be at your service to help you and your staff meet the needs of your community.

Sincerely,



Robert Tremblay, MPA, CMO, AOMC  
President  
AMCTO

CC: Graydon Smith, President, AMO

###

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**Robert Tremblay, MPA, CMO, AOMC**  
President



2680 Skymark Ave. # 610  
Mississauga, ON L4W 5L6

[president@amcto.com](mailto:president@amcto.com)

[www.amcto.com](http://www.amcto.com)





February 18, 2021

Minister McKenna  
House of Commons  
Ottawa, Ontario K1A 0A6

Minister Mulroney  
Ministry of Transportation  
5th Floor 777 Bay St.  
Toronto, ON M7A 1Z8

On behalf of the members of the Windsor Construction Association (WCA) and the Heavy Construction Association of Windsor (HCAW) representing approximately 400 companies such as General Contractors, Sub-contractors, Suppliers, Manufacturers and Professional firms, who operate predominantly in the Windsor-Essex County and Chatham Kent regions, building Industrial, Commercial, and Institutional buildings, roads and sewers, bridges and other civil infrastructure projects, we write to you regarding future Federal stimulus funding.

Last year the world experienced unprecedented hardships at the hands of the COVID 19 pandemic. Millions of people have lost their lives, and tens of millions will forever suffer on-going health related hardships even though they had survived it. The pandemic had vast impacts economically on hundreds of millions of people worldwide, and in Canada the impacts have been real proportionately. Because of the pandemic, Government had to act and responsibly utilized their powers to govern lockdowns throughout nation, provincially, and locally. These actions were necessary and welcomed by people to stem the spread of the virus in the hopes to save lives and reduce personal suffering.

The actions of Government also had significant impacts on every aspect of commerce in every City and Town, and businesses were mandated to either cease operating or reduce their traditional patronage. Many businesses have not weathered their losses and cease to operate, while others have suffered significant financial hardships, and only a handful of companies have benefited from these actions.

As a result of these hardships, local Municipalities have themselves also suffered financial hardships. Income from traditional municipal revenue sources such as public transportation systems and public recreation facilities (such as arenas, aquatic and recreation centres, marinas, etc.) have been hampered through either permanent or temporary closure, or loss of patronage. As well, Municipalities have also suffered through the loss of hundreds of local small business operators, and Municipal taxes revenue are certain to decline.

Such financial hardships will only make balancing future Municipal budgets improbable, assuming of course that traditional spending is forecast. The most obvious reaction for most Municipalities, however,

2880 Temple Drive, #100, Windsor, ON N8W 5J5  
519-974-9680 / [construction@wca.on.ca](mailto:construction@wca.on.ca)

will be to reduce some or all their spending intentions on much needed Capital Infrastructure projects, in favour of continued spending on social, police, and fire services. This trend is not unusual and a typical reaction for any Municipality when budgets revenues are scarce, but the impacts being realized by the pandemic are completely different, and the magnitude of the shortfalls is staggering.

Now typical of any national economic hardship, both Federal and Provincial government responses to stimulate the economy include the injection of stimulus funds in the form Capital Infrastructure matching grants directed towards future Municipal infrastructure projects. Historically, these actions call for equitable matching (Federal-1/3, Provincial- 1/3, Municipal-1/3) of such funds by all levels of government as a condition of approval and receipt, and this was a formula which traditionally was readily accepted by Municipalities to stimulate their local economy and build projects at a one third cost using their own funds.

That was then, and this is now.....

Should such stimulus funding be offered soon by either of the Federal or Provincial governments, **the same equitable cost sharing formula (1/3 cost share by each level of government) will not work.** Municipalities currently do not have the revenue to match the Provincial or Federal offer, and the desired effects of stimulating the economy will be lost.

Municipalities operate at the lowest level of government (where the rubber meets the road so to speak) and are highly reliant on the financial support of other levels of government, and have in the past been able to creatively balance their citizens' service levels with a combination of revenue sources. Unfortunately, the COVID 19 pandemic has caused such extreme financial hardship positions that municipalities will realise a whole host of budgeting challenges for the foreseeable future.

Should the Federal or Provincial governments choose to offer stimulus funding and direct them to municipalities, we strongly suggest that the equitable financial formula be reconsidered to a level more "affordable" to municipalities. Otherwise their intention to stimulate the economy will be missed. We agree that "some" level of funding be demanded but not at the 1/3 level.

Finally, we strongly advise that as a condition of Municipal qualification for such funds, that projects included in a Municipalities Asset Management Plan, and/or projects which are "shovel ready" (engineered and approved) be eligible for the application of the stimulus funds. In the past, only projects deemed to be "completely new" or "uncontemplated" were able to qualify. Clearly all Municipalities have a much longer list of Infrastructure projects than they could ever dream of financing in any given season, so all projects should qualify for the stimulus finds.

Respectfully submitted,



David Colle, HCAW President



Tony Rosati, WCA President

cc: Dave Epp  
Irek Kusmierczyk  
Chris Lewis  
Brian Masse  
Lisa Gretzky  
Percy Hatfield  
Taras Natyshak  
Rick Nicholls  
City of Windsor  
Municipality of Chatham Kent  
Municipality of Lakeshore  
Municipality of Leamington  
Town of Amherstburg  
Town of LaSalle  
Town of Tecumseh  
Town of Essex

## **Police Services Board for the Town of Tecumseh**

### **Minutes**

Date: Thursday, February 11, 2021  
Time: 4:30 pm  
Location: Electronic meeting live streamed at:  
<https://video.isilive.ca/tecumseh/live.html>.

#### **Present:**

Mayor, Gary McNamara  
Deputy Mayor, Joe Bachetti  
Member, Marc Gomes  
Member, Christopher Hales  
Member, Paul Sweet

#### **Also Present:**

OPP Inspector, Glenn Miller  
OPP Sergeant Byron Hornick  
Secretary, Margaret Misk-Evans, CAO  
Recording Secretary, Ellen Preuschat

#### **Absent:**

OPP Staff Sergeant, Jamie Smith

#### **A. Call to Order**

CAO Margaret Misk-Evans called the meeting to order at 4:32 pm.

#### **B. Roll Call**

#### **C. Election/Appointment of Officers**

##### **1. Appointment of Secretary and Recording Secretary**

##### **Motion: PSB - 1/21**

Moved by Deputy Mayor Joe Bachetti  
Seconded by Member Marc Gomes

**That** the appointment of Margaret Misk-Evans as Secretary and Ellen Preuschat as Recording Secretary for the Tecumseh Police Services Board **be reconfirmed** for the period of February 11, 2021 to the date of the first meeting of the board in 2022.

Carried



**2. Election of Chair**

Secretary Margaret Misek-Evans called for nominations for Chair of the Tecumseh Police Services Board for the year 2021 and up to the first meeting of the board in 2022. Mayor Gary McNamara nominated Christopher Hales, seconded by Marc Gomes. Following second and third calls for nominations, no further nominations were received. The Secretary asked Mr. Hales if he wishes to stand and he accepted.

**Motion: PSB - 2/21**

Moved by Mayor Gary McNamara

Seconded by Member Marc Gomes

**That** Christopher Hales **be appointed** as Chair of the Police Services Board for the Town of Tecumseh for the period of February 11, 2021 to the date of the first meeting of the board in 2022.

Carried

**3. Election of Vice Chair**

Chair Hales called for nominations for Vice Chair of the Tecumseh Police Services Board for the year 2021 and up to the first meeting of the board in 2022. Marc Gomes nominated Paul Sweet, seconded by Deputy Mayor Joe Bachetti. Following second and third calls for nominations, no further nominations were received. The Chair asked Mr. Sweet if he wishes to stand and he accepted.

**Motion: PSB - 3/21**

Moved by Member Marc Gomes

Seconded by Mayor Gary McNamara

**That** Paul Sweet **be appointed** as Vice Chair of the Police Services Board for the Town of Tecumseh for the period of February 11, 2021 to the date of the first meeting of the board in 2022.

Carried

**D. Disclosure of Pecuniary Interest**

There was no pecuniary interest declared by a member of the Board.

**E. Approval of the Agenda****Motion: PSB - 4/21**

**That** the Agenda for the Police Services Board Meeting, dated Thursday, February 11, 2021, as duplicated and delivered to the members thereof, **be accepted**.

Carried

**F. Approval of the Previous Minutes****1. Police Services Board Regular Meeting - December 10, 2020****Motion: PSB - 5/21**

Moved by Mayor Gary McNamara

Seconded by Member Marc Gomes

**That** the Regular Minutes of the December 10, 2020 Police Services Board Meeting, as duplicated and delivered to the members thereof, **be adopted.**

Carried

**G. Delegations**

There were no delegations presented to the Board.

**H. OPP Monthly Report**

Inspector Glenn Miller provided a summary of the OPP Report for November and December 2020, and noted the following:

- The OPP appreciates the significant contribution of Town employees in enforcement of provincial statutes as they relate to the COVID-19 pandemic.
- Today is a national day of action against lockdowns. Most area businesses and residents are abiding by provincial orders.
- COVID-19 vaccine distribution has started in Ontario and locally. The OPP are involved to ensure the vaccines all arrive safely at their destination.
- There were 84 reported cases of cyber crime over the past year. Residents are urged to remain vigilant in practicing internet safety.
- High rates of opioid overdoses continue to occur. Citizens are encouraged to call 911 immediately under the Good Samaritan Act in such a situation.
- All traffic complaints from residents are being logged in the system for more effective follow up.
- The Mental Health Response Unit is responding to high levels of calls as the pandemic progresses.
- Action by Tecumseh brought the issue of high rates of 911 misdials to provincial attention, resulting in a different system to deal with them. The new approach will result in cost savings as well as ensuring officers are available to deal with issues in the community.

Chair Hales inquired if the Essex County OPP have been in discussions with the Caldwell First Nation, in light of the requirement for detachment boards under the Community Safety and Policing Act, 2019. Inspector Miller confirmed that discussions have been taking place and Caldwell FN is interested in contracting



the OPP for police services. He suggested inviting them to a future meeting to engage in discussion on police governance matters. In response to an inquiry, CAO Marg Misk-Evans further confirmed that Caldwell FN has also been contacted in relation to the development of the regional Community Safety and Well-Being Plan.

Mayor McNamara reported that the Panel Discussion on Governing New OPP Detachment Boards was well attended at the 2021 Rural Ontario Municipalities' Association Conference in January. He requested that his panel speaking notes be circulated to the members of the board and Essex County Inspector.

1. **OPP Police Services Board Monthly Overview - November & December 2020**
2. **OPP Report to Tecumseh PSB - November & December 2020**

**Motion: PSB - 6/21**

Moved by Mayor Gary McNamara

Seconded by Vice-Chair Paul Sweet

**That** the OPP Report for the months of November and December 2020, **be received.**

Carried

**I. Reports**

1. **PWES-2021-01 Traffic Analysis – 2020 Radar Speed Surveys**

Re: Report to Council - January 26, 2021 RCM

In response to an inquiry from Vice Chair Sweet, the CAO noted that both the flashing sign and 'black cat' boxes (pole mounted and not readily visible) were used to gather the traffic data contained in this report. There was no significant difference in the results gathered by the two types of speed monitoring device.

**Motion: PSB - 7/21**

Moved by Member Marc Gomes

Seconded by Vice-Chair Paul Sweet

**That** Report PWES 2021-01 Traffic Analysis – 2020 Radar Speed Surveys **be received.**

Carried

**J. Communications - Action Required**

There were no Communications - Action Required items presented to the board.

**K. Communications - For Information Purposes****1. Chair Christopher Hales Letter to OAPSB dated December 17, 2020**

Re: Format of OAPSB 2021 Spring Conference and Annual General Meeting

Chair Hales reported that shortly after this correspondence was sent the OAPSB confirmed that the 2021 Spring Conference and AGM will take place in virtual format.

**2. Solicitor General dated December 24, 2020**

Re: New Deadline for Municipalities to Adopt Community Safety and Well-Being Plan

**3. Ministry of the Solicitor General dated January 29, 2021**

Re: All Chiefs Memo 21-0012 - Ministry Organizational Changes Regarding Municipal Policing Services Advisors

Chair Hales noted that there was a change in the Zone 6 police services advisor last year. The Recording Secretary will circulate the contact information for the new advisor, David Tilley. Chair Hales proposed that he be invited to address the board. Vice Chair Paul Sweet added that it would be helpful to have Mr. Tilley explain the new Ministry organizational structure related to Police Services Advisors and what the board can expect in terms of advisory services going forward.

**Motion: PSB - 8/21**

Moved by Deputy Mayor Joe Bachetti

Seconded by Mayor Gary McNamara

**That** correspondence detailed as Items 1-3, Communications for Information, **be received.**

Carried

**L. Old Business****1. OPP Contract Renewal**

Re: CAO Update

CAO Margaret Misk-Evans confirmed that the Agreement with the Solicitor General for the OPP to provide policing services to the Town has been approved by Council for the term January 1, 2021 to December 31, 2023. The document has been signed and returned to the Ministry for processing.

**2. Community Safety and Well-Being Plan & Public Consultations**

Re: CAO Update on CAO-2021-04 Report to Council on February 9, 2021

CAO Marg Misek-Evans explained that the original deadline for municipalities to prepare and adopt a Community Safety and Well-Being Plan was January 1, 2021. As a result of the pandemic, in April 2020, the deadline was extended to an undetermined date. The new deadline of July 1, 2021 was recently announced by the province; however, as the planning process for the regional plan was based on an anticipated deadline of January 1, 2022, it has been decided that an interim report will be submitted to the Ministry by July 1 and the final plan adopted by January 2022. It is very likely that other municipalities in Ontario will take the same approach.

The next step in the regional process is public consultations. Town Hall meetings have been scheduled for all municipalities (Saturday, February 27 from 10:00 to 11:30 a.m. for Tecumseh), and a public survey launched. In depth consultations with Councils and PSBs are being planned and will be held in April and May. Mayor McNamara noted that the planning process has been very comprehensive and complex to date, involving over 100 area groups and organizations, many of which have also been very occupied with addressing pandemic related issues in the community.

**Motion: PSB - 9/21**

Moved by Member Marc Gomes

Seconded by Vice-Chair Paul Sweet

**That** report CAO-2021-04 titled "Community Safety and Well-Being Plan Update and Forthcoming Public Consultation Opportunities" and the associated verbal update by the Chief Administrative Officer **be received**.

Carried

**M. New Business**

**1. Annual Performance Review - OPP Inspector**

Chair Hales explained that, as a result of disruption caused by the COVID-19 pandemic in 2020, the 2019 Performance Review for the Inspector was not finalized and submitted. He will work with the Recording Secretary and members to complete and submit the 2020 Annual Performance Review, as required by the Police Services Act.

**2. Other New Business**

**a. Caldwell First Nation**

Chair Hales requested Inspector Glenn Miller provide contact information for the Band Council Leader of Caldwell First Nation for the purpose of inviting their participation in a future board meeting. Inspector Miller committed to doing so.

**N. Next Meeting**

Thursday, April 8, 2021 at 4:30 pm

**O. Adjournment**

**Motion: PSB - 10/21**

Moved by Vice-Chair Paul Sweet

Seconded by Mayor Gary McNamara

**That** there being no further business to discuss, the Thursday, February 11, 2021 meeting of the Tecumseh Police Services Board **adjourn** at 5:46 pm.

Carried

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Christopher Hales, Chair

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Margaret Misek-Evans, Secretary



## The Corporation of the Town of Tecumseh

Corporate Services & Clerk

**To:** Mayor and Members of Council

**From:** Laura Moy, Director Corporate Services & Clerk

**Date to Council:** February 9, 2021

**Report Number:** CS-2021-03

**Subject:** Parking Lot Lease Agreement Renewal  
12150 Tecumseh Road – J. Kalbol Enterprises Inc.

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### Recommendations

It is recommended:

**That** CS-2021-03 entitled “Parking Lot Lease Agreement Renewal – 12150 Tecumseh Road – J. Kalbol Enterprises Inc.” **be received;**

**And that** Council consider, and direction **be given**, on the terms proposed by J. Kalbol Enterprise Inc. for renewal of a Parking Lot Lease Agreement for the Town of Tecumseh’s exclusive use of 26 parking spaces at 12150 Tecumseh Road, as outlined in CS-2021-03.

### Background

The Corporation of the Town of Tecumseh (Town) entered into a Parking Lot Lease Agreement (Original Agreement) with Mary Ellen Morand (Morand) in April 1999. The Original Agreement provided the Town exclusive use of 29 parking spaces on Morand’s lands located at 12150 Tecumseh Road.

In May 1999, the Town also entered into a Site Plan Control Agreement (SPCA) with Morand in order to permit an expansion to the building on the subject site (commonly known at that time as Riverside Rentals) and certain other site improvements, including surfacing of the parking areas. The SPCA was subject to the provisions of the Original Agreement.

Under the Original Agreement, Morand agreed to asphalt and stripe the parking areas and to install storm water catch-basins. The parking area includes 46 spaces. The Town was given the exclusive use of 63 percent (29) of the parking spaces, with the remaining 37 percent (17)

spaces being allocated to Morand. The location of the parking spaces allocated to the parties was by mutual agreement from time to time.

The cost to construct the parking area was shared in proportion to the space allocation. Therefore, the Town paid 63 percent of the cost of the works (\$17,561).

The Town agreed to pay Morand a yearly fee during the term of the Original Agreement, equal to the land taxes levied against the parking spaces allocated to the Town.

The term of the Original Agreement was for ten (10) years following construction of the parking area. The construction occurred in May 2000 and accordingly, the Original Agreement expired in 2010.

The subject property was sold in July 2009 to J. Kalbol Enterprises Inc. (Kalbol). Desire was expressed by the new owner to renew the terms of the Original Agreement for a further five (5) year term. In November 2010, the Town entered into an Amending Agreement with Kalbol, extending the original end date as set forth in the Original Agreement to December 31, 2015. The Amending Agreement was further extended for an additional five (5) year term to expire December 31, 2020.

The Original Agreement and the Amending Agreements are collectively referred hereafter as the Agreement.

## Comments

The Town has requested a further extension of the term of the Agreement, for a further five (5) year term to expire December 31, 2025, from Kalbol.

The Town financially invested in the parking spaces through its share of the cost to construct the parking area. The subject property is divided by a municipal alley (as depicted on the attached map) which was also improved by these works. [\[Attachment 1\]](#)

The parking spaces were obtained by the Town to provide additional parking in the 'Downtown' corridor to benefit local businesses and patrons. The parking area is identified as "Parking Lot 2" by way of signage and benefits the local businesses due to the limited on-street parking in the 12000 block of Tecumseh Road, in particular during peak business hours.

In addition to the parking spaces being highly utilized by patrons, the parking space allocation supports the objectives of the Town's Community Improvement Plan. The parking spaces provide increased accessibility for patrons to access local businesses thereby encouraging economic sustainability.

Under the Agreement, the Town assumed responsibility for normal maintenance of the parking area, including snow removal, cleaning and striping. Maintenance is undertaken by the Public Works and Environmental Services Department, in conjunction with other municipal maintenance works.

Repairs to the area, including resurfacing, patching and repair of potholes, have been shared on a 63/37 percent basis, in keeping with the parties' respective allocations, under the

Agreement. In 2018/2019 repairs consisted of minor spot repairs of asphalt, sealing of the asphalt and repairing the parking spots.

Mr. Kalbol is agreeable to renewal of the Agreement for a 5-year term, however with the following adjustments:

- Lease Payment: \$6,990 (net of snow removal)
- Repair costs to be shared on a 50/50 basis

Kalbol's proposed lease payment is based on \$1 per space for 26 parking spaces, which are now currently delineated for parking, for each calendar day of the year (365 days), less the estimated cost of the Town providing snow removal services (\$2,500). Kalbol is seeking a lease payment for the Town's use of the parking spaces rather than reimbursement of a portion of the tax levy.

With respect to the repairs, the negotiated agreement is to move to a 50/50 cost share from 63/37, with the Town continuing to be responsible for all maintenance costs, except snow removal.

If Council is agreeable to these proposed terms, an agreement will be prepared, satisfactory in form to the Town's Solicitor, and a by-law presented to authorize the Mayor and the Clerk to execute the agreement.

## **Consultations**

Financial Services  
Planning & Building Services  
Public Works & Environmental Services

## **Financial Implications**

The annual fee paid to use the parking spaces was, in past years, based on the taxes levied over same. Over the past three years, the fees paid were:

2020 \$1,968

2019 \$1,995

2018 \$1,904

Kalbol is seeking compensation for the Town's use of the parking spaces rather than a tax rebate for that portion of the property.

## Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input 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 checked="" 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:

Sue White  
Administrative Assistant to Director Corporate  
Services & Clerk

Reviewed by:

Tom Kitsos, CPA, CMA, BComm  
Deputy Treasurer & Tax Collector

Reviewed by:

Phil Bartnik, P.Eng.  
Director Public Works & Environmental  
Services

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional  
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Map of Area

## Attachment 1 – Map of the Area





## The Corporation of the Town of Tecumseh

Corporate Services & Clerk

**To:** Mayor and Members of Council

**From:** Laura Moy, Director Corporate Services & Clerk

**Date to Council:** February 23, 2021

**Report Number:** CS-2021-05

**Subject:** Parking Lot Lease Agreement Renewal  
12150 Tecumseh Road J Kalbol Enterprises Inc.  
Supplementary Report

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### Recommendations

It is recommended:

**That** CS-2021-05 entitled “Parking Lot Lease Agreement Renewal 12150 Tecumseh Road – J. Kalbol Enterprises Inc. Supplementary Report” **be received.**

### Background

At the February 9, 2021 Regular Meeting of Council, CS-2021-03 entitled “Parking Lot Lease Agreement Renewal 12150 Tecumseh Road – J. Kalbol Enterprises Inc.” was presented to Council.

The purpose of the report was to seek direction from Council on the terms proposed by J. Kalbol Enterprise Inc. (Kalbol) for renewal of a Parking Lot Lease Agreement for exclusive use by the Town of Tecumseh (Town) of 26 parking spaces at 12150 Tecumseh Road, owned by Kalbol.

At the meeting, CS-2021-03 was deferred to the February 23, 2021 Regular Meeting of Council by Resolution RCM - 37/21. Administration was asked to:

- Provide a quantitative value and impact;

- Canvas the local businesses through the Tecumseh Business Improvement Area Coordinator (BIA) to endeavour to obtain input on their use of the lot and comments on existing parking supply;
- Discuss with the owner the prospect of a more modest increase in lease payment, as well as a shorter term lease to provide opportunity to see more progress on Tecumseh Road with the Community Improvement Plan (CIP), and a six-month notice of cancellation clause.

## Comments

The BIA was contacted and agreed to canvass area businesses to obtain feedback on the use of the parking lot at 12150 Tecumseh Road, known municipally as Parking Lot 2.

The results are as follows:

- 32 businesses were contacted;
- 6 of the businesses have either closed or moved;
- 2 businesses did not respond;
- 6 businesses use the lot, all day and week, as well as their customers;
- 3 business does not use the lot, nor do their customers;
- 6 businesses do not use the lot; however, the lot is used by their customers;
- 9 businesses do not use the lot; however, it is used for overflow customer parking.

In summary, 12 of the area businesses indicated that either they and/or their customers use Parking Lot 2, and 9 of the business indicated that it was used for overflow parking.

On Friday, February 19, 2020, Administration met with Kalbol to discuss a change in terms and inquire whether he would be amenable to different terms. While he was amenable to a shorter term lease, and a six-month notice of termination clause in an agreement, he was not accepting of a lower lease payment. Kalbol revised his proposal as follows:

1. The Town to pay a yearly fee for use of the lot in the amount to be equal to the land taxes levied against the Parking Lot by the Town (tax rebate), payable in advance of the first day of the term. The said yearly fee shall increase by the amount of any increase in land taxes levied against the parking lot. (i.e. 2020 at \$1,968.97)
2. In addition to the above tax rebate, a yearly rental fee of \$5,021, plus HST. This fee is based on \$1 per space for 26 parking spaces, for each calendar day of the year (365 days), less Kalbol's estimated cost of the Town providing snow removal services (\$2,500) and less the tax rebate (\$1,968.97).

3. The Town shall assume responsibility for maintenance of the parking lot on a 50/50 ratio, as per the original offer and a change from the recently expired agreement of 63 (Town)/37 (Kalbol).

In total Kalbol is now seeking a combined lease payment and tax rebate of \$6,989.97 from the Town, plus 50 percent of maintenance costs.

Administration explained to Kalbol the informal advice received from an appraiser and realtor that a lease of the parking spaces ought to be in the range of \$2,000 to \$3,000. An offer of \$3,500 was made to Kalbol, subject to Council approval. Kalbol declined the offer.

## Consultations

Financial Services  
Public Works & Environmental Services  
Tecumseh Business Improvement Association

## Financial Implications

Capital costs incurred since 2000 include:

- 2000 \$17,561 (asphalt, striping, storm catch basins)
- 2018-2019 \$10,000 (asphalt maintenance, patch/pothole repair)
- Approximately \$1,380 per year

Operating costs incurred annually include:

- Winter control \$2,500
- Striping \$400
- Property tax \$1,900
- Approximately \$4,800 per year

Combined average annual Town contribution towards parking lot 2 is \$6,180, including capital and operating expenditures.

Kalbol's proposed rental agreement is as follows:

- Average annual capital expenditure (based on 50/50 sharing vs 63/37 sharing) would equate to \$1,095 (%1,095 current – decrease of 26%)

Operating costs would be:

- Space rental @ \$1/day x 365 days \$9,490

- Credit for Winter control and Property tax \$(4,400)
- Non rebated HST \$90
- Striping \$400
- Winter Control \$2,500
- Total Operating expenditure \$8,080 (\$4,800 current – increase of 68%)
- Total estimated Capital and Operating expenditure of \$9,175, or increase of 48%.
- Should we not incur capital costs, then the annual increase becomes \$1,900 or 31%.

## Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input 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 checked="" 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:

Laura Moy, Dipl. M.M., CMMIII HR Professional  
Director Corporate Services & Clerk

Reviewed by:

Tom Kitsos, CPA, CMA, BComm  
Director Financial Services & Chief Financial Officer

Reviewed by:

Phil Bartnik, P.Eng.  
Director Public Works & Environmental Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
None	None





## The Corporation of the Town of Tecumseh

Corporate Services & Clerk

**To:** Mayor and Members of Council

**From:** Laura Moy, Director Corporate Services & Clerk

**Date to Council:** February 23, 2021

**Report Number:** CS-2021-04

**Subject:** Monroe Island Servicing Agreement

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### Recommendations

It is recommended:

**That** CS-2021-04 entitled “Monroe Island Servicing Agreement”, **be received**;

**And that** By-law No. 2021-12 **be approved** to authorize the Mayor and Clerk to execute a Servicing Agreement between the Municipality of Lakeshore and The Corporation of the Town of Tecumseh and April Pawluk and Ryan Pawluk;

**And further that** Administration **be directed** to provide a further report with respect to municipal restructuring to bring Monroe Island within the boundaries of the Town of Tecumseh, in accordance with Sections 171 to 173 of the *Municipal Act, 2001*.

### Background

At the December 10, 2019, Regular Meeting of Council report CS-2019-45 entitled “Servicing of Monroe Island – 454 Brighton Road, Lakeshore” was presented to Council. At the meeting Council passed a resolution (RCM-393/19), which provided authorization to Administration:

1. to negotiate the terms of an agreement, between the Municipality of Lakeshore (Lakeshore) and the property owner of 454 Brighton Road (Monroe Island) for road access and municipal services by way of the owner’s lands located at 440 Brighton Road, in the Town of Tecumseh (Tecumseh), as outlined in CS- 2019-45; and
2. to present the negotiated servicing agreement to Council for consideration and adoption by by-law.

Council further resolved at the December 10, 2019 meeting that, subject to a request from Lakeshore, Tecumseh will cooperate to undertake a boundary adjustment to bring Monroe Island into the Town of Tecumseh.

Administration has been working in collaboration with Administration from Lakeshore on a servicing agreement as authorized by Council. On February 9, 2020, the final draft servicing agreement was received from Lakeshore. This agreement contains provisions that acknowledge the next step is to proceed with restructuring to bring Monroe Island into the Town of Tecumseh.

## Comments

The draft servicing agreement is attached to this report for Council's consideration. As directed by RCM-393/19, the draft servicing agreement provides for the following:

1. The services provided by Tecumseh include the following:
  - a. Sanitary sewage;
  - b. Potable water;
  - c. Access/driveway to Brighton Road;
  - d. Fire;
  - e. Police;
  - f. Garbage pickup and yard waste; and
  - g. Other - deemed municipal services.
2. The property owner being responsible for filing for permits, where necessary (i.e.: items 1a, 1b and 1c) and payment of all applicable fees to Tecumseh.
3. All Planning and Building approvals and the processing of related permits, including inspections, being the sole responsibility of Lakeshore for a residential development on Monroe Island (Residence).
4. While the servicing agreement is in effect, the property owner shall be prohibited to sell Monroe Island or 440 Brighton independent of one another.
5. The property owner will make best efforts to legally consolidate Monroe Island and 440 Brighton.
6. Lakeshore and Tecumseh agree to work cooperatively on a restructuring proposal and submission of an application for a Provincial Order. Lakeshore agrees to prepare the restructuring proposal. The Property Owner agrees to pay for survey, notice and consultation costs associated with the servicing agreement and the application for the Provincial Order.

7. Tecumseh agrees to assume jurisdiction of Monroe Island on the Provincial Order Effective Date.
8. The servicing agreement shall be registered by Lakeshore on title to Monroe Island and on title to 440 Brighton.

Due to the provisions of the *Municipal Act, 2001* and *Development Charges Act*, the following terms are contained in the draft agreement with respect to the collection and payment of Development Charges and property taxes:

1. Lakeshore will collect the Development Charges, where applicable, for the Residence from the property owner. Following Lakeshore's fiscal year end, Lakeshore will pay to Tecumseh, the Lakeshore portion of the Development Charges collected by Lakeshore for the Residence. Lakeshore will remit the education portion of the Development Charge to the applicable school boards.
2. Lakeshore will continue to collect the property taxes assessed for Monroe Island. Tecumseh shall be entitled to Lakeshore's portion of the collected property taxes on a pro-rata basis calculated from the date of occupancy of the Residence.

Following Lakeshore's fiscal year end, Lakeshore will pay to Tecumseh, the Lakeshore portion of the property taxes collected by Lakeshore for Monroe Island. Lakeshore shall continue to remit the education and upper tier portions of the property taxes to the applicable school boards and County of Essex.

A by-law is also on the February 23, 2020 Council Meeting Agenda to authorize the Mayor and Clerk to execute the servicing agreement.

The property owner has reviewed the final servicing agreement and is in concurrence. The property owner is desirous of obtaining the necessary permits for servicing and an access bridge before the endangered species spawning season begins - March 15.

Following approval of the servicing agreement, both Tecumseh and Lakeshore Administration will commence developing a proposal for municipal restructuring to bring Monroe Island within the boundaries of Tecumseh, in accordance with Sections 171 to 173 of the *Municipal Act, 2001*.

Before voting on a restructuring proposal, it should be noted that Tecumseh and Lakeshore Councils must give notice and hold at least one public meeting. The public meeting could be held jointly.

Municipalities must also meet prescribed support before submitting a restructuring proposal to the Minister of Municipal Affairs and Housing. In areas with two-tier municipal government, triple majority support is required; support by the upper-tier (i.e. County of Essex Council) and a majority of councils representing a majority of electors of the affected municipalities (i.e. Tecumseh and Lakeshore Councils).

A locally developed restructuring proposal is implemented through a Minister's order, at the Minister's discretion.

A draft proposal for municipal restructuring will be presented under a separate report at a later date. The report will also seek authorization and direction on holding of a public meeting before consideration is given to approval of the proposal.

## **Consultations**

Financial Services  
Planning & Building Services  
Public Works & Environmental Services  
Municipality of Lakeshore Administration

## **Financial Implications**

The cost for providing municipal services, as described above, would be recovered from a payment made annually to Tecumseh from the portion of the property taxes collected by Lakeshore for Monroe Island. There is a differential in municipal tax rates between Tecumseh and Lakeshore, such that the Tecumseh municipal residential tax rate assesses \$745.06 in levy per \$100,000 of assessment versus \$627.05 in Lakeshore (2021 rates). For every \$100,000 in property assessment, Tecumseh will collect \$118.01 less than it would otherwise have, had the property been subject to Tecumseh tax rates. Municipal tax rates are subject to change each year during each municipality's budget process.

Lakeshore will pay to Tecumseh the Lakeshore portion of the Development Charges collected by Lakeshore for the Residence. There is a differential in Development Charge (DC) rates between Tecumseh and Lakeshore, such that the Tecumseh DC applicable for a single detached dwelling is \$17,927 whereas the Lakeshore DC applicable is \$26,189. The Lakeshore DC is \$8,262 greater than the DC applicable in Tecumseh. The DC is a one-time charge applicable at the issuance of a building permit.

The property owner is required to pay all applicable permit fees for storm, sanitary and water service connections. The installation of the services (water, sanitary, road access) will also be at the cost of the property owner.

All legal and other costs that may be incurred by Tecumseh would be recovered from the property owner.

## Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input 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 checked="" 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:

Laura Moy, Dipl. M.M., CMMIII HR Professional  
Director Corporate Services & Clerk

Reviewed by:

Tom Kitsos, CPA, CMA, BComm  
Director Financial Services & Chief Financial Officer

Reviewed by:

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

Reviewed by:

Phil Bartnik, P.Eng.  
Director Public Works & Environmental Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Monroe Island Servicing Agreement

**This Monroe Island Servicing Agreement made this 17th day of February, 2021  
("Effective Date")**

Between:

**Municipality of Lakeshore**  
(hereinafter referred to as "Lakeshore")

-and-

**The Corporation of the Town of Tecumseh**  
(hereinafter referred to as "Tecumseh")

-and-

**April Pawluk and Ryan Pawluk**  
(hereinafter, collectively, referred to as the  
"Property Owner")

**Whereas** Lakeshore and Tecumseh are lower-tier municipal corporations incorporated  
by the Province of Ontario in the County of Essex;

**And Whereas** the Property Owner owns the lands municipally known as 454 Brighton  
Road, Lakeshore, and as legally described in Schedule "A" ("**Monroe Island**") and  
lands municipally known as 440 Brighton Road, Tecumseh and as legally described  
in Schedule "A" ("**440 Brighton**");

**And Whereas** the Property Owner intends to construct a residential dwelling on Monroe  
Island ("Residence");

**And Whereas** the Property Owner wishes to construct a residential dwelling on Monroe  
Island and requires Municipal Services to so do;

**And Whereas** Tecumseh is positioned to provide Municipal Services to Monroe Island  
in a more effective manner than Lakeshore;

**And Whereas** Tecumseh has consented to providing Municipal Services to Monroe  
Island subject to the terms and conditions set forth in this Agreement;

**And Whereas** sections 19 and 20 of the *Municipal Act, 2001* authorize Tecumseh and  
Lakeshore to enter into the cooperative arrangement contemplated by this  
Agreement;

**And Whereas** Monroe Island will form the subject of this, a restructuring application  
under Part V of the *Municipal Act, 2001* by Lakeshore and Tecumseh which, if  
approved, would have the effect of restructuring Lakeshore and Tecumseh by  
annexing part of Lakeshore, Monroe Island, to Tecumseh;

**Now Therefore this Agreement Witnesseth** that in consideration of the aforesaid

premises and the terms and conditions hereinafter set forth, the sufficiency whereof is hereby expressly acknowledged, the Parties hereby covenant and agree as follows:

## **Definitions**

1. In this Agreement the following terms shall have the meanings set out below, unless otherwise redefined or where the subject matter or context requires another meaning to be ascribed:
  - (a) “Agreement” means this agreement;
  - (b) “*Building Code Act*” means the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended;
  - (c) “Building Permit Fees” means those amounts imposed and collected pursuant to the *Building Code Act* and any by-law passed in relation to that Act;
  - (d) “Development Charge(s)” means those amounts imposed and collected pursuant to a by-law passed under the *Development Charges Act* or *Planning Act*;
  - (e) “*Development Charges Act*” means the *Development Charges Act, 1997*, S.O. 1997, c.27, as amended;
  - (f) “*Municipal Act, 2001*” means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, or any successor statute;
  - (g) “Municipal Services” means all municipal services including, without limitation, potable water, sanitary sewer, fire protection, police protection, garbage, recycling and yard waste pickup and public road access, and excluding storm water management;
  - (h) “*Planning Act*” means the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or any successor statute;
  - (i) “Provincial Order” means a restructuring order issued by the Province of Ontario pursuant to Part V of the *Municipal Act, 2001*;
  - (j) “Provincial Order Effective Date” means the date specified in the Provincial Order when the annexation takes effect;
  - (k) “Property Taxes” means the ad valorem taxes assessed and collected by Lakeshore on behalf of Lakeshore and the County and the Province of Ontario



2. This Agreement applies to Monroe Island and 440 Brighton.

### **Interim Agreement between Lakeshore and Tecumseh**

3. Tecumseh agrees to provide Municipal Services to Monroe Island upon receiving a request for services from the Property Owner. The installation of connections and materials for connections to Municipal Services and private access bridges shall be undertaken by and at the expense of the Property Owner and shall be completed to Tecumseh's satisfaction. The Property Owner shall be responsible for undertaking installation to the satisfaction of Tecumseh and for all installation costs as required. The Property Owner agrees to pay for all permits required by Tecumseh and for any installation costs of the Municipal Services incurred by Tecumseh.
4. The Property Owner agrees to secure required approvals from and satisfy any requirements of the Essex Region Conservation Authority and any relevant Provincial and/or Federal approvals for discharging storm water from Monroe Island to Pike Creek.
5. Lakeshore consents to Tecumseh providing Municipal Services to Monroe Island. The Property Owner agrees to waive any right, claim, or other interest that it may have to obtain Municipal Services from Lakeshore.
6. As Monroe Island is currently located within Lakeshore's jurisdiction, any construction on the lands will be subject to Lakeshore's by-laws passed pursuant to the *Planning, Development Charges and Building Code Acts*. Lakeshore will bill and collect Building Permit Fees and Development Charges in accordance with its existing by-laws from the Property Owner upon their application for a building permit.
7. The Building Permit Fees collected by Lakeshore for the construction of a residential dwelling on Monroe Island (hereinafter "Residence") will be retained by Lakeshore and Lakeshore will provide all *Building Code Act* permitting and inspection services as well as respond to all inquiries and complaints during construction.
8. Lakeshore will collect the Development Charges, where applicable, for the Residence. The Property Owner acknowledges the obligation to pay the Development Charges, where applicable, to Lakeshore.

Following Lakeshore's fiscal year end, Lakeshore will pay to Tecumseh, the Lakeshore portion of the Development Charges collected by Lakeshore for the Residence. Lakeshore will remit the education portion of the Development Charge to the applicable school boards.

Notwithstanding that either of or both of Lakeshore's Development Charges may be less than those that Tecumseh would have been able to collect had Monroe Island been located within Tecumseh's jurisdiction, Tecumseh will accept the aforementioned payment in full satisfaction of all Development Charge related obligations for Monroe Island.

9. Lakeshore will continue to collect the property taxes assessed for Monroe Island. Tecumseh shall be entitled to Lakeshore's portion of the collected property taxes on a pro-rata basis calculated from the date of occupancy of the Residence. The Property Owner acknowledges the obligation to pay the property taxes to Lakeshore.

Following Lakeshore's fiscal year end, Lakeshore will pay to Tecumseh, the Lakeshore portion of the property taxes collected by Lakeshore for Monroe Island. Lakeshore shall continue to remit the education and upper tier portions of the property taxes to the applicable school boards and County of Essex.

Notwithstanding that Lakeshore's property tax rate may be less than those that Tecumseh would have been able to collect had Monroe Island been located within Tecumseh's jurisdiction, Tecumseh will accept the aforementioned payments in full satisfaction of all property tax related obligations for Monroe Island.

10. In the event of a proceeding or application which has the effect of adjusting the amount of property taxes or Development Charges owing to Lakeshore for Monroe Island or the Residence during the term of this Agreement, Lakeshore will adjust the next payment to Tecumseh issued pursuant to this Agreement accordingly.
11. While this Agreement is in effect, the Property Owner shall be prohibited to sell Monroe Island or 440 Brighton independent of one another. The Property Owner will make best efforts to legally consolidate Monroe Island and 440 Brighton.

### **Restructuring Proposal**

12. Lakeshore and Tecumseh agree to work cooperatively on a restructuring proposal and submission of this application for a Provincial Order. Lakeshore agrees to prepare the restructuring proposal. The Property Owner agrees to pay for survey, notice and consultation costs associated with this Agreement and the application for the Provincial Order.
13. Tecumseh agrees to assume jurisdiction of Monroe Island on the Provincial Order Effective Date.

## General

14. Any notices required or permitted to be given pursuant to this Agreement shall be given to the individuals noted below, to be delivered either by email, personally or by prepaid ordinary mail, as follows:

### **The Corporation of the Town of Tecumseh**

917 Lesperance Road

Tecumseh, ON N8N 1W9

Attention: Clerk

[lmoy@tecumshe.ca](mailto:lmoy@tecumshe.ca)

### **Municipality of Lakeshore**

419 Notre Dame Street

Belle River, Ontario N0R 1A0

Attention: Clerk

[clerk@lakeshore.ca](mailto:clerk@lakeshore.ca)

### **Property Owners**

[insert current address]

Attention: Ryan Pawluk, April Pawluk

15. Where notice is given:
- (a) by prepaid ordinary mail, it shall be deemed to have been received 5 days following posting;
  - (b) where notice has been given personally, it shall be deemed to have been received immediately upon delivery; or,
  - (c) by email, it shall be deemed within 1 hour of the time that the email is sent.

Any party may change its address by giving notice of such change in accordance with the foregoing.

- (d) This Agreement shall remain in effect until such time as the date that the Provincial Order comes into effect. This Agreement shall remain in effect until such time as the Parties replace this Agreement or a Provincial Order comes into effect, whichever is earlier.
- (e) This Agreement shall be construed with all changes in number and gender as may be required by the context.
- (f) References herein to any statute or any provision thereof include such statute or provision thereof as amended, revised, re-enacted and/or consolidated from time to time and any successor statute thereto.

- (g) All obligations herein contained, although not expressed to be covenants, shall be deemed to be covenants.
- (h) This Agreement shall be registered by Lakeshore on title to Monroe Island and on title to 440 Brighton.
- (i) Tecumseh and Lakeshore agree to pass all by-laws necessary to give effect to this Agreement.
- (j) Whenever a statement or provision in this Agreement is followed by words denoting inclusion or example and then a list of or reference to specific items, such list or reference shall not be read so as to limit the generality of that statement or provision, even if words such as “without limiting the generality of the foregoing” do not precede such list or reference.
- (k) The Parties agree that all covenants and conditions contained in this Agreement shall be severable, and that should any covenant or condition in the Agreement be declared invalid or unenforceable by a court of competent jurisdiction, the remaining covenants and conditions and the remainder of the Agreement shall remain valid and not terminate thereby.
- (l) This Agreement shall be interpreted under and is governed by the laws of the Province of Ontario and the Parties attorn to the jurisdiction of the courts of the Province.
- (m) The Parties confirm that the recitals at the beginning of this Agreement are true in fact and are incorporated into this Agreement as though repeated herein.
- (n) This Agreement shall be enforceable by and against the parties hereto, their administrators, successors and permitted assigns.

**In Witness Whereof** the Parties hereto have hereunto affixed their corporate seals duly attested by the hands of their proper signing officers duly authorized in that behalf.

**Signed, Sealed And Delivered**

)  
)  
) **The Corporation of the Town of**  
) **Tecumseh**  
)  
)  
) per: \_\_\_\_\_  
) Gary McNamara, Mayor  
)  
)  
) per: \_\_\_\_\_  
) Laura Moy, Director Corporate Services/Clerk  
  
)  
)  
)  
) **Municipality of Lakeshore**  
)  
)  
) per: \_\_\_\_\_  
) Tom Bain, Mayor  
)  
)  
) per: \_\_\_\_\_  
) Kristen Newman,  
) Director of Legislative and Legal Services (Clerk)

Witness (as to both signatures):

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
April Pawluk  
  
\_\_\_\_\_  
Ryan Pawluk

## **Schedule “A”**

### **Legal Description of Monroe Island**

Part of Lot 1, Concession East of River Peche, Maidstone and Part of Lot 1, Concession West of River Peche, Maidstone (St. Clair Beach) as in R857943; Lakeshore/Tecumseh, being all of the Property Identifier Number 75001-0384(LT).

### **Legal Description of 440 Brighton**

Part of Lot 1, Concession West of Pike Creek, Maidstone (St. Clair Beach); Tecumseh, being part of the Property Identifier Number 75001-0384(LT).



## 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:** February 23, 2021

**Report Number:** PBS-2021-08

**Subject:** New Town of Tecumseh Official Plan, February 2021  
Revision to Schedule E-2 of new Town of Tecumseh Official Plan Prior  
to Formal Adoption  
OUR FILE: D08 TNOP

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### Recommendations

It is recommended:

**That** the Planning and Building Services Report PBS-2021-08 New Town of Tecumseh Official Plan, February 2021 - Revision to “Schedule E-2, Active Transportation Network” of new Town of Tecumseh Official Plan Prior to Formal Adoption, **be received;**

**And that** prior to considering the adoption of the new Official Plan, in accordance with PBS-2021-04, “Schedule E-2, Active Transportation Network” of the new Official Plan, **be revised,** in accordance with PBS-2021-08;

**And further that** the revised “Schedule E-2, Active Transportation Network” **be included,** into the “Council Adopted” version of the new Official Plan for submission to the County for approval.

### Background

Town Council will be considering the adoption of the new Town of Tecumseh Official Plan at its February, 23, 2021 Council Meeting by way of PBS-2021-04. Since the issuance of the Council agenda, Administration was questioned why the “Tecumseh On-Road (Shared)” designation shown along the Little River Boulevard on “Schedule E-2, Active Transportation

Network” of the draft new Official Plan excluded the segment between Lesperance Road and St. Pierre Street (see Attachment 1).

## **Comments**

Town Administration has met to discuss this “gap” in the segment and agrees that, in order to accommodate a network that provides appropriate connectivity for users, “Schedule E-2, Active Transportation Network” should be revised to show the “Tecumseh On-Road (Shared)” designation connecting from Little River Boulevard to Lesperance Road. This connectivity is proposed to be accommodated by delineating Wood Street and the portion of St. Pierre Street between Wood Street and Little River Boulevard as “Tecumseh On-Road (Shared)”, as shown on the updated Schedule E-2 at Attachment 2. It is noted that Lesperance Road is already designated as “Tecumseh On and Off Road” and thus completes the connection in this area.

Town Administration therefore recommends that Council support that “Schedule E-2” of the draft new Official Plan be revised by replacing it with the revised “Schedule E-2” as attached to Report PBS-2021-08.

## **Consultations**

Public Works & Environmental Services

## **Financial Implications**

None



## 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 checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input 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:

Chad Jeffery, MA, MCIP, RPP  
Manager Planning Services

Reviewed by:

Phil Bartnik, P.Eng.  
Director Public Works & Environmental Services

Reviewed by:

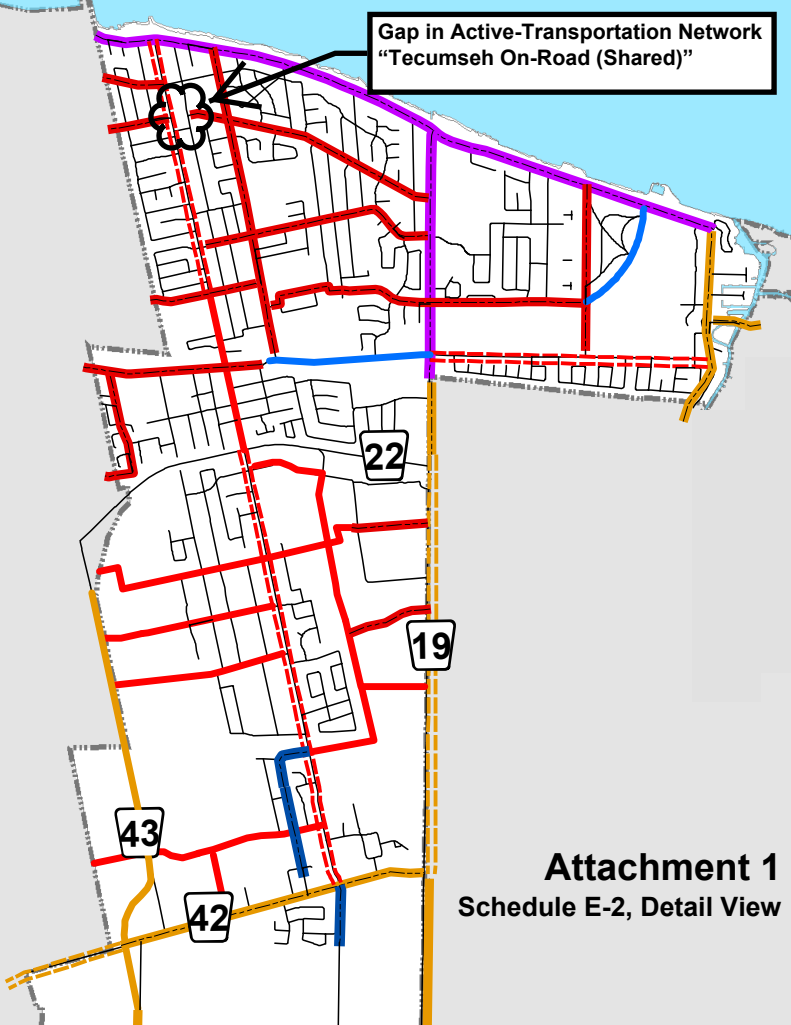
Brian Hillman, MA, MCIP, RPP  
Director Planning & Building Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

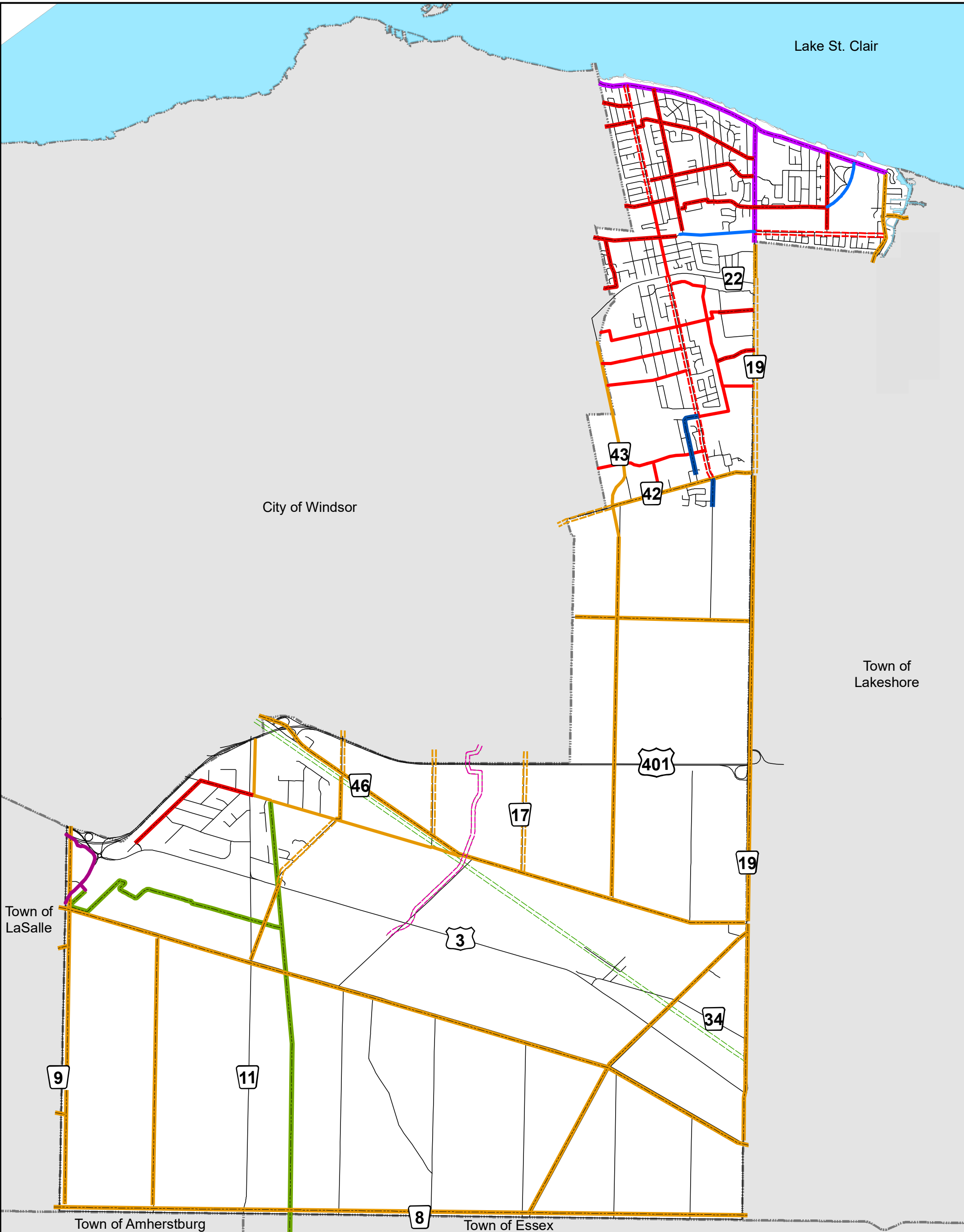
<b>Attachment Number</b>	<b>Attachment Name</b>
1	Current Schedule E-2, Detail View
2	Revised Schedule E-2

Gap in Active-Transportation Network  
"Tecumseh On-Road (Shared)"



**Attachment 1**

**Schedule E-2, Detail View**



Legend

- |                               |                                    |
|-------------------------------|------------------------------------|
| Tecumseh Off-Road             | Herb Grey Parkway Route            |
| Tecumseh On-Road (Dedicated)  | CWATS and Tecumseh On and Off Road |
| Tecumseh On-Road (Shared)     | CWATS On-Road Route                |
| Tecumseh On or Off Road       | CWATS Off-Road Route               |
| Tecumseh On and Off Road      | CWATS On and Off Road Route        |
| Proposed Lauzon Parkway Route | ERCA Routes                        |
|                               | Proposed ERCA Routes               |

**SCHEDULE "E-2"**  
Town of Tecumseh Official Plan  
**Active Transportation Network**

(Note: See Schedule B-3 for Active Transportation Network in Maidstone Hamlet Settlement Area)





## 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:** February 23, 2021

**Report Number:** PBS-2021-04

**Subject:** New Town of Tecumseh Official Plan, February 2021  
Draft for Council Adoption  
OUR FILE: D08 TNOP

---

### Recommendations

It is recommended:

**That** the Planning and Building Services Report PBS-2021-04 New Town of Tecumseh Official Plan, February 2021, **be received**;

**And that** a by-law having the effect of adopting the new Town of Tecumseh Official Plan, February 2021, **be adopted**;

**And further that** the new Town of Tecumseh Official Plan, February 2021, **be forwarded** to the County of Essex for its review and approval in accordance with the Planning Act.

### Executive Summary

The three existing Official Plans governing land use planning in Tecumseh are proposed to be replaced by a new Official Plan encompassing all lands in the Town. A public consultation process was undertaken with respect to the Draft New Official Plan, September 2020, which included virtual Public Information Centres, the PlaceSpeak on-line engagement platform and a statutory Council Public Meeting. The purpose of this Report is to summarize the process to date regarding the preparation of the new Official Plan and to identify the final revisions that have been made to the document being presented to Council for formal adoption.

## **Background**

### **New Official Plan Process Held to Date**

A detailed review of the process undertaken in the preparation of the new Official Plan was provided to Council and the public by way of report PBS-2020-35 dated September 29, 2020 and report PBS-2021-01, dated January 26, 2021. The following briefly summarizes the process outlined in these reports.

1. Power Point Presentation, February 25, 2020 Special Council Meeting

A summary of the key policy directions of the draft new Official Plan was presented. The preparation of the draft new Official Plan was guided by the background and recommendations contained in 11 discussion papers as well as consultations with various government agencies and public stakeholders.

2. Draft New Official Plan, September, 29, 2020 Regular Council Meeting

A revised version of the draft new Official Plan was provided to Council at the September 29, 2020 Special Council Meeting by way of report PBS-2020-35. The draft new Official Plan intended to articulate a clear, cohesive vision for the Town of Tecumseh and to reflect new policy objectives of PPS 2020 and alignment with the County of Essex Official Plan 2014. The document was subsequently made available for public review and comment in accordance with the Council-authorized public and agency engagement process identified in report PBS-2020-35.

3. Public Information Centres (PICs), November 4 and 5, 2020

The holding of PICs took place on the Zoom platform. The PICs were held by Town Administration to provide the public an opportunity to review and comment on the Town's draft new Official Plan. Six individuals, a consultant representing a construction material industry group and one community group registered for and attended the PICs. In addition, nine email correspondences were received from those who attended the PICs and from others who chose not to register for the PICs.

4. Use of the PlaceSpeak Platform

The PlaceSpeak on-line engagement platform was made available through the Town's website.

5. Consultations with First Nations and Metis Community

Contact was made with the respective First Nations and Metis Community and links to the document were provided. To date, no formal comments have been received. The County Planner has advised that she will also be pursuing consultations and seeking comments from these groups.

6. Discussions with the County of Essex (Approval Authority) and ERCA

Multiple Zoom meetings have been held with representatives from the County of Essex and Essex Region Conservation Authority (ERCA) regarding potential revisions to policies in consideration of the public comments received.

7. The Holding of a Statutory Public Meeting by Council in accordance with the Provisions of the Planning Act

A statutory Public Meeting was held on Tuesday, January 26, 2021. A summary of all comments received through the above-noted PICs and public consultation process, along with Administrative responses and recommendations of revisions to the draft new Official Plan document were provided by way of report PBS-2021-01.

## Comments

As noted above, report PBS-2021-01 summarized the key issues raised by those who attended the PICs and those who submitted written correspondence, along with Administrative responses and recommended changes to the draft new Official Plan. All the recommended changes have now been incorporated into the new Town of Tecumseh Official Plan, February 2021 ("new OP") (see Attachment 1). The following chart summarizes all revisions and additions that have been made to the new OP that is being presented for Council adoption.

Official Plan Section/Schedule Affected	Description of Revision
Section 1.5.2 i) Tecumseh North Settlement Area	Revised to include a description of the lands comprising the Manning Road Secondary Plan Area
Section 2.3 Planning Principles subsection xxiii)	New planning principle added encouraging the development of an equitable, diverse and inclusionary community
Section 3.14.1 Energy Conservation, Climate Change and Air Quality Mitigation subsection vii)	Subsection revised to acknowledge the importance of mature trees and establish that Council may consider the development of a Tree Preservation Plan
Section 4.4.3 Special Main Street Mixed Use Policies subsection v)	New site specific Main Street Mixed Use policy pertaining to 1106 Laramie (former Vilo building) added allowing for commercial uses and a suitable range of

Official Plan Section/Schedule Affected	Description of Revision
	light industrial uses that can be compatible with the surrounding area
Section 4.5.2 Business Park Policies subsection iv)	Revised to prohibit growing and/or harvesting of cannabis but to continue permit processing, packaging and shipping of cannabis products
Section 4.7.2 Community Facility Policies subsection i)	Revised to establish that nursing homes, rest homes and retirement homes are permitted within the Community Facility designation
Section 4.7.2 Community Facility Policies subsection vii)	Introduced new policy regarding the assessment and possible acquisition of surplus school land for expanding parkland in underserved areas
Section 4.8.2 Recreational Policies subsection x)	Introduced new policy regarding the assessment and possible acquisition of surplus school land for expanding parkland in underserved areas
Section 4.9.2 Natural Heritage System Policies subsection v) and Section 4.9.5.1 Restoration Opportunity Overlay Policies subsection ii)	Revised to be less prescriptive and to give adequate regard to the Drainage Act process
Section 10.4.2 Site Plan Control Objectives subsection vi)	New subsection added to include provisions that would enable the Town to regulate exterior appearance of buildings in areas where there are Council-adopted architectural guidelines in effect
Section 10.4.3 Application of Site Plan Control	Revised to include cannabis greenhouse operations
Section 10.19 Official Plan Review and Monitoring subsection v)	New policy added clearly establishing the need to monitor potential impacts and related housing demand from the proposed regional mega-hospital



Official Plan Section/Schedule Affected	Description of Revision
Section 10.22 First Nations and Metis Consultation	New section added that promotes seeking the opinions and advice of First Nations and Metis communities and to collaborate on respectful inclusion and representation of Indigenous peoples' culture
Schedule "A" Community Structure Plan	Revised to identify future location of the proposed regional mega-hospital in Windsor and the location of the trail that extends westerly from the ERCA Greenway along the south limit of Oldcastle Hamlet to the Howard Avenue Diversion
Schedule "B-2" Oldcastle Hamlet Settlement Area Land Use Plan	Oldcastle Heritage Park has been designated "Recreational"
Schedule "C" Natural Heritage System	All "Restoration Opportunities Overlay" areas aligned with existing municipal drains within settlement areas have been deleted
Schedule "E-1" Road Classification	Revised Schedule "E-1" Road Classification with respect to the Collector (Urban) from Lesperance Road to Manning Road to be redefined along the following route: Arbour Street - Lanoue Street - Lemire Street - Lanoue Street

In addition to the preceding summary of revisions that were recommended in report PBS-2021-01, the following additional items required consideration by Administration, with revisions made to the new OP as noted below:

1. Ms. Judy Robson email, January 29, 2021

Subsequent to the January 26, 2021 Public Meeting, additional correspondence was received from Ms. Robson via email dated January 29, 2021 (see Attachment 2). This correspondence commented on three of the issues listed in PBS-2021-01, using the same numbering system from that report. The following Administrative response is provided with respect to those comments:

- i) FOOD 1 – References to Former Municipality vs the New Town of Tecumseh

- For additional clarity, revisions have been made to subsections 1.3 Planning History and 1.5.2 Municipal Profile, Existing Development Pattern, Special Studies by the addition of the word “former” when reference is made to any of the former municipalities. This will provide a clear differentiation in the text between the former municipalities and the post-amalgamation Town of Tecumseh.

ii) FOOD 5 – Concerns over Oldcastle Hamlet Settlement Area Profile Description

- Under subsection 1.5.2, Municipal Profile, Existing Development Pattern, Special Studies, subsection ii Oldcastle Hamlet Settlement Plan, a general overview of this settlement area is provided including a reference to a predominance of employment uses, commercial and service-related uses and a number of residential clusters, recreational areas, trails and institutional uses. Administration believes this description accurately depicts the existing profile of this settlement area and is consistent with the high-level description provided for all three of the Town’s settlement areas. This subsection also clearly establishes that Council has authorized the undertaking of the Oldcastle Hamlet Special Planning Study for Future Development Lands in order to determine the preferred and appropriate mix of land uses for these lands. This is further reiterated by a clearly stated policy in section 4.10, Future Development, requiring this study. This will lead to the introduction of new land use designations and policies through incorporation into the new OP by way of a future amendment. No revisions have been made to the new OP.

iii) FOOD 23 – Concerns Regarding Status of Existing Commercial Zones

- It is anticipated that the existing Hamlet Commercial Zone (CH) and Rural Commercial Zone (CR) lands in the existing Zoning By-law will be combined into a new General Commercial Zone in the new Implementing Comprehensive Zoning By-law, consistent with the General Commercial land use designation in the new OP. This is consistent with the existing former Sandwich South Official Plan and will provide a more uniform approach that offers greater flexibility with respect to the range of uses permitted on these commercial lands. Where these zones and associated uses currently exist in areas outside of a Commercial designation, such as on lands in the Agricultural designation, the new OP provides policy that establishes the uses currently permitted would carry forward but in a defined Agricultural zone. It is also important to note that agriculture-related commercial uses are now permitted in the Agricultural designation subject to a Zoning By-law Amendment, which is consistent with the Provincial Policy Statement and guidelines of the Ministry of Agriculture, Food and Rural Affairs. No revisions have been made to the new OP.

2. Schedule “B-2”, Oldcastle Hamlet Settlement Area Land Use Plan: Designation of Municipal Land North of Highway 3 and South of McCord Lane

At the January 23, 2021 public meeting a number of residents expressed opposition to the proposed General Commercial designation of the Town-owned lands north of King's Highway No. 3 and south of McCord Lane in the Oldcastle Hamlet Settlement Area. Their preference was that these lands should remain designated Community Facility and owned by the Town so that they could be used for some community purpose. As noted at the public meeting, the lands were proposed to be designated General Commercial in response to a number of proposals for commercial uses on this property over the past number of years. At this time, the long term use of these Town lands is unresolved. In order to provide greater flexibility pending the ultimate resolution of this issue, the new OP designates the land General Commercial, however the text has been revised by adding a new site specific special policy (subsection 4.3.3 iv)) in the General Commercial Land Use Policy section. This site specific special policy will permit all the uses permitted in the Community Facility designation on these lands, in addition to the uses permitted in the General Commercial designation. This approach will allow all or even a portion of the lands to be used for both types of uses, thereby offering adequate time for Council to determine the long-term intended use of this property while negating the need to amend the new OP in the future once that decision of Council is made. For clarity and accuracy, Schedule "B-2" of the new OP has been revised to designate Oldcastle Heritage Park, which is part of this Town-owned land, as "Recreational" rather than "General Commercial", to recognize its existing use.

3. Schedule "E-1" Road Classification: Collector (Urban) Classification of the 'Connecting' Piece of Little River Boulevard Between Lesperance Road and St. Pierre Street

Schedule "E-1" Road Classification did not illustrate the planned extension of the Little River Boulevard Collector (Urban) from Lesperance Road to St. Pierre Street, as depicted in the existing former Tecumseh Official Plan. Councillor Dowie asked that this matter be reviewed and confirmed as the preferred approach. Upon further review by Town Administration, in consultation with the authors of the Tecumseh Transportation Master Plan, Dillon Consulting, it continues to be recommended that this small segment not be illustrated as Collector (Urban) for the following reasons:

- i) The Tecumseh Transportation Master Plan also does not include this short segment as Collector (Urban). It was determined that this segment would not possess the attributes to be classified as a Collector (Urban). At the time it was originally identified in the existing former Tecumseh Official Plan in the 1980's, the broader area was largely under development. It has since fully built-out and current traffic volumes and patterns do not necessitate the extension of a Little River Boulevard across this short segment. There has not been an identification of deficiencies to warrant the implementation of constructing this segment;
- ii) This segment is approximately 110 metres in length and if converted to an extension of Little River Boulevard would necessitate the purchase of five existing lots and the removal of each of the single unit dwellings on these lots. Accordingly, significant public funds would be required to implement construction of a municipal road on this segment. In addition, there would be considerable disruption to the existing character of the surrounding neighbourhood. These

considerations would outweigh any potential community transportation benefits gained by making this connection.

## **Next Steps in the New Official Plan Process**

Having regard to all of the background work, discussion papers, analysis and stakeholder engagement undertaken and given the writer's opinion of its consistency with the Provincial Policy Statement 2020 and its conformity with the County of Essex Official Plan 2014, the new OP is recommended for Council adoption by Administration. If adopted by Council, the new OP will be forwarded to the County of Essex Planner, who has been delegated Approval Authority in accordance with the Planning Act. We have been working very closely with the County Planner in the development and finalization of the document with the anticipation that it will facilitate a timely review and approval. It is acknowledged that upon formal review there may be possible modifications proposed to the new OP by the County Planner, which would be brought to Council for consideration prior to final approval being issued. Subsequent to its approval, appeal rights will be available in accordance with the Planning Act.

## **Consultations**

Parks & Recreation Services  
Public Works & Environmental Services  
Essex Region Conservation Authority  
County of Essex Planning

## **Financial Implications**

None

## 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 checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input 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:

Chad Jeffery, MA, MCIP, RPP  
Manager Planning Services

Reviewed by:

Paul Anthony, RRFA  
Director Parks & Recreation Services

Reviewed by:

Phil Bartnik, P.Eng.  
Director Public Works & Environmental Services

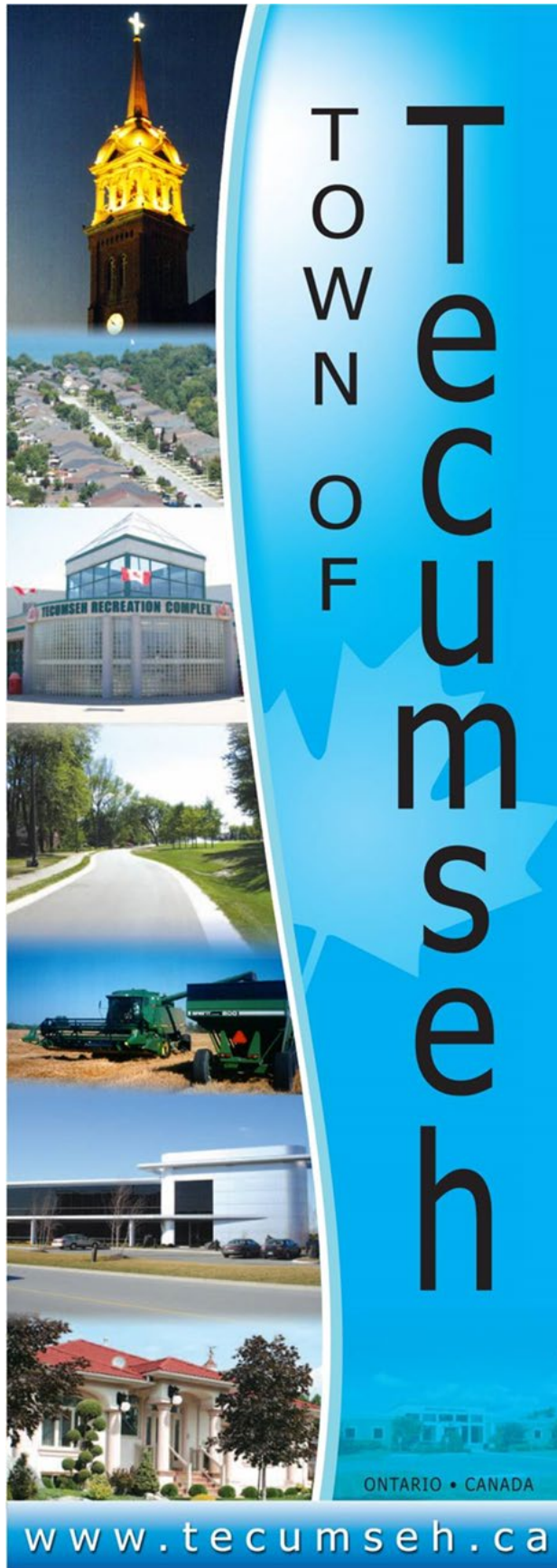
Reviewed by:

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

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Town of Tecumseh Official Plan, February 2021
2	Ms. Judy Robson email, January 29, 2021



# Official Plan

## February 2021



**Prepared by:**  
**Planning & Building Services Department**  
**Town of Tecumseh**

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## **Section 1 Purpose and Basis of the Plan**

### **1.1 Introduction**

This Plan, as approved by the County of Essex on Click or tap to enter a date. 2021 is known as the Official Plan for the Town of Tecumseh. The following text and Schedules “A”, “B-1”, “B-2”, “B-3”, “C”, “D”, “E-1”, “E-2”, “E-3”, “F” and “G” inclusive constitute the Official Plan. The policies and land use designations described in this Plan should not be considered static and will be reviewed and altered by way of amendment as required.

The designations and policies of this Plan are based on background research that was conducted prior to the formal adoption of this document. A major portion of this research is available in the form a Planning Context and Issues Report dated March 2010 and 11 Discussion Papers issued between May 2013 and August 2016 along with updated population and employment projections included in the 2019 Development Charges Background Study, Town of Tecumseh August 2019.

### **1.2 Legislative Authority**

Under Section 17 of the Planning Act, R.S.O. 1990, as amended, the Council of a municipality may provide for the preparation of a plan suitable for adoption as the Official Plan of the municipality. The following text and schedules constituting the Official Plan for the Town of Tecumseh apply to all the lands located within the Town's corporate limits.

An Official Plan is defined in the Planning Act as a document, approved by the County of Essex, containing goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the Town.

Section 24 of the Planning Act further provides that where an Official Plan is in effect, no public work shall be undertaken and no by-law passed for any purpose unless it is in conformity with the Official Plan.

### **1.3 Planning History**

Prior to the approval of this Plan, land use planning within the Town was governed by three separate Official Plans pertaining to the three former municipalities (the former Town of Tecumseh, the former Village of St. Clair Beach and the former Township of Sandwich South) that amalgamated on January 1, 1999 to form the new Town of Tecumseh. These Official Plans reflected the land use objectives of their respective former municipalities. A new, Town-wide Official Plan was needed to articulate a clear, cohesive

vision for the amalgamated Town of Tecumseh and to reflect the new policy objectives of the Provincial Policy Statement 2020 and the County of Essex Official Plan, 2014.

## **1.4 Purpose of the Plan**

This Official Plan sets out, in general terms, the future pattern of development for the Town of Tecumseh for a 25-year planning horizon. The Plan's purpose is to:

- i) provide direction and establish policies which will be used by Council, the Committee of Adjustment, municipal staff and other affected stakeholders when making decisions with respect to land use planning and growth in the Town while ensuring consistency the Provincial Policy Statement and conformity with the County of Essex Official Plan;
- ii) establish goals and policies that protect and enhance the quality of life and quality of place of the Town, while promoting a healthy, livable and complete community, wise use of its natural resources, community services, infrastructure, and a strong economy and addressing climate change mitigation and adaptation;
- iii) enhance the Town as a desirable place for living, working and playing by creating a healthy, safe, attractive and vibrant community;
- iv) establish a land use pattern that ensures a basic compatibility between and among the Town's various land uses;
- v) direct all future non-agriculture development to locate within designated urban areas, where a full range of municipal infrastructure and community facilities and services can be provided in an economically and environmentally sound manner which is sustainable over the long term;
- vi) ensure that good agricultural land is preserved and enhanced for agricultural use;
- vii) protect and enhance cultural heritage and natural heritage landscapes and resources;
- viii) to establish a policy framework for climate change mitigation and adaptation;
- ix) identify the present level of services available within the Town and identify expansion or extensions required to facilitate future development;

- x) encourage the provision of a broad range of housing forms, tenures, and sizes to meet the needs of all households, including households of low income levels;
- xi) establish and maintain a transportation network that is capable of providing for the safe, efficient, accessible and convenient movement of people and goods and offers viable transportation choices through the provision of a balanced transportation system that includes active transportation facilities;
- xii) improve accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society;
- xiii) ensure that future development does not place an unnecessary financial burden on existing ratepayers, occurs at a pace that is within the financial capability of the Town, and is financially sustainable over time;
- xiv) maintain a strong and vibrant local economy which is able to generate a broad range of employment opportunities;
- xv) inform the general public and the private sector of the type and standard of development that will be permitted within the Town in the future;
- xvi) establish a framework for public involvement in the implementation and review of the Official Plan's goals and policies;
- xvii) provide for the necessary capital works programs and municipal legislation to implement the Official Plan's goals; and
- xviii) provide a frame of reference for future detailed studies which may be undertaken when considered necessary by Council.

## 1.5 Basis of the Plan

The policies contained in this Plan are based on the research and analysis phase of the Official Plan Review as well as consultations and meetings that have taken place with representatives from various provincial ministries, the County of Essex, the Essex Region Conservation Authority and other local agencies. The research and analysis phase included the preparation of a document titled Planning Context and Issues Report, March 2010. This report was issued for public and government agency review and a public consultation process. Subsequently, the following 11 Discussion Papers were prepared and made available for review:

- Employment Lands, May 2013



- Growth Management / Urban Structure, July 2014
- Agricultural and Rural Issues, September 2014
- Community Improvement Planning, October 2014
- Housing and Residential Intensification, March 2015
- Urban Design, April 2015
- Commercial Development, June 2015
- Natural Heritage, December 2015
- Transportation, June 2016
- Parks and Open Space, July 2016
- Sustainability, August 2016

Open Houses were held at the beginning of the Official Plan review process and subsequent to the release of the final discussion paper. These open houses provided an opportunity for consultation, deliberation, sharing of ideas and articulation of a desired policy direction for the future. The Discussion Papers and the related public consultation process provided guidance toward the development of this Official Plan. The assumptions and conclusions that have been used to formulate the goals and policies of the Official Plan will be reviewed over time and, if necessary, amended by Council.

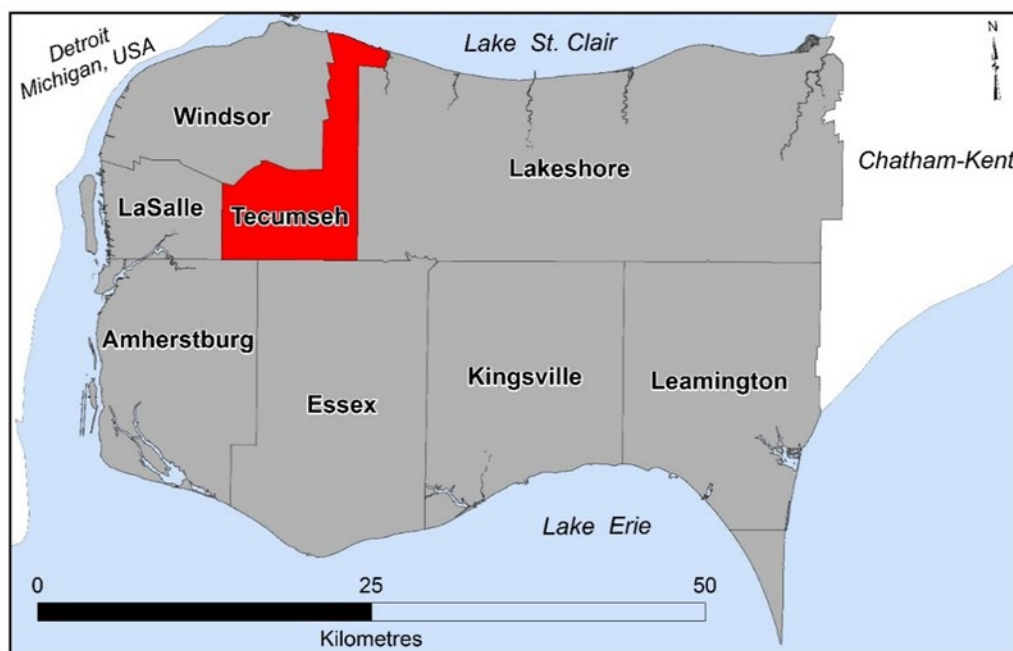
#### **1.5.1 Time Period of Plan**

This Plan provides direction for the Town over approximately the next 25 years to 2045. Council will review this Plan at least once every ten years to ensure that the policies and land use designations contained herein remain relevant to the Town's circumstances.

#### **1.5.2 Municipal Profile, Existing Development Pattern, Special Studies**

The Town of Tecumseh, located in the northwest corner of Essex County, extending south from Lake St. Clair to County Road 8, which bisects the County in an east-west direction has a combination of both urban and rural characteristics. The Town's current irregular shape is a function of a County-wide restructuring process which first resulted in the amalgamation of the former Town of Tecumseh, the former Village of St. Clair Beach and the former Township of Sandwich South into the Town of Tecumseh effective January 1, 1999. Subsequently, 2630 hectares of land were transferred from the Town to the City of Windsor, effective January 1, 2003, resulting in the

Town having a total land area of 9470 hectares. The Town's municipal boundary is shared with five other municipalities: the Municipality of Lakeshore, the Towns of Essex, Amherstburg, LaSalle, and the City of Windsor.



The Town continues to enjoy a distinct small town ambiance that includes a diversity of residential neighbourhoods, commercial services and parks; a vibrant industrial sector; and a strong agricultural landscape and rural character. The Town's identity is strong, notwithstanding its location adjacent to the City of Windsor and the rapidly urbanizing communities of the Town of LaSalle and Municipality of Lakeshore.

A majority of the Town's population and urban uses are distributed among three physically separate and distinct settlement areas:

**i. Tecumseh North Settlement Area**

This settlement area, situated in the northerly portion of the Town on the south shore of Lake St. Clair, comprises the former Town of Tecumseh, former Village of St. Clair Beach and former Tecumseh Hamlet. This is the main and most diversified settlement area of the Town. It is where a majority of the housing is located along with a number of employment and commercial areas, recreational facilities, parks, trails, schools and community facilities. Opportunities for residential and commercial intensification continue to exist in this settlement area, particularly north of County Road No. 22.

Significant growth is projected within two greenfield areas in the former Tecumseh Hamlet which is located south of County Road 22. The first greenfield area is located in the northeast quadrant of the former Hamlet and is delineated by County Road 22 to the north, Manning Road to the east, CP Railway to the south and the existing built up area to the west. These lands were designated for urban development under the previous official plan in accordance with the Manning Road Secondary Planning Area Study prepared in the 1990s. Although referred to as a secondary plan, it was never adopted by Council under the Planning Act but it was used to guide the designation of these lands in the former official plan. These lands continue to be designated for urban development in this Official Plan.

The second greenfield area is primarily located along Banwell Road in the western part of the Hamlet with a smaller portion along Manning Road south of the CP Railway in the eastern part of the Hamlet. This greenfield area is the subject of a planning and engineering process that is nearing completion (the Tecumseh Hamlet Secondary Plan and related Municipal Class Environmental Assessments). These planning and engineering processes will address the integration of existing and new development, land use distribution and related infrastructure requirements. In addition, the findings of a number of other studies will be incorporated into the process, primarily the City of Windsor's Banwell Road Municipal Class EA Study dated September 2016 and The Upper Little River Watershed Master Drainage and Stormwater Management Plan, September 2017. All of the lands that are the subject of the planning and engineering processes have been placed in a Future Development designation in the Official Plan pending the completion of these processes, after which new land use designations and policies will be incorporated into the Official Plan by way of a major amendment.

## **ii. Oldcastle Hamlet Settlement Area**

This settlement area is situated in the southwesterly portion of the Town adjacent to the southerly boundary of the City of Windsor (formerly a hamlet in the Township of Sandwich South). Over the past 50 years, it has evolved from a small agriculture-related hamlet to become an area characterized by a predominance of employment uses, primarily of a light industrial nature. It also includes commercial- and service-related uses and a number of residential clusters, recreational areas, trails and institutional uses.

The Official Plan includes an expansion to the Oldcastle Hamlet Settlement Area of approximately 57 hectares for employment lands easterly along Highway 401. This expansion is consistent with the Primary Settlement Area expansion included in the County of Essex Official Plan.

A number of parcels in the Oldcastle Hamlet Settlement Area, totaling 103.6 hectares, are designated Future Development in the Official Plan. Council has authorized the undertaking of the Oldcastle Hamlet Special Planning

Study for Future Development Lands in order to determine the preferred and appropriate mix of land uses for these Future Development lands. The planning study will include a public consultation process that engages with a range of stakeholders. Upon completion of the planning study, new land use designations and policies will be incorporated into the Official Plan by way of a major amendment.

### **iii. Maidstone Hamlet Settlement Area**

This settlement area, situated in the southeasterly portion of the Town in the vicinity of County Roads 19 and 34, comprises Maidstone Hamlet (formerly a hamlet in the Township of Sandwich South). It is a largely rural hamlet characterized by a single tier of housing that fronts both sides of County Road 34 and Malden Road. In addition, there are a number of institutional uses including a school, along with a park that contains a number of community amenities that serve the broader agricultural community. Future development on greenfield sites will be in accordance with the Maidstone Hamlet Settlement Area Secondary Plan land use designations and policies contained in this Plan.

## **1.5.3 Forecasted Residential Demand**

### **i. Population Forecasts**

Based on population forecasts in the County of Essex Official Plan, the Town of Tecumseh's anticipated increase in population is approximately 6,530 people over a 20-year planning period from 2011 to 2031, accounting for 19% of the County's growth.

The County of Essex projections were further analyzed and validated by way of the Town's 2019 Development Charges Background Study as part of its preparation of the 2019 Development Charges By-law. These projections use the growth rates from the County projections and validated a 20-year population increase of 6,880 people with a total population of 30,330 by 2040.

The growth rate that was used for the 20-year planning horizon in the Development Charges Background Study was applied to project an additional five years of population growth resulting in a 25-year population increase of 8,600 people and a total population of 32,050 by 2045.

The Town acknowledges that the County is initiating a review of its Official Plan which will include updates to regional population projections and an allocation of growth to the seven lower tier municipalities comprising the County. Once the County's Official Plan update is approved, the population forecasts in the Town's Official Plan will be re-evaluated and amended if necessary.

## **ii. Housing Demand Forecasts**

The foregoing total population forecast of approximately 8,600 people by 2045 translates into a demand for an additional 4,377 housing units during the planning period. Demographic, economic and migration factors which affect demand for housing should be reviewed periodically and, if necessary, these forecasts should be revised and updated.

In order to meet the existing and anticipated future needs of a growing senior population with smaller household sizes, a more diverse range of housing types, tenures and sizes will be required by the municipality. The housing mix is anticipated to comprise approximately 70% single detached and semi-detached, 17% multiples except apartments and 13% bachelor, one-bedroom and two-bedroom apartments. A portion of this housing mix is anticipated to be accommodated through intensification projects including the provision of second units within single, semi-detached and townhouse dwellings.

### **1.5.4 Forecasted Commercial and Industrial Demand**

Over the last three decades the town has been able to attract and maintain a healthy and diverse industrial sector. The approximate 316 hectares of existing developed industrial land town-wide has created thousands of employment opportunities for the residents of the Windsor-Essex County Region as a whole, and has contributed significantly to the tax base of the town, the County of Essex, and the county school boards.

Based on the employment growth projections identified in the County of Essex Official Plan, employment in the Town is anticipated to increase by 3,310 between 2006 – 2031, representing 24.4% of the County's overall growth.

The large proportion of job growth forecast for Tecumseh is based on its proximity to the City of Windsor and the international border crossing, transportation infrastructure, supply of employment land, forecast population growth and existing employment base. The presence of a skilled labour force capable of producing a high quality product at competitive prices is another important factor that has kept the town's industrial sector globally competitive. The tool and die and mold makers from the town and the Windsor-Essex County Region have been recognized as being world leaders in their industry.

The County of Essex projections were further analyzed and validated by way of the Town's 2019 Development Charges Background Study as part of its preparation of the 2019 Development Charges By-law. These projections use the growth rates from the County projections and validated updated projections of 2,760 jobs to be added over the 20-year planning period to 2040. As with the population projections, the growth rate that was used for

the 20-year planning horizon in the Development Charges Background Study was applied to project an additional five years of employment growth resulting in an increase of 3,450 jobs over the 25-year planning period to 2045.

The Town acknowledges that the County is initiating a review of its Official Plan which will include updates to regional employment projections and an allocation of that growth to the seven lower tier municipalities comprising the County. Once the County's Official Plan update is approved, the employment forecasts in the Town's Official Plan will be re-evaluated and amended if necessary.

The Employment Lands Discussion Paper included analysis that supported a 57-hectare (141 acre) expansion to the Oldcastle Hamlet for employment land purposes. The lands identified for this expansion are included in this Plan and are delineated by King's Highway 401 to the north, the 9th Concession Road to the east and the former Canada Southern Railway line to the south. This expansion was approved by the County of Essex and incorporated into the County of Essex Official Plan in 2014. This 57 hectare area, along with existing vacant lands within the Town's three employment land areas, are intended to address the employment land needs for the Town of Tecumseh over the 25-year planning horizon of the Town's new Official Plan.

### **1.5.5 Agricultural Lands and Production**

It is expected that agriculture will remain one of the Town's primary activities and that the present level of land under agricultural production will remain approximately the same or reduce slightly as non-agricultural development proceeds within the expanded urban area boundaries. Agricultural industry analysts suggest a continuation of the present trend towards fewer farmers owning larger or a greater number of farms and requiring even less labour because of increased mechanization. Based on existing soil and drainage characteristics cash-crop farming will likely continue to be the preferred agricultural activity Town-wide. However, as market conditions, farm practices, farm products (including cannabis) and technological improvements change over time, more intensive and diverse forms of agricultural uses will likely evolve in the coming decades. This Plan contains goals and policies that recognize these changing conditions.

Based on the Town's residential and non-residential growth forecasts, the Town has an adequate supply of land for future urban growth. It is therefore important for the Town and County to protect its remaining farmland for agricultural purposes given its value and significance.

The challenges for the Town are more focused on establishing a policy environment that addresses the strategic directions of the Provincial Policy Statement 2020, County of Essex Official Plan and the finding(s) of the

County's Agricultural Lot Study while establishing an appropriate balance between encouraging diversification of the agricultural sector through the promotion of secondary and value-added businesses and protecting the valuable agricultural resource. The policies pertaining to on-farm diversified and secondary uses and minimum farm lot size in this Plan reflect that balance.

## **1.6 Organization of the Official Plan**

In preparing the new Official Plan for the Town of Tecumseh, the Provincial Policy Statement, 2020 and updates to the Planning Act are reflected along with the results of other supporting planning documents and related background studies completed since amalgamation.

This Plan has several interrelated components, which must be read together in order to determine those components and policies that have an impact on land within the Town of Tecumseh. The goals, objectives, and policies of the Plan represent a balanced approach to planning, designed to promote the vital link between community, economy and environment.

All sections and schedules of the Plan, excluding any Appendices, constitute the Official Plan for the Town of Tecumseh. The Plan is organized into the following sections:

- Section 1: Purpose and Basis of the Plan
- Section 2: Community Structure and Growth Management
- Section 3: General Development Policies
- Section 4: Land Use Policies
- Section 5: Natural Resources and Hazards
- Section 6: Land Division Policies
- Section 7: Urban Design Principles
- Section 8: Municipal Services
- Section 9: Transportation
- Section 10: Implementation and Interpretation
- Section 11: Secondary Plans

Schedules: The Schedules included at the end of the Plan form part of the Plan and describe the policies and enhance the understanding of the Plan. The Schedules include:

Schedule "A":	Community Structure Plan
Schedule "B"	Land Use Plan
Schedule "B-1"	Tecumseh North Settlement Area Land Use Plan
Schedule "B-2"	Oldcastle Hamlet Settlement Area Land Use Plan
Schedule "B-3"	Maidstone Hamlet Settlement Area Land Use Plan
Schedule "C"	Natural Heritage System
Schedule "D"	Natural Hazards
Schedule "E-1"	Road Classification
Schedule "E-2"	Active Transportation Network
Schedule "E-3"	Maidstone Hamlet Settlement Area Road Classification
Schedule "F"	Natural Resources
Schedule "G"	Intake Protection Zones



## Section 2 Community Structure and Growth Management

### 2.1 Community Structure

It is the intent of this Plan to ensure that development takes place in an orderly and sustainable fashion. The Town of Tecumseh's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting economic growth within a well-defined community structure. The community structure is the physical framework that binds the municipality together while having regard to the relationship and influence created by land uses in adjacent municipalities. Given the unique shape of the Town and the distance between its settlement areas, land use is also influenced by the built form of adjacent municipalities.

Ultimately, the community structure provides the physical context for future developments and ongoing changes in existing developed areas. The various components of the urban structure and their means of interaction are an important determinant in how one defines and relates to the community as a place to live, work and play. Ultimately, the Community Structure provides the basis for the establishment of land use designations within the Town. Generally, urban structure comprises three fundamental elements which take into account existing and proposed future features:

- **Points** or relatively tight **Clusters** of common uses/features;
- **Lines** include man-made movement corridors such as the road network, highways and rail linkages and natural movement corridors such as creeks or hedgerows; and
- **Surfaces** that have some level of commonality and are situated between the points and lines.

The Town's community structure is identified on Schedule A: Community Structure and comprises the following elements:

- **Points and Clusters** which include:
  - the Tecumseh Road Main Street CIP Area;
  - the Tecumseh Road/Manning Road Commercial Area;
  - the Sylvestre Business Park,
  - the Oldcastle Business Park;
  - the Ciociaro Club;

- St. Mary's Roman Catholic Church/Community Hall/Elementary School/Park Area in Maidstone Hamlet
- McAuliffe Woods Conservation Area and Park;
- Lakewood Park North and South;
- Beach Grove Golf and Country Club;
- Various Smaller Commercial Nodes throughout the Town
- **Lines** which include:
  - Provincial Highway Nos. 401 and 3 and the Major Roadways, including the future Lauzon Extension;
  - the Chrysler Canada Greenway – Existing and Potential Future (former CASO Railway);
  - the Hydro One Linear Facilities;
  - the VIA and CN Railways;
  - Natural Linkages (main creek corridors associated with the upper reaches of the Canard River and the Pike Creek)
- **Surfaces** which include:
  - Residential Neighbourhoods;
  - Future Growth Areas; and
  - Agricultural and Natural Areas.

## 2.2 Growth Management Strategy

It is anticipated that the Town may grow to a population of up to 47,755 residents, with an objective of 23,430 jobs at full build out. However, growth in Tecumseh (and in the broader Windsor-Essex Region) over the past number of years has been modest, notwithstanding that significant development in the Town's greenfield areas within the former Tecumseh Hamlet has been anticipated for quite some time.

The Town has lands available for significant development potential, including both greenfield and infill opportunities. One of the main drivers of where this development will take place will be the capacity of the transportation network, the availability of municipal piped water and municipal sanitary sewers and treatment capacity, as well as the provision of appropriate stormwater

management facilities. In greenfield areas, stormwater management facilities are to be regional in nature in order to limit their number.

The specific location of new development will depend on strategic decisions by the Town on key infrastructure investments along with developer willingness to proceed. The Town will work with the development community to ensure public and private investment in infrastructure improvements and that they proceed in accordance with the various Master Plans, including the Town's Asset Management Plan, in effect. The Growth Management Strategy is predicated on the following:

- i) the Urban Areas shall be the focus of growth and public/private investment and all significant development shall be within the Urban Areas;
- ii) the Town shall strive to maintain a supply of residentially designated lands that exceeds the ten-year demand;
- iii) growth opportunities in the Town over the next 25 years, subject to the provision of municipal services, will include:
  - a. new Residential Neighbourhoods in the greenfield areas of:
    - the Tecumseh North Settlement Area, which includes currently designated residential lands in the area described as the Manning Road Secondary Plan Area as well as the lands that are the subject of the Tecumseh Hamlet Secondary Plan currently being undertaken and nearing completion at the time of adoption of this Plan;
    - the Oldcastle Hamlet, which currently includes 20 hectares of designated residential land and the potential for additional lands, the location and amount of which will be determined through a special study to be undertaken by the Town; and
    - Maidstone Hamlet, which includes currently designated residential lands;
  - b. higher density residential dwelling units and commercial uses within the Tecumseh Road Community Improvement Plan Area;
  - c. new infill and other forms of intensified housing located within the existing Residential Neighbourhoods, including Second Units;

- d. new employment uses in designated employment lands, including the 57 hectare expansion of the Business Park designation extending easterly along King's Highway 401 as an expansion to the Oldcastle Hamlet Settlement Area; and
  - e. new diversified rural employment opportunities within the Agricultural Area;
- iv) population and job targets align with those established in the County of Essex Official Plan. The Provincial Policy Statement, the County of Essex Official Plan and this Plan provide a guiding policy framework for the review and assessment of applications for development on an application by application basis. Development phasing and the corresponding approval of development applications will be considered on the basis of the ability of the Town, the County, land developers, and development charge related revenue to pay for infrastructure development costs, as required, and through the application of the principles contained in subsection 2.3 of this Plan.

## 2.3 Planning Principles

The long-term prosperity and social well-being of the Town depends on maintaining strong, sustainable and resilient communities, a clean and healthy environment and a strong economy. To this end, the policies of this Plan are based on the following planning principles:

- i) to direct urban development to settlement areas where a broad range of community and commercial facilities, services, housing and employment opportunities are available;
- ii) to preclude new urban type development outside of designated settlement areas;
- iii) to create more mixed-use, compact, pedestrian-oriented development within designated and fully serviced settlement areas;
- iv) to provide a broad range of housing, employment and leisure opportunities for a growing and aging population in a sustainable manner;
- v) to promote opportunities for intensification and redevelopment within built-up areas that are supported by adequate infrastructure and public service facilities;
- vi) to promote and protect town centres and main streets as focal points for civic, commercial, entertainment and cultural activities where a broad range of employment, housing, civic, shopping and leisure

activities are available in a compact, attractive, pedestrian-scale, safe and welcoming environment;

- vii) to promote economic development and competitiveness by planning for and protecting existing employment areas and their expansion;
- viii) to protect prime agricultural areas for agricultural, agricultural-related and on-farm diversified uses;
- ix) to protect and encourage the restoration and enhancement of remaining natural heritage features and other natural resources and, where possible, to enhance and expand them by exploring opportunities for linkages through innovative means that may include public/private partnerships;
- x) to link wildlife habitat and natural areas to each other, human settlements to other human settlements and people to nature;
- xi) to protect and enhance the quality and quantity of ground and surface water and the function of sensitive ground water recharge/discharge areas;
- xii) to protect the quality of human sources of drinking water through the consideration of the Clean Water Act and associated Source Water Protection efforts;
- xiii) to encourage cultural heritage preservation and restoration efforts;
- xiv) to develop an accessible, sustainable, interconnected and multi-modal transportation infrastructure system that supports walking, cycling, transit and private vehicles;
- xv) to provide cost effective, sustainable and environmentally sound municipal services that promote energy efficiency, reuse and recycling;
- xvi) to buffer sensitive land uses from those land uses that would have an adverse effect;
- xvii) to direct development away from natural and manmade hazard areas;
- xviii) to ensure development is in accordance with long term servicing strategies for sanitary sewage treatment, the provision of potable water and storm water management;
- xix) to encourage energy efficient designs and the adoption and use of alternative and renewable energy sources;

- xx) to ensure cooperative inter-municipal consultation and coordination in the provision of joint services and the review and staging of development and associated infrastructure improvements;
- xxi) to ensure that development and infrastructure, both public and private, is in accordance with the Accessibility for Ontarians with Disabilities Act, so that all of the elements of the Town are accessible for everyone;
- xxii) to address Climate Change implications, both mitigation and adaptation, in reviewing development proposals and public sector initiatives; and
- xxiii) to encourage the development of an equitable, diverse and inclusionary community that meets the needs of all its citizens through broad-based stakeholder engagement and the provision of appropriate physical and social infrastructure.

## **Section 3      General Development Policies**

The policies in this section apply to development proposals in all designations shown on Schedules “B”, “B-1”, “B-2”, “B-3”, “C”, “C-1” and “D” of this Plan. Many of the policies contained in this section are included at the request of Provincial Ministries and Agencies and are required to be consistent with the current Provincial Policy Statement and conform to the County of Essex Official Plan.

### **3.1      General**

Adequate safeguards, in the form of planning policies and regulations, will be maintained to ensure that new uses are developed in harmony with existing uses and that they are properly serviced.

Provincial, County and/or local agency consultation shall be undertaken where mandated and/or appropriate. In the event of a conflict between a policy of the Provincial Policy Statement or the County of Essex Official Plan and any policy of this Plan, the Provincial Policy Statement and/or the County of Essex Official Plan policy shall prevail.

### **3.2      Site Suitability**

Prior to the approval of any development or amendment to this Plan or the Zoning By-law, it shall be established to the satisfaction of Council and all other bodies having jurisdiction that:

- i)      soil and drainage conditions are suitable to permit the proper siting of buildings;
- ii)     the services and utilities, whether they be municipal or private, can adequately accommodate the proposed development;
- iii)    the road system is adequate to accommodate projected increases in traffic;
- iv)    the land fronts on a public road which is of a reasonable standard of construction;
- v)     adequate measures will be taken to alleviate or prevent any adverse effects that the proposed use may possibly have upon any existing or proposed adjacent use.

### **3.3      Minimum Distance Separation**

Because livestock operations may pose compatibility problems if located too closely to other types of land uses, the Zoning By-law will ensure that a buffer area is maintained between the uses in all designations.

To achieve this objective, the location of new and the expansion of existing livestock operations shall comply with the Minimum Distance Separation (MDS) II. To ensure that the Minimum Distance Separation (MDS) is used reciprocally, livestock operations will also be protected from encroachment by residential and other types of uses in the Zoning By-law through the use of the Minimum Distance Separation (MDS) I.

### **3.4 Cultural Heritage and Archeological Resources**

It is the policy of this Plan to encourage the restoration, protection and maintenance of the Town's heritage resources which include buildings and structures, and landscapes of historical and/or architectural value.

All new development or redevelopment permitted by the policies and designations of this Plan shall, as far as possible, have regard to heritage resources. It shall be the policy of the Town to use all relevant legislation and programs whenever possible to encourage the preservation and enhancement of heritage resources and to develop a greater awareness of the value of heritage conservation in the community. When appropriate and necessary the Town will use the provisions of the Ontario Heritage Act to conserve, protect and enhance the Town's heritage.

The Town may establish a Local Architectural Conservation Advisory Committee (LACAC) pursuant to the Ontario Heritage Act, for the purposes of identifying locally significant heritage resources, designating heritage resources under Parts IV and V of the Ontario Heritage Act, advising the municipality on matters related to heritage conservation, and assisting in the conservation of these resources.

The Town may require a Heritage Impact Assessment based on policy requirements from the Ontario Heritage Act and the Provincial Policy Statement. The Heritage Impact Assessment shall be required for any proposed alteration, construction, or development involving or adjacent to a designated heritage resource to demonstrate that the heritage property and its heritage attributes are not adversely affected. Mitigation measures and/or alternative development approaches shall be required as part of the approval conditions to ameliorate any potential adverse impacts that may be caused to the designated heritage resources and their heritage attributes.

The Town recognizes the importance of its archaeological resources, and in managing them in a responsible manner. Council shall ensure that development on lands containing significant archaeological resources shall avoid the destruction or alteration of these resources. Where this is not possible, significant archaeological resources shall be conserved through removal and documentation in advance of land disturbances, and in accordance with archaeological licensing provisions of the Ontario Heritage Act.



The Town will ensure the interests of Indigenous communities are considered in conserving heritage and archaeological resources, and in undertaking an Archaeological Management Plan or Cultural Heritage Plan.

### **3.5 Electric Power Facilities**

In accordance with Section 62 of the Planning Act, R.S.O. 1990 any electric power facility use of lands, buildings or structures by Hydro One Inc. or Ontario Power Generation Inc. that satisfies the Environmental Assessment Act shall be exempt from the policies of this Plan and the provisions of the Town's Zoning By-law. However, any executive, administrative and retail use of lands, buildings or structures by Hydro One Inc. or Ontario Power Generation Inc. that is not subject to approval under the Environmental Assessment Act shall comply with the policies of this Plan and the provisions of the Zoning By-law.

Other electric power facilities, including buildings and facilities not used directly for the generation, supply or distribution of electric power (such as administrative or retail offices), shall conform to the relevant policies of this Plan and the provisions of the implementing Zoning By-law for the zone in which they are located.

The above policies, however, do not preclude the Town's right to participate in discussions on the location of new power facilities, within the context of the PPS. Wherever practical, single footing narrow base tower construction and existing rights-of-way should be used for new electrical power transmission lines. Secondary land uses may also be permitted on utility company lands where deemed by Council to be compatible with adjacent land uses and the principal function of the property.

### **3.6 Hydro One Right-Of-Way**

Within the urban designated areas of the Town, the Hydro One Inc. right-of-way is depicted on Schedules "B-1" and "B-3" of this Plan, and is designated "Hydro Right-of-Way". These lands shall only be used for transmission lines, pipelines, recreational uses and stormwater management facilities that do not conflict with the use of this corridor for transmission line purposes. Permitted recreational uses (such as walking trails, bicycle paths, and other parkland uses) and stormwater management facilities within this corridor will only be allowed once written approvals have been obtained from both Hydro One Inc. and the Town.

### **3.7 Utilities and Telecommunications**

The following is the policy of the Town:

- i) all existing facilities and the development of any new facilities associated with a public utility, a telephone, television, cable transmission or other similar communications company, or a gas distribution or transmission company, shall be permitted in any land use designation;
- ii) existing communication and transmission corridors and networks will be protected and enhanced;
- iii) the Town will work to ensure that communication and transmission corridors are constructed, maintained and operated to minimize their impact on the community;
- iv) the Town will promote and encourage the shared and multiple use of telecommunications towers and corridors for utility uses. Additionally, the Town will support the use of corridors for transportation and trail uses;
- v) public and private utilities will be permitted in all land use designations and will be installed, where possible, within public road allowances or within appropriate easements;
- vi) the Town will ensure that adequate utility networks are, or will be, established to serve the anticipated development and that these networks can be phased in a manner that is cost-effective and efficient;
- vii) the Town will ensure that all large, above-ground utility infrastructure is located and designed to be compatible with its environment;
- viii) the Town will support the coordinated planning and installation of utilities in common trenches, wherever possible, to avoid unnecessary over-digging and disruption of municipal rights-of-way; and
- ix) all buildings and facilities not used directly for the transmission or reception of an electrical current or signal, a liquid or gas or similar substance, shall conform to the other provisions of this Plan and the Zoning By-law.

### **3.8 Institutional Uses**

Existing schools, churches and community halls associated with churches and all other existing community facilities located outside the Agricultural designation are designated Community Facility in this Plan, and shall be zoned accordingly in the implementing Zoning By-law. Existing institutional uses located within the Agricultural designation will be zoned appropriately in the Town's Zoning By-law.

The development of new institutional uses such as schools and churches shall only be permitted within the Community Facility designation. On those lands designated Agricultural, expansions to existing institutional uses may be permitted, without an amendment to this Plan, subject to the following policies:

- i) adequate precautions shall be taken to ensure that the proposed expansion does not have adverse effects on adjacent land uses;
- ii) adequate parking, vehicular access, landscaping, tree planting, buffering and site and building design shall be required where necessary to create an attractive appearance and ensure compatibility with surrounding land uses;
- iii) suitable arrangements will be made for water supply, sewage disposal, storm drainage and all other similar services; and
- iv) the Zoning By-law is amended to permit the proposed expansion.

### **3.9 Bed and Breakfast Establishments**

Bed and breakfast operations are permitted in single-detached dwellings, subject to a Zoning By-law amendment. The following requirements must be met to the satisfaction of the Town in order to support a Zoning By-law amendment for the establishment of a bed and breakfast establishment:

- i) the owner and operator resides in the building;
- ii) the property has access from a public road;
- iii) the Zoning By-law limits the number of guest rooms and sets standards for parking, landscaping and buffering;
- iv) no other commercial operation, such as a restaurant, is permitted and food preparation is for guests only;
- v) the requirements of the Ontario Building Code; and
- vi) signage for all bed and breakfast operations will meet the requirements of the Sign By-law.

### **3.10 Mobile Homes**

Mobile homes shall not be permitted in the Town except for the accommodation of seasonal farm labourers. Mobile homes used for this purpose shall specifically be listed as permitted uses in the Agricultural zone.

### **3.11 Development Along Railways**

Prior to their approval, applications for Official Plan amendments, Zoning By-law amendments, plans of subdivision or condominium or any development that is subject to site plan control on lands that are within 300 metres of a rail right-of-way shall be circulated to the appropriate rail company for comments with regard to the recommended noise, vibration and impact mitigation measures. A study may have to be undertaken to analyze noise, vibration and/or safety and to recommend abatement measures necessary to achieve the noise level limits set by the Ministry of Environment, Conservation and Parks.

Generally, lands within 300 metres of rail rights-of-way are considered noise sensitive areas and lands within 100 metres of rail rights-of-way are considered vibration sensitive areas. All lands abutting rail rights-of-way are considered safety sensitive areas and setbacks, berming, fencing and other measures may be required to the satisfaction of the municipality in consultation with the appropriate rail company. When considering development applications for lands in proximity to rail rights-of-way, the Town shall have regard to the Guidelines for New Development in Proximity to Railway Operations.

### **3.12 Development Abutting Provincial Highways**

King's Highways No. 3 and 401 are provincial highways within the Town of Tecumseh. All development which falls within the MTO's permit control areas under the Public Transportation and Highway Improvement Act is subject to the requirements of the Ministry of Transportation. New entrances or the upgrading of entrances and the location of buildings, signs and encroachments within the MTO's permit control area of a provincial highway (within 800 metres) shall be subject to the approval of the MTO.

The Town and the MTO will work cooperatively with respect to the planning of land development and associated access connections within the MTO's permit control area adjacent to all provincial highways within the Town, in order to protect for the future safety, operation and capacity of both the provincial highway network and the Town's transportation corridors for the movement of people and goods.

### **3.13 Development Near Former Waste Disposal Sites**

Schedules 'B-1' and 'B-2' identify the location of all known active or former waste disposal sites (as of date of approval of this Plan) within the Town of Tecumseh and/or in adjoining municipalities within 500 metres of the Town. Proponents of development, within 500 metres of an existing or closed waste disposal site, shall prepare a report, to the satisfaction of the Town, in accordance with the MECP guidelines, that demonstrates that there is no

evidence of leachate, methane gas migration or other contaminants present in the soils or groundwater. Development will be restricted if the active or former waste disposal site has any adverse environmental effects or risk to public health and safety.

Where development is located or proposed on a waste disposal site, no Official Plan amendment, Zoning By-law amendment, or building permit will be adopted or granted until approval from the MECP is obtained in accordance with the Environmental Protection Act.

### **3.14 Energy Conservation, Climate Change and Air Quality**

Climate change and air pollution impacts are caused primarily by burning fossil fuels, resulting in the emission of greenhouse gases and air pollutants. These impacts can be reduced through sustainable, effective and efficient land use and transportation policies that reduce air and greenhouse gas emissions. In order to achieve a sustainable community, and human and ecosystem health, climate change and air pollution must be addressed.

#### **3.14.1 Mitigation**

The Town will work to improve air quality and energy efficiency, to reduce greenhouse gas and fuel emissions, and to mitigate climate change by:

- i) maintaining the settlement area boundaries and striving for a compact built form within these areas;
- ii) promoting mixed use development to encourage active transportation and the use of transit;
- iii) locating intensification in areas which are served by existing or planned transit;
- iv) promoting and encouraging modal shift towards transit and active transportation, using tools such as transportation demand management;
- v) addressing parking management, primarily through the Zoning By-law, that does not undermine transit and active modes of transportation;
- vi) maintaining, restoring and enhancing the Natural Heritage System;
- vii) protecting, enhancing and expanding the urban forest, including street trees, by encouraging the planting of native or non-native non-invasive tree species and vegetation that are resilient to climate change and provide high levels of carbon sequestration, particularly through new development and on municipally-owned land. Given the importance of

existing mature trees to the urban forest, Council may consider the development of a Tree Preservation Plan;

- viii) encouraging energy generation from renewable sources;
- ix) encouraging sustainable, energy efficient and low carbon buildings;
- x) addressing air quality impacts through land use compatibility policies;
- xi) developing and implementing, in conjunction with other local municipalities in the County of Essex and the Essex Region Conservation Authority, a Regional Energy Plan with energy conservation measures and carbon reduction targets;
- xii) developing and implementing a Corporate Climate Action Plan;
- xiii) supporting local agriculture and food production.
- xiv) promoting water conservation and efficient use of water to reduce demand for municipal water and wastewater treatment and associated energy consumption;
- xv) advancing environmentally responsible outdoor lighting and retrofits that reduce energy usage, light pollution and glare, to restore unobscured views of the night sky, while maintaining sufficient light levels for a safe built environment;
- xvi) focus freight-intensive land uses to areas well served by major highways, rail facilities and airports.

### **3.14.2 Adaptation**

The Town will work to adapt to the impacts of climate change in order to minimize its vulnerability and build resiliency by:

- i) increasing the proportion of permeable surfaces to reduce flood risk and strain on sanitary sewer and stormwater infrastructure;
- ii) promoting tree planting and innovative green spaces, such as green roofs, in new and existing development;
- iii) promoting the installation of artificial shade, such as covered walkways, awnings and canopies, in appropriate locations;
- iv) promoting landscaping that protects buildings and infrastructure from the effects of excessive wind and sun;
- v) protecting public safety and collaborating with the County of Essex and local municipalities on Emergency Management coordination;

- vi) undertaking infrastructure planning that prepares for a changing climate in connection with the municipal asset management plan;
- vii) developing and implementing a Corporate Climate Action Plan; and
- viii) finalizing and implementing the Town's Shoreline Management Plan and updating floodplain mapping in coordination with the Essex Region Conservation Authority.

### **3.15 Accessibility/ Universal Design**

Development will be consistent with the standards and regulations of the Accessibility for Ontarians with Disabilities Act, 2005, and the Ontario Building Code.

Accessible features will be well-integrated within the function and design of sites and continuous barrier-free access will be provided to buildings and features from public sidewalks and parking areas.

### **3.16 Crime Prevention Through Environmental Design (CPTED)**

Site development and public realm projects will incorporate crime prevention design standards such as the principles of Crime Prevention Through Environmental Design (CPTED) to ensure that new developments are designed to address safe living and working environments and reduce potential hazardous situations through the:

- i) consideration of natural surveillance of outdoor spaces;
- ii) avoidance of the creation of secluded areas;
- iii) clear demarcation of access and egress areas; and
- iv) appropriate placement and use of lighting.

### **3.17 Urban Farming**

Urban farming shall mean the growing of produce (i.e., fruits and vegetables) and flowers in community gardens, and smaller scale gardening on public and private land, yards, and structures, such as rooftops, but shall exclude the raising of livestock or poultry other than backyard hens.

The Town's goal is to promote agriculture activities within urban areas that are compatible with planned land uses, while enhancing access to locally grown produce, lowering energy consumption, reducing transportation costs

and greenhouse gas emissions, and augmenting supplies of fresh and preserved foods.

To achieve this goal, the Town shall:

- i) promote the growing and sharing of a wide variety of local produce and preserved foods and flowers year-round;
- ii) encourage the establishment of community gardens in suitable locations having maximum exposure to sunlight. Community gardens shall not be permitted in areas contaminated by existing or previous land uses. Community gardens and associated accessory structures, such as garden sheds, shall be minor in scale and secondary to the primary permitted land use(s);
- iii) encourage community gardens to be designed to capture and infiltrate surface runoff;
- iv) support the establishment of seasonal or year-round marketplaces in key locations where locally grown and preserved foods can be sold, and function as places of social interaction; and
- v) consider establishing permanent agricultural easements to secure lands for community gardens in perpetuity.

### **3.18 Land Use Compatibility**

In order to foster a sustainable development pattern, some land uses need to inter-relate while others are best separated. Further development and redevelopment in the Town will be guided by principles of land use compatibility that respect the quality and stability of existing areas and provide for suitable transition between areas of differing use, sensitivity, urban design treatment and intensity in order to avoid or mitigate adverse effects. Land use compatibility does not mean “the same as” but to coexist harmoniously with one another.

#### **3.18.1 Matters to be Assessed**

Development and/or land use change must demonstrate that the resultant form, function and use of land are compatible with surrounding land uses. The demonstration of compatible development and land use change must consider the potential for impacts related to the character, planned function and/or ecological integrity of an area as well as the health and safety of humans. Where there exists a potential for negative impacts, the following land use compatibility matters shall be assessed:

- i) shadowing;



- ii) loss of privacy due to intrusive overlook;
- iii) increased levels of light pollution, noise, odour, dust or vibration;
- iv) increased level of traffic that can disrupt the intended function or amenity of a use or area or cause a decrease in the functionality of active transportation or transit;
- v) reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas or setting;
- vi) visual intrusion that disrupts the streetscape or buildings;
- vii) built form in terms of scale and massing; and
- viii) the loss or impairment of significant views of natural features and areas to residents.

### **3.18.2 Mitigation Measures**

Mitigation measures may be used to achieve development and land use compatibility. Such measures may include one or more of the following:

- i) ensuring adequate setbacks and minimum yard requirements;
- ii) establishing appropriate transition in building heights, coverage and massing;
- iii) requiring fencing, walls, landscaping or berming to create a visual screen;
- iv) designing the building in a way that minimizes adverse effects;
- v) maintaining mature vegetation and/or adding new landscaping features;
- vi) controlling access locations, driveways, service areas and activity areas; and
- vii) regulating location, treatment and size of accessory uses and structures, lighting, parking areas, garbage storage facilities and signage.

Planning Act tools including Zoning By-law standards, site plan control, development agreements and other measures will be used to implement mitigative measures that achieve compatible land use change and development.

## **3.19 Human-Made Hazards**

### **3.19.1 Potentially Contaminated Sites**

The historic use of land in the Town has resulted in the potential for some land to be contaminated as a result of previous activities. These sites represent a potential hazard to human health, ecological health and the natural environment, but also represent opportunities for potential redevelopment and reintegration into the community, if they are properly remediated to suit a new use of the site. The following is the policy of the Town:

- i) the Town encourages the identification of contaminated sites, or land adjacent to known or suspected contaminated sites, their remediation, and appropriate redevelopment, in accordance with Provincial regulations and procedures and the policies of this Plan;
- ii) for land with an historic use which may have resulted in site contamination or land adjacent to known or suspected contaminated sites, Environmental Site Assessments (ESAs) will be prepared in accordance with the Environmental Procedures for Potentially Contaminated Sites policies of Section 3.17.2 of this Plan, as part of the development approvals process to determine whether contamination exists, its extent where it does exist, and to determine remediation requirements; and
- iii) the Town will encourage owners of potentially contaminated sites to remediate their sites so that they may be reintegrated into the community.

### **3.19.2 Environmental Procedures for Potentially Contaminated Sites**

The development or redevelopment of potentially contaminated sites will be assessed and remediated in a manner consistent with the Environmental Protection Act and relevant regulations, and the relevant MECP guidelines and procedures. Provincial regulations, as amended from time to time, establish the required criteria for site remediation and/or standards for Risk Assessments. Provincial regulations also specify the circumstances under which Records of Site Condition (RSC) are required for certain changes of land use. Proponents of application(s) for Official Plan amendment, Zoning By-law amendment, plan of subdivision and/or condominium or site plan approval will be required to document the previous uses of the subject property and/or any properties that may have been impacted by or have impacted the subject property, to assist in the determination of the potential for site contamination. At the Town's discretion, applications for minor variance and consent may also be required to document previous uses to assist in the determination of the potential for site contamination.

To demonstrate that the site is suitable for the proposed use, the Town will require an RSC, or a Phase I Environmental Site Assessment (ESA) for the land subject to the application(s), if in the Town's opinion (or as required by Provincial regulation) the previous uses on the subject land, or in the vicinity of the subject land, present the potential for site contamination and where there is a land use change proposed to a more sensitive use. Similarly, where permitted under Provincial regulation, the RSC/ESA requirement may be waived if, in the Town's opinion, the RSC/ESA is not necessary due to the previous uses on the subject land and in its vicinity do not represent a change as specified in the legislation, and that the proposed use will not result in adverse effects. Proponents will submit all information related to the RSC/ESA to the Town for a peer review prior to the scheduling of a public meeting under the Planning Act. The development proponent will pay for the cost of the peer review. In the case of an application for site plan approval, the RSC or ESA will be submitted with the application. The following process will be followed:

- i) the proponent will submit the RSC or the Phase 1 ESA report by a Qualified Person (as defined by the Environmental Protection Act and as prescribed by the Regulations), to the Town for review and concurrence by a peer reviewer, who is a Qualified Person, prior to the scheduling of a Public Meeting under the Planning Act. If the RSC demonstrates that there is no actual contamination, or if the Phase 1 ESA demonstrates that there is no potential for contamination, then no further action is required;
- ii) if the site has already been remediated, the proponent will provide the Town with a RSC to provide verification to the satisfaction of the Town from a Qualified Person, that the property or properties in question do not require any further remediation in accordance with Provincial legislation and regulations, or the property or properties in question have been remediated and made suitable for the proposed use in accordance with Provincial legislation and regulations;
- iii) if the site has not yet been remediated for the proposed development, the proponent will submit a RSC or a Phase I ESA report by a Qualified Person, to the Town for review and concurrence by a peer reviewer, who is a Qualified Person, prior to the scheduling of a Public Meeting under the Planning Act;
- iv) if the Phase I ESA report identifies actual or potential contamination, the proponent will submit a Phase II ESA report, prepared by a Qualified Person, to the Town for review and concurrence by a peer reviewer, who is a Qualified Person, prior to the scheduling of a Public Meeting under the Planning Act. If the Phase II ESA report confirms actual contamination the proponent will also submit a Soil and Groundwater Remedial Plan and/or Risk Assessment prepared by a

Qualified Person, to the Town for review and concurrence by a Qualified Person prior to the scheduling of a Public Meeting under the Planning Act;

- v) if an approval for Official Plan amendment, Zoning By-law amendment, plan of subdivision and/or condominium or site plan approval is granted by the Town, the Town may impose/establish conditions of approval for planning applications, including but not limited to the following:
  - a. conditions of draft plan approval;
  - b. conditions of site plan approval; or
  - c. holding provisions of the Zoning By-law, to ensure that satisfactory verification of suitable environmental site condition is received prior to the issuance of any Building Permits for the site; and
- vi) The Town will not consider an RSC as acknowledged by the MECP until the applicant provides evidence that either the MECP has confirmed that the RSC is acknowledged or if the MECP has confirmed the RSC is acknowledged subject to an audit that it has passed the audit.

## Section 4 Land Use Policies

This section contains the goals and policies that pertain to the various land use designations depicted on Schedules "B", "B-1", "B-2" and "B-3" of this Plan.

### 4.1 Agricultural

The Agricultural designation is shown on Schedule "B" of this Plan.

#### 4.1.1 Goals

The following goals are established for the Agricultural area:

- i) i) to preserve good agriculture land for agricultural purposes, and to encourage and support normal farm practices and agricultural land uses which are sustainable over the long-term;
- ii) ii) to allow farm operators to engage in a wide range of agricultural activities;
- iii) iii) to maintain the viability of farm units by discouraging the unnecessary fragmentation of existing farms;
- iv) iv) to recognize the potential of diversification of the agricultural economy through value-added, small-scale agricultural industries and commercial uses;
- v) v) To ensure new farm and non-farm uses comply with the Minimum Distance Separation Formulae, as amended by the Province from time to time.
- vi) vi) To encourage the retention of woodlots as integral components of the farm operation for agroforestry and the other benefits woodlands provide.

#### 4.1.2 Policies

The following policies shall apply to those lands designated Agricultural on the Land Use Schedules of this Plan:

- i) the predominant use of land shall be agricultural, including the growing of crops and the raising of livestock, agriculture-related uses, on-farm diversified uses, forestry, conservation uses, wildlife and fisheries management, watershed management and flood and erosion control projects carried out or supervised by a public agency, and passive recreational uses such as pedestrian/cycling trails;

- ii) agriculture-related uses are farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. These uses shall be permitted, subject to a Zoning By-law amendment and site plan control review where deemed appropriate by the Town. The following requirements must be met to the satisfaction of the Town in order to support a Zoning By-law amendment for the establishment of an agriculture-related use:
  - a. the use shall be compatible with and not hinder surrounding agricultural uses;
  - b. the use shall be appropriate to the rural service level available including road access, water and waste water, and fire protection service;
  - c. the use shall comply with the Sign By-law;
  - d. the use will not change the agricultural character of the area;
  - e. the use will not create a safety hazard or become a public nuisance, particularly in regard to traffic, parking, noise, noxious odours or other emissions; and
  - f. adequate limits on outdoor storage are established.
- iii) on-farm diversified uses are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. These uses shall be permitted in accordance with the following criteria:
  - a. the use shall be compatible with and not hinder surrounding agricultural uses;
  - b. the use shall be appropriate to the rural service level available including road access, water and waste water, and fire protection service;
  - c. the amount of land and size of the building devoted to the use is limited in proportion to the principal use and buildings on the property such that the use is clearly secondary to the principal use on the lot. As a general guideline, the amount of land area devoted to the use should not exceed two percent of the farm parcel to a maximum area of one hectare and the gross floor

area of buildings used for on-farm diversified uses should not exceed 20 percent of the two percent;

- d. limits are established on the total number of employees, as well as the number of outside employees that do not reside on the property;
  - e. the use shall comply with the Sign By-law;
  - f. the use will not change the agricultural character of the area;
  - g. the use will not create a safety hazard or become a public nuisance, particularly in regard to traffic, parking, noise, noxious odours or other emissions;
  - h. adequate limits on outdoor storage are established;
  - i. home occupations which are ancillary to the principal use of the property and which are carried out for remuneration and as defined in the Zoning By-law are permitted in the Agricultural designation. Home occupations that are totally contained within the dwelling unit, including attached garages, will be permitted without an amendment to the Zoning By-law. However, any home occupation that requires the use of anything other than the dwelling, including attached garages, except for parking, will require a By-law amendment. The implementing Zoning By-law will contain specific regulations pertaining to the size, number of employees, parking, signage and other matters associated with a home occupation use;
- iv) greenhouse operations including packing and shipping facilities and on-site housing are permitted in the Agricultural designation and the agricultural zones of the Zoning By-law. The aforementioned uses, buildings, and structures are subject to site plan control;
  - v) cannabis greenhouse operations including the growing, harvesting, cleaning, packaging, and shipping of cannabis and any other uses related to cannabis production are also permitted in the Agricultural designation but require an amendment to the Zoning By-law and are subject to site plan control. When an application for a by-law amendment to allow a cannabis operation is made, Council shall have due regard to the following:
    - a. the proximity of the proposed operation to existing residential uses and zones;
    - b. the location of the proposed operation and other existing uses with respect to the prevailing winds;

- c. the introduction of appropriate design details mitigating potential adverse impacts from odour and night light, with the ability to include appropriate terms in a site plan agreement to address such issues; and
  - d. comments and recommendations of the Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment, Conservation and Parks;
- vi) mushroom operations including the growing, harvesting, cleaning, packaging, and shipping of mushrooms and any other uses related to mushroom production are also permitted in the Agricultural designation but require an amendment to the Zoning By-law and are subject to site plan control. When an application for a by-law amendment to allow a mushroom operation is made, Council shall have due regard to the following:
  - a. the proximity of the proposed operation to existing residential uses and zones;
  - b. the location of the proposed operation and other existing uses with respect to the prevailing winds;
  - c. the introduction of appropriate design details mitigating potential adverse impacts from odour, with the ability to include appropriate terms in a site plan agreement to address this issue; and
  - d. comments and recommendations of the Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment, Conservation and Parks;
- vii) livestock intensive agricultural uses, as defined in the Zoning By-law, are permitted in the Agricultural designation without an amendment to the Zoning By-law provided the proposed location is in compliance with the Minimum Distance Separation (MDS) II;
- viii) tree farms and retail nursery outlets are permitted in the agricultural designation without an amendment to the Zoning By-law provided that a majority of goods and materials for sale are grown or produced on site;
- ix) existing residential uses and new agriculture-related residential uses shall also be permitted. The Zoning By-law shall only permit one residence per lot (lot as defined in the Zoning By-law). However, more than one residence on a lot for the purposes of housing farm help may be allowed once the need for such housing has been adequately demonstrated in terms of the following: the farm helps'



working activity is primarily, but not necessarily exclusively, devoted to the farm operation; and the farm operation requires the help to be accommodated close to the farm. This additional residence should use the same access as the principal residence, be located within the cluster of farm buildings and will not be eligible for severance in the future; and

- x) all development in the Agricultural designation shall be in accordance with the land division policies contained in Section 6 of this Plan.

## **4.2 Residential**

The Residential designation is shown on Schedule "B-1" and "B-2" of this Plan.

### **4.2.1 Goals**

The following goals are established for the Residential area:

- i) to encourage the provision of an adequate supply of new residential building lots to meet the anticipated demand for additional housing units over the next 25 years. To accomplish this, the Town will attempt to have a three-year supply of residential lots in either draft or final approved plans of subdivision and a 15-year supply of land designated for residential development available at all times;
- ii) to encourage the development of a greater variety of housing types in the Town to meet the future housing needs of all households, and to meet the provincial housing objectives as set out in the Provincial Policy Statement and County of Essex Official Plan;
- iii) to ensure that new residential development occurs in a manner in keeping with the capacity of the services available and the financial capability of the municipality;
- iv) to encourage the infilling and rounding out of the existing development pattern in urban areas of the Town where a full range of municipal infrastructure (including a piped sanitary sewer system), community facilities, and goods and services can be provided in a cost-effective and environmentally sound manner;
- v) to ensure that existing and new residential areas are walkable and, to the greatest extent possible, are supported by all modes of transportation;
- vi) to promote and encourage residential intensification activities in areas of the Town where a full range of municipal infrastructure, community facilities, and goods and services are readily available. Residential

intensification includes infilling, second units, conversions and redevelopment; and

- vii) to protect the existing views of Lake St. Clair from residential properties on the north side of Riverside Drive.

#### **4.2.2 Policies**

The following policies shall apply to those lands designated Residential on the Land Use Schedules of this Plan:

- i) the use of lands designated Residential shall be for all forms of housing, including special needs housing, in accordance with subsections 4.2.2.1, 4.2.2.2 and 4.2.2.3;
- ii) group homes shall also be permitted. For the purposes of this Plan, group homes are defined as a single housekeeping unit in a residential dwelling in which three to ten residents, (excluding staff) live as a unit under responsible supervision consistent with the requirements of its residents. Such homes shall be licensed or approved under provincial statute and in compliance with all municipal by-laws. Existing facilities that do not comply with the requirements of the zoning by-law will be allowed to continue but will not be permitted to expand without a minor variance or by-law amendment;
- iii) home occupations may be permitted, provided they do not alter the residential character and amenity of the area;
- iv) day care centres may also be permitted within the Residential designation subject to a Zoning By-law amendment;
- v) the intensification of residential lands shall be encouraged and standards of development that will assist in achieving this objective shall be a priority for the Town. A minimum of 15 percent of all new housing within the Town should be provided through residential infill and/or intensification, as identified as a target in the County of Essex Official Plan. Residential intensification shall be defined as a net increase in residential units or accommodation within a given property, site or area and includes:
  - a. redevelopment, including the redevelopment of brownfield sites;
  - b. the development of vacant or underutilized lots within previously developed areas;
  - c. infill development;

- d. the conversion or expansion of existing commercial and institutional buildings for residential use; and
  - e. the conversion or expansion of existing residential buildings to create new residential units or accommodation, including second units;
- vi) within existing stable residential areas, applications for infill or redevelopment must be located and organized to fit with neighbouring properties and must satisfactorily address the criteria contained in Section 3.18 of this Plan. In fully serviced areas, intensification through moderate increases in building height or density, and gradual transition to more intense forms of housing may be approved in neighbourhoods that are adjacent or in close proximity to such items as transit routes, commercial areas, community facilities and/or significant areas of open space;
- vii) the addition of a second dwelling unit shall be permitted within a single unit detached, semi-detached or townhouse dwelling unit subject to the following provisions:
  - a. the gross floor area of the second dwelling unit is equal to or less than the floor area of the principle dwelling unit on the lot;
  - b. the dwelling fronts on and has access to/from a municipal road or municipal laneway;
  - c. there are full municipal services and no servicing constraints; and
  - d. adequate access and off-street parking is provided;
- viii) a stand-alone second dwelling unit, as an ancillary use to a single unit detached, semi-detached or townhouse dwelling unit, shall be permitted subject to a Zoning By-law amendment and appropriate zoning regulations being in place. The following criteria will be considered as the basis for all Zoning By-law amendments to permit a stand-alone second dwelling unit:
  - a. the use is subordinate to the main dwelling on the lot;
  - b. the use can be integrated into its surroundings with negligible visual impact to the streetscape;
  - c. the use is compatible in design and scale with the built form on the lot and the surrounding residential neighbourhood in terms of massing, height and visual appearance;

- d. there are full municipal services and no servicing constraints; and
  - e. other requirements such as servicing, parking, access, stormwater management, tree preservation, landscaping and the provision of amenity areas are adequately addressed;
- ix) garden suites shall be permitted as a temporary use in accordance with the terms of the Planning Act and subject to the following provisions:
  - a. a maximum of one garden suite per single detached dwelling lot;
  - b. sufficient parking, landscaping and buffering are provided;
  - c. the property owner must reside in the principal dwelling on the lot;
  - d. the property owner has entered into an agreement with the Town with respect to such matters as installation, maintenance, removal and occupancy of the garden suite and has posted suitable financial security with respect to the agreement in accordance with the Planning Act;
  - e. a certificate of occupancy will be required prior to occupancy;
  - f. there are no servicing constraints and, where the property is served by individual on-site sewage services, approval of a garden suite is subject to approval of the Town's Building Department;
  - g. the garden suite shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in removing the garden suite or converting it to a permitted use;
- x) the Town shall encourage and facilitate affordable housing initiatives designed to provide a full range of housing, in terms of tenure and affordability within all residential designations, with a specific focus to produce housing for low income residents of the Town. In accordance with the County of Essex Official Plan, a minimum of 20 percent of all new housing units shall be affordable. Town initiatives to facilitate affordable housing initiatives may include:
  - a. waiving (in full or in part) municipal development charge and/or community benefit charge fees to encourage the development of affordable housing;

- b. supporting strategies that create opportunities to increase the supply of affordable housing consistent with the Windsor Essex Housing and Homelessness Plan;
  - c. discouraging the demolition or conversion of affordable rental housing in order to maintain the rental housing stock;
  - d. promoting the development of non-profit housing projects by cooperative and non-profit housing organizations; and
  - e. promoting all forms of housing to meet the social, health and well-being requirements of current and future residents including special needs requirements;
- xi) the Town shall include adequate provisions in the Zoning By-law that have the effect of reasonably protecting existing views of Lake St. Clair from residential properties on the north side of Riverside Drive;
  - xii) the creation of new lots for residential purposes will primarily occur by plan of subdivision. However, consents for residential lots will be permitted in accordance with the policies contained in Section 6 of this Plan; and
  - xiii) some of the undeveloped lands that are designated Residential and have servicing constraints, shall be placed in a holding zone in the implementing Zoning By-law at the time development applications are being considered by the Town or at such time prior to development applications as Council deems appropriate. The holding symbol will be removed when appropriate sewage, water and any other necessary infrastructure is available to the satisfaction of the Town and a plan of subdivision is approved, where required. Existing uses and agricultural uses, excluding livestock intensive operations, greenhouse operations and mushroom farms, shall be permitted in the interim.

#### **4.2.2.1 Low Density Residential Policies**

Low density residential land uses include single detached dwellings, semi-detached dwellings and duplexes that have a density of up to 20 units per gross hectare. The residential goals and policies contained in subsection 4.2 of this Plan shall apply to low density residential development.

#### **4.2.2.2 Medium Density Residential Policies**

Medium density residential land uses shall be subject to a Zoning By-law amendment and shall include townhouses, stacked townhouses, row houses, multiple dwelling conversions, walk-up or small-scale apartments, and mixed

use buildings with commercial on the ground floor. Nursing homes, rest homes and retirement homes may also be permitted. The maximum height for medium density residential buildings shall be four storeys.

The residential goals and policies contained in subsection 4.2 of this Plan shall apply to medium density residential development. In addition, the following policies shall apply to medium density residential development:

- i) the density range for medium density extends from 20 to 50 units per gross hectare;
- ii) when considering any new medium density residential land uses by way of a Zoning By-law amendment, the following criteria shall apply:
  - a. availability of adequate municipal services;
  - b. availability of adequate outdoor amenity areas, which may include public recreation areas, common areas and/or private areas to the satisfaction of the Town;
  - c. adequate on-site parking for each residential unit and for visitors, either in surface parking areas, individual driveways and garages, or in above or below grade parking structures, as the Town deems appropriate; and
  - d. protection of adjacent low density residential areas from adverse effects;
- iii) new medium density residential developments must address the criteria of Section 3.18 Land Use Compatibility and the Urban Design policies of Section 7 of this Plan, which refer to such matters as siting and designing the building to be compatible with adjacent land uses in terms of function and design, and avoidance of undue adverse effects on adjacent land uses; and
- iv) all new medium density residential development shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

#### **4.2.2.3 High Density Residential Policies**

High density residential land uses shall be subject to a Zoning By-law amendment and shall include apartments, nursing homes, rest homes and retirement homes. The maximum height for high density residential buildings shall be six storeys.

The residential goals and policies contained subsection 4.2 of this Plan shall apply to high density residential development. In addition, the following policies shall apply to all high density residential development:

- i) the density range for high density is above 50 units per gross hectare;
- ii) when considering any new high density residential land uses by way of a Zoning By-law amendment, the following criteria shall apply:
  - a. availability of adequate municipal services;
  - b. availability of adequate outdoor amenity areas, which may include public recreation areas, common areas and/or private areas to the satisfaction of the Town;
  - c. adequate on-site parking for each residential unit and for visitors, either in surface parking areas, individual driveways and garages, or in above or below grade parking structures, as the Town deems appropriate;
  - d. protection of adjacent low density residential areas from adverse effects;
  - e. adjacent to, or in close proximity to, commercial areas;
  - f. on or within close proximity to an Arterial Road or Commercial Main Street;
  - g. in close proximity to public transit; and
  - h. in close proximity to parkland or open space;
- iii) new high density residential developments must address the criteria of Section 3.18 Land Use Compatibility and the Urban Design policies of Section 7 of this Plan, which refer to such matters as siting and designing the building to be compatible with adjacent land uses in terms of function and design, and avoidance of undue adverse effects on adjacent land uses; and
- iv) all new high density residential development shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

#### **4.2.3 Special Residential Policies**

The following special policies shall apply to those site-specific lands identified below and designated Residential on the Land Use Schedules of this Plan:

i) Special Policy Affecting the Property on the North-East Corner of the 8th Concession Road/North Talbot Road Intersection

Notwithstanding any other policy of the Plan to the contrary and having regard to OMB Decision dated January 17, 2018 (Case No.: PL160967), the 21.6 hectare property situated at the north-east corner of the 8th Concession/North Talbot Road intersection (Del Duca lands) designated Residential on Schedule “B-2” of this Plan shall be subject to the following additional policies:

- a. a mixture of single-unit detached dwellings and semi-detached dwellings at a maximum of 18 units per gross hectare and townhouse dwellings to a maximum of 30 units per gross hectares shall be permitted;
- b. a retirement home with a maximum density of 60 units per gross hectare and a maximum height of four stories shall also be permitted;
- c. a 30-metre (98-foot) wide buffer strip along the western boundary of the property adjacent to the 8th Concession Road and extending from the commercial block to the northern limit of the subject property shall be required. The buffer strip shall comprise:
  - a berm with tree plantings;
  - a multi-use pathway; and
  - a drainage feature/swale for the conveyance of stormwater subject to the completion of a stormwater management study for the entire subject property to the satisfaction of the Town and the Essex Region Conservation Authority.

Lands associated with the multi-use pathway included as part of the buffer strip shall be included in the calculation of any required parkland dedication or cash-in-lieu, in accordance with the Planning Act;

- d. a stormwater drainage corridor along the northern extent of the property and along the northeastern portion of the property where it abuts the former railway lands may be a feature considered as part of the stormwater management study. This stormwater drainage corridor, if deemed appropriate by the stormwater management study as approved by the Town and the Essex Region Conservation Authority, shall also provide for



a multi-use pathway that will provide a linkage between the residential areas, commercial areas and adjacent parkland; and

- e. it is anticipated that a stormwater management facility addressing quality and quantity control for the subject property will be located at the easterly extent of the property. The final location and design of the stormwater management facility will be subject to the completion of a stormwater management study to the satisfaction of the Town and the Essex Region Conservation Authority and will be designed so as provide a visual amenity and passive recreational opportunities and be an integral component of the development.

- ii) Special Policy Affecting the 0.66 Hectare Property on the Northeast Corner of the County Road 42/Lesperance Road Intersection

Notwithstanding any other policy of this Plan to the contrary, the 0.66 hectare parcel of land located on the northeast corner of the County Road 42/Lesperance Road intersection (12300 County Road 42) and designated "Medium Density Residential" on Schedule "A-1" of this Plan shall be subject to the following specific policies:

- a. the permitted uses for the subject property shall consist of a maximum of four, six-unit, three-storey dwellings, along with accessory uses;
- b. the maximum lot density shall be 36 units per hectare; and
- c. the lands be made subject to Site Plan Control, in accordance with Section 41 of the Planning Act, R.S.O. 1990.

## **4.3 General Commercial**

The General Commercial designation is shown on Schedules "B-1" and "B-2" of this Plan.

### **4.3.1 Goals**

The following goals are established for the General Commercial area:

- i) to strengthen and enhance the Town's existing economic base by recognizing existing commercial districts and by allowing for their continued development and redevelopment;
- ii) to ensure that suitable sites are available within the designated urban areas to accommodate a full range of commercial goods and services to meet the needs of the surrounding neighbourhoods, the community at large, and the travelling public;

- iii) to recognize that commercial areas are dynamic in nature, and must be able to evolve, adapt and redevelop as market conditions, consumer needs and preferences, and retail trends change over time, and to provide a corresponding policy environment which will permit these changes to occur in a manner which is beneficial to Town ratepayers.

#### **4.3.2 Policies**

The following policies shall apply to those lands designated General Commercial on the Land Use Schedules of this Plan:

- i) the permitted uses shall include all types of retail, office and service commercial uses, places of entertainment, assembly halls, eating establishments, recreational commercial uses, clinics, funeral homes, financial service establishments, automobile sales and service establishments, gas bars, automotive service stations, car washes, automobile repair shops excluding automobile body shops and towing compounds, hotels, motels, laundry and dry cleaning establishments, and other similar commercial businesses that serve the needs of Town residents;
- ii) all new uses locating within this designation will be required to conform to high performance standards relating to parking, loading, lighting, landscaping, buffering and outside storage as set out in the implementing Zoning By-law and site plan control agreements. Development in this designation shall also have regard to the Urban Design policies contained in Section 7 of this Plan;
- iii) no outdoor storage of goods, materials, parts, derelict vehicles or parts thereof, is permitted in conjunction with automobile service stations and specialty automotive repair shops; and
- iv) all development in the General Commercial designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

#### **4.3.3 Special General Commercial Policies**

The following special policies shall apply to those site-specific lands identified below and designated General Commercial on the Land Use Schedules of this Plan:

- i) Special Policy Affecting those Lands Located on the North Side of Tecumseh Road between the single tier of residential development along the west side of Harvest Lane and Meadowland Crescent and the food processing plant on Schedule “B-1” of this Plan

Notwithstanding any other policy of this Plan to the contrary, development shall be in accordance with the following specific policies:

- a. development is subject to the Ministry of the Environment, Conservation and Parks setback requirements relative to the lagoon facility located on the industrial lands to the west. Accordingly, the subject property shall be subject to the following specific policies:
  - the permitted use for those areas which are situated within the area subject to the MECP setback requirement, generally described as the northerly portion of the subject area, shall be restricted to those commercial uses not having any human occupation for any extended period of time, such as self-storage units, and as more specifically determined in the implementing Zoning By-law;
  - the permitted uses for those areas which are situated beyond the MECP setback requirement, generally described as the southerly portion of the subject area, shall be in accordance with subsection 4.3.2 i) of this Plan, excluding eating establishments, taverns, hotels and residential uses;
  - the implementing Zoning By-law shall zone the northerly and southerly portions of the subject land in distinct, site specific commercial zones. The location of the delineation between the restricted use allowed on the northerly portion and the range of commercial uses allowed on the southerly portion of the subject land shall be established in the implementing zoning by-law in consultation with the MECP;
- b. appropriate zone regulations and site plan control will be used to ensure that issues concerning access, parking, setbacks and buffering to reduce the potential for compatibility problems are adequately addressed, as well as addressing other servicing matters; and
- c. the construction of a municipal road, which will consist of the southerly extension of Revland Drive to Tecumseh Road along the westerly portion of the subject property, is an integral part of development proceeding on the subject land. Development will be subject to the execution of those agreements deemed necessary by the Town in order to ensure the construction of

this road. The subject land will be placed in appropriate holding zones in accordance with subsection 10.3 of this Plan.

- ii) Special Policy Affecting the Property east of Brighton Road, south of Marine Drive - Sailing Club

Notwithstanding any other policy of the Plan to the contrary, the uses permitted on this 1.5 hectare site shall be limited to a marina and any other existing use of the Sailing Club as of the date of adoption of this Plan. Any use other than a marina or existing uses shall require an amendment to the Official Plan.

- iii) Special Policy Affecting the 0.23 Hectare Property Located on the Northwest Corner of the Lesperance Road/Westlake Drive Intersection

Notwithstanding any other policy of this Plan to the contrary, the lands located immediately northwest of the Lesperance Road and Westlake Drive intersection, being Part of Lot 151, Concession II, and having a frontage of 43.73 metres on Lesperance Road and a total lot area of 0.23 hectares, and designated "General Commercial" on Schedule "A-1" of this Plan shall be subject to the following policies:

- a. the permitted uses shall be restricted to a parking lot providing parking for the commercial use on the lands to the immediate north, along with associated landscaping and site design details only. The parking lot shall be designed such that it is fully interconnected and integrated with the parking lot and commercial development on the abutting lands to the north. No driveway shall be permitted interconnecting the parking lot with Westlake Drive to the south. The subject property shall be under the same ownership as the abutting lands to the north and further shall be added to the abutting lands to the north such that they form one contiguous property;
- b. in addition to interconnecting with the parking lot and commercial development on the abutting lands to the north, the existing commercial driveway connecting the abutting commercial development to the north with Lesperance road shall be improved in accordance with the provisions of a site plan control agreement to be executed between the Owner and the Town;
- c. all development on the subject property shall be subject to site plan control in accordance with Section 41 of the Planning Act, R.S.O. 1990. In addition to the items noted in subparagraph b) above, appropriate design standards shall be required to be

provided in order to achieve a development that appropriately integrates and is compatible with surrounding uses, including the provision of a landscape drawing prepared by a qualified Landscape Architect that provides for the necessary landscaping on-site to ensure compatibility and adequate screening for adjacent residential land uses. In addition, the site plan agreement shall require, for road widening purposes and at no expense to the Town, a 3 metres dedication of land along the north side of Westlake Drive and a 5 metre by 5 metre dedication of land at the intersection of Lesperance Road and Westlake Drive; and

- d. the property shall be zoned in a site specific commercial zone establishing the restricted uses to be permitted in accordance with subparagraph a) above along with zone provisions regarding the setback of the parking lot from lot lines, including an increased setback from the lot line to the west to ensure an adequate separation of the parking lot from the residential use to the west and sufficient area for landscaping.
- iv) Special Policy Affecting the 4.25 Hectare on the North Side of King's Highway No. 3 and the South Side of McCord Lane east of Walker Road (Town Lands)

Notwithstanding any other policy of the Plan to the contrary, the uses permitted on this site shall also include the uses permitted in the Community Facility designation by virtue of subsection 4.7.2 i).

## **4.4 Main Street Mixed Use**

The Main Street Mixed Use designation is shown on Schedule "B-1" of this Plan.

### **4.4.1 Goals**

- i) to provide retail and other commercial services for surrounding neighbourhoods and the broader community in a setting that is street-oriented and pedestrian focused, including a mix of compatible residential and office or community uses and services;
- ii) to provide for a range of commercial activity that is suitable to the main street setting, in order to support the traditionally diverse role and pedestrian-oriented activity focus of the Town's downtown/historic core;
- iii) to promote a mix of commercial, institutional and higher density residential uses that will create a compact and walkable main street

that promotes street-edge buildings with on-site parking to the side and rear of the buildings; and

- iv) to assist in enhancing the traditional main street area of the Town by working with the community in the establishment of a clear vision along with appropriate regulations, guidelines and incentives to make the downtown more sustainable and attractive to investment while enhancing its role in providing the municipality with its identity and a sense of place.

#### **4.4.2 Policies**

The following policies shall apply to those lands designated Main Street Mixed Use on the Land Use Schedules of this Plan:

- i) permitted commercial uses include retail, eating establishments, hotels, service and office uses that are suitable for a main street pedestrian format, and are intended to serve the surrounding neighbourhoods and broader community. For properties within the Main Street Mixed Use designation, land use fronting the street on the ground floor is encouraged to be commercial including live-work units;
- ii) complementary uses such as cultural, recreational, entertainment, institutional, community or municipal services, medium and high density residential, open space facilities, and parking lots and structures shall be permitted;
- iii) within the Main Street Mixed Use designation, medium and high density residential uses are permitted and are encouraged in upper-storey locations or to the rear of commercial buildings provided that they contribute to the pedestrian activity and amenity of the street and complement the commercial storefront design and character of the street;
- iv) height and density provisions for medium and high density residential uses shall be in accordance with Sections 4.2.2.2 and 4.2.2.3 of this Plan;
- v) new automotive uses and other uses such as large format retail uses that interrupt pedestrian flow and are visually incompatible with the main street commercial setting are prohibited. Existing automotive sales and/or service establishments are anticipated to be phased out over time;
- vi) the Tecumseh Road Main Street Community Improvement Plan is a major guiding document for development within the Main Street Mixed Use designation. It is intended to be used as a tool to achieve a pedestrian-oriented form of development that will provide support for

more sustainable means of growth. All development within the Main Street Mixed Use designation shall, to the greatest extent possible, be in accordance with the Tecumseh Road Main Street Community Improvement Plan, as amended from time to time;

- vii) new drive-through facilities will not be permitted in the Main Street Mixed Use designation in order to protect and enhance the pedestrian environment; and
- viii) all development in the Main Street Mixed Use designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

#### **4.4.3 Special Main Street Mixed Use Policies**

The following special policies shall apply to those lands identified below and designated Main Street Mixed Use on the Land Use Schedules of this Plan:

- i) Special Policy Affecting the 0.37 Hectare Property Located at 11957 Tecumseh Road

Notwithstanding any other policy of this Plan to the contrary, the following specific policies shall apply:

- a. No buildings or structures shall be constructed within 6.6 metres of the subject property's westerly side lot line. This area shall be used exclusively as a mutual vehicular access lane combined with a pedestrian pathway. The mutual vehicular access lane is intended to provide access to the subject property's parking area from Tecumseh Road along with access to the property abutting to the west. In addition, a pedestrian pathway is to be provided in this 6.6 metre corridor to provide for the movement of pedestrians from Tecumseh Road to the north to the interior of the subject property, the abutting property to the west and ultimately to other lands farther to the south and south/west. An easement for public pedestrian access shall be granted to the Town respecting the pedestrian pathway at such time as development occurs on 11941 Tecumseh Road and on the lands immediately abutting 11941 Tecumseh Road to the south, warranting a pedestrian connection or as otherwise determined by the Town. The easement and any related development agreements shall contemplate that the pedestrian pathway is constructed by the owner and maintained by the Town. Details with respect to this mutual vehicular access lane and pedestrian pathway shall be addressed in the associated plan of condominium approval and/or site plan control agreement. The mutual vehicular

access lane and pedestrian pathway required by this policy shall be combined in the future with a similar facility along the easterly lot line of the subject property to the west so that a single cross-access corridor will result having a total width of approximately 10.9 metres (with 6.6 metres being contained on the subject property and 4.3 metres being contained on the property abutting to the west);

ii) Special Policy Affecting the 0.43 Hectare Property Located at 11941 Tecumseh Road

Notwithstanding any other policy of this Plan to the contrary, the following specific policies shall apply:

- a. The permitted use for the northerly portion of the subject property shall be a multi-unit apartment building of up to five storeys in height and up to 51 residential dwelling units and one live-work unit (a dwelling unit that will accommodate a commercial work space, with the types of commercial uses permitted to be as established in the zoning by-law) on the first floor of the building, fronting Tecumseh Road, along with associated surface parking. The majority of on-site parking shall be located to the south of the apartment building on the southerly portion of the subject property with access from Tecumseh Road to be by way of a driveway proposed along the east side of the property;
- b. No buildings or structures shall be constructed within 4.3 metres of the subject property's easterly side lot line. This area shall be used exclusively as a mutual vehicular access lane combined with a pedestrian pathway. The mutual vehicular access lane is intended to provide access to the subject property's parking area from Tecumseh Road along with access to the property abutting to the east. In addition, a pedestrian pathway is to be provided in this 4.3 metre corridor to provide for the movement of pedestrians from Tecumseh Road to the north to the interior of the subject property, the abutting property to the east and ultimately to other lands farther to the south and south/west. An easement for public pedestrian access shall be granted to the Town respecting the pedestrian pathway at such time as development occurs on the subject property and on the lands immediately abutting the subject property to the south, warranting a pedestrian connection or as otherwise determined by the Town. The easement and any related development agreements shall contemplate that the pedestrian pathway is constructed by the owner and maintained by the Town. Details with respect to this



mutual vehicular access lane and pedestrian pathway shall be addressed in the associated plan of condominium approval and/or site plan control agreement. The mutual vehicular access lane and pedestrian pathway required by this policy shall be combined in the future with a similar facility along the westerly lot line of the subject property to the east so that a single cross-access corridor will result having a total width of approximately 10.9 metres (with 4.3 metres being contained on the subject property and 6.6 metres being contained on the property abutting to the east).

c. The site-specific zone provisions shall be established within the implementing zoning by-law amendment. The zone provisions shall ensure, among other things, that:

- the minimum front yard depth for the first four storeys of the apartment building shall be nil;
- the minimum rear yard depth for the first four storeys of the apartment building shall be 42.0 metres;
- the fifth storey of the apartment building shall be set back a minimum of 9.0 metres from the northerly face of the fourth storey of the building and a minimum of 9.0 metres from the southerly face of the fourth storey;
- the minimum westerly side yard width for the apartment building shall be 4.7 metres;
- the minimum easterly side yard width for the apartment building shall be 4.3 metres; and
- The maximum lot density shall be 119 units per net hectare.

d. The permitted use for the southerly portion of the subject property shall be primarily for a parking lot and related laneways and accessory structures associated with the multi-unit apartment building.

iii) Special Policy Affecting the 1.08 Hectare Property Located at 11870 Tecumseh Road

Notwithstanding any other policy of this Plan to the contrary, development on these lands shall be in accordance with the following specific policies:

- a. The permitted use for the subject property shall be a multi-unit apartment building of up to six storeys in height, containing up to 99 residential dwelling units and accessory uses;
  - b. A maximum height of three storeys shall be permitted for that portion of the building designed to front/face onto Tecumseh Road;
  - c. As part of the residential development, a municipal parkette shall be constructed and conveyed to the Town. The size, location and design of the municipal parkette shall be to the satisfaction of the Town, and in keeping with the Tecumseh Road Main Street Community Improvement Plan, adopted January 12, 2016, and implemented through a corresponding site plan control agreement;
  - d. The site-specific zone provisions shall be established within the implementing Zoning By-law amendment. The zone provisions shall ensure that the development is constructed in accordance with the special policy affecting the subject property; and
  - e. A Noise and Vibration Study will be required prior to and as part of any application for site plan control or condominium on the subject property. Any required mitigation will be included as a condition of draft condominium approval and will be included as a specific requirement in a site plan control agreement.
- iv) Special Policy Affecting the 4.4 Hectare Area of Land Situated Southeast of the Tecumseh Road/Southfield Drive Intersection (11873 and 11917 Tecumseh Road)

Notwithstanding any other policy of this Plan to the contrary, development on these lands shall be in accordance with the following specific policies:

- a. the permitted uses for the subject area shall be:
  - one six-storey, multiple-unit dwelling containing a total of 149 units;
  - one seven-storey, multiple-unit dwelling containing a total of 98 units;
  - one multiple-unit dwelling no greater than four-storeys in height and containing no greater than 150 units; and
  - accessory uses;

- b. in the event of future lot severances, a combined maximum of 397 dwelling units shall be permitted within this special policy area; and
- c. a Noise and Vibration Study will be required prior to and as part of an application for site plan control on the subject property. Any required mitigation will be included as a specific requirement in a site plan control agreement.
- v) Special Policy Affecting the 0.65 Hectare Property Located at the westerly terminus of First Street, immediately north of the VIA Railway right-of-way (12219-12229 First Street and 1106 Laramie Street)

Notwithstanding any other policy of this Plan to the contrary, the permitted uses shall be restricted to the uses identified in 4.2.2 i) and ii) excluding residential uses and those light type industrial uses compatible with adjacent residential uses including workshops, service shops, processing, manufacturing, assembling and warehousing.

## 4.5 Business Park

The Business Park designation is shown on Schedules "B-1" and "B-2" of this Plan.

### 4.5.1 Goals

The following goals are established for the Business Park area:

- i) to provide suitable areas for a broad range of employment uses that include manufacturing, research and development, warehousing, construction and transportation activities and other employment uses with similar operating characteristics and locational requirements;
- ii) to support a strong and diversified economic base within the Town, allowing for an expansion of the assessment base and providing a choice of jobs for its citizens while supporting the existing infrastructure networks;
- iii) to promote a high standard of design which will create an aesthetically pleasing and functional environment for both employees and visitors;
- iv) to encourage industrial uses to locate in proximity to major transportation infrastructure and in areas that could, over time, be efficiently serviced by public transit;
- v) to ensure the protection, enjoyment and use of nearby properties from the adverse impacts of incompatible uses by enhancing compatibility between industrial and sensitive uses (i.e. residential and recreational)

through the use of mitigation measures such as: distance separation, landscaping, buffering, and screening;

- vi) to establish an orderly and coordinated vehicular and pedestrian circulation system; and
- vii) to encourage a development pattern that reflects modern subdivision and engineering practices, and does not place an undue financial burden on the municipality to provide the necessary municipal infrastructure and services.

#### **4.5.2 Policies**

The following policies shall apply to those lands designated Business Park on the Land Use Schedules of this Plan:

- i) lands designated Business Park shall be used for a range of light industrial uses including manufacturing, assembling, processing, fabricating, repairing, warehousing and wholesaling along with accessory office and retail uses. In addition, contractor and construction facilities and yards, automobile body repair shops and truck and automobile service and rental shops shall also be permitted. All permitted light industrial uses shall meet the requirements of and, where necessary, obtain the approval of the Ministry of the Environment, Conservation and Parks with respect to any and all emissions to the environment (including waste water, odours, noise, dust, vibrations, etc.);
- ii) other permitted uses include research and development facilities, public and private sports facilities, exhibition halls, transportation depots and wholesale establishments;
- iii) the following additional uses are permitted as complementary uses which are intended to serve the industrial areas and the broader community and shall be permitted on properties adjacent to County Road 11 (Walker Road), North Talbot Road, County Road 46, County Road 22, Jamsyl Drive and County Road 42:
  - a. offices;
  - b. restaurants, convenience retail stores, financial institutions;
  - c. automobile sales and service establishments, automobile service stations or gas bars;
- iv) the processing, packaging and shipping of cannabis products is also permitted however the growing and/or harvesting of cannabis shall be prohibited;

- v) notwithstanding any other policies in this Plan, unless specifically zoned in the implementing Zoning By-law, the following uses shall not be permitted in the Business Park designation: waste processing, disposal and storage including transfer stations, packing and bailing sites, and liquid and hazardous waste processing and disposal facilities;
- vi) the Town will provide for, facilitate, and support industrial development initiatives through the provision of infrastructure and infrastructure improvements and the protection of industrial establishments from incompatible land uses that may jeopardize the viability and efficiency of industrial operations;
- vii) it is the intent of the Town to utilize appropriate setback, buffering and mitigation techniques to maximize compatibility between new light industrial uses and nearby sensitive land uses such as existing and future residential areas. The Ministry of the Environment, Conservation and Parks D-1, "Land Use Compatibility" and D-6, "Compatibility between Industrial Facilities", or their successors, will be used as guidelines;
- viii) some of the undeveloped lands that are designated Business Park and have servicing constraints, shall be placed in a holding zone in the implementing Zoning By-law. The holding symbol will be removed when appropriate sewage, water and any other necessary infrastructure is available to the satisfaction of the Town and a plan of subdivision is approved, where required. Existing uses and agricultural uses, excluding livestock intensive operations, greenhouse operations and mushroom farms, shall be permitted in the interim.
- ix) all development in the Business Park designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

## **4.6 Highway Service Centre**

The Highway Service Centre designation is shown on Schedule "B" of this Plan.

### **4.6.1 Goals**

The following goal is established for the Highway Service Centre area:

- i) to provide a convenient, accessible and fully integrated highway transportation-related service centre at a location along the Highway 401 corridor which is capable of providing a broad range of services and amenities to meet the growing and evolving needs of the North American trucking industry and the motoring public.

#### 4.6.2 Policies

The following policies shall apply to those lands designated “Highway Service Centre” on the Land Use Schedules of this Plan:

- i) this 46 hectare site will be developed, managed and operated as a single, comprehensive and integrated highway service centre facility;
- ii) the permitted use at this location shall be a highway transportation related service centre which shall consist of: truck and trailer repair garages, service stations, towing services, washing establishments; sales, leasing and rental establishments; fuel depots; restaurants; hotels and motels; overnight accommodations for truck and recreational vehicles; warehousing and load transfer facilities; customs facilities; and other similar commercial businesses that serve the needs of the North American trucking industry and the motoring public including uses ancillary to the principle uses such as health and fitness facilities, medical and personal service establishments and financial services;
- iii) an autonomous vehicle testing facility shall also be a permitted use on lands designated Highway Service Centre;
- iv) all development shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O., 1990;
- v) all development within the Highway Service Centre designation shall be serviced by municipal piped water and a sanitary sewage treatment facility approved in accordance with the requirements and associated guidelines of the Ministry of the Environment, Conservation and Parks and the Town;
- vi) lands designated Highway Service Centre shall be zoned in an appropriate holding zone in the Town’s Zoning By-law pending Council approval of a comprehensive development and servicing plan for the site. Prior to the removal of the holding zone symbol on all or a portion of the lands designated Highway Service Centre, Council, as well as the agencies noted below, shall have regard to the following policies:
  - a. a comprehensive development and servicing plan for the entire site shall be completed to the satisfaction of Council, the Essex Region Conservation Authority, and the Ministry of the Environment, Conservation and Parks;
  - b. a quantity and quality stormwater management plan for the entire site shall be completed to the satisfaction of the Essex Region Conservation Authority, the Ministry of the Environment,

Conservation and Parks, the Ministry of Transportation, the County of Essex, and the Town. The recommendations of this study shall be implemented through appropriate clauses in the associated site plan control and development agreements;

- c. a traffic impact study shall be completed to the satisfaction of the Ministry of Transportation, the County of Essex, and the Town to ensure that safe and efficient vehicular access is provided to the site. The recommendations of the study shall be implemented through appropriate clauses in the associated site plan control and development agreements and as conditions attached to the required access permits;
  - d. a development agreement shall be prepared and executed to the satisfaction of the Essex Region Conservation Authority, the Ministry of Transportation, the Ministry of the Environment, Conservation and Parks, the County of Essex, and the Town; and
- vii) it is the policy of this Plan that the further subdivision of land designated Highway Service Centre shall be prohibited.

## **4.7 Community Facility**

The Community Facility designation is shown on Schedules "B-1", "B-2" and "B-3" of this Plan.

### **4.7.1 Goals**

The following goals are established for the Community Facility area:

- i) to facilitate and support public and private sector projects and programs that will expand the range of facilities and community services that are available for use by Town residents;
- ii) to encourage and support school board and parent initiatives that will ensure that adequate educational facilities are available to meet the needs of existing and future Town ratepayers;
- iii) to ensure that community facility uses are situated in areas of the Town which are suitable for their intended use, and minimize land use conflicts with other uses;
- iv) to encourage community facilities to be co-located in community hubs to promote cost effectiveness and facilitate service integration, access to transit and active transportation; and

- v) to ensure that community facilities are strategically located to support the effective and efficient delivery of emergency management services and to ensure the protection of public health and safety.

#### **4.7.2 Policies**

The following policies shall apply to those lands designated Community Facility on the Land Use Schedules of this Plan:

- i) the permitted uses shall include schools, places of worship, nursing homes, rest homes, retirement homes, community centres, cemeteries, private clubs, places of assembly, libraries, and other buildings and facilities used by the Town, the County and other levels of government;
- ii) wherever possible, schools should be considered and used as multi-purpose facilities, and should be available for use by the surrounding neighbourhood and broader community for leisure, recreational, educational, and other community sponsored events and activities;
- iii) joint use agreements may be used by the Town to maximize the benefits associated with shared facilities and services owned by other public agencies, boards, non-profit organizations or clubs, and operated and maintained for the enjoyment and well-being of the community at large;
- iv) wherever possible, new school sites should be located adjacent to park sites to enable a sharing or joint-use of facilities and programs;
- v) wherever possible, new school sites should be located centrally within neighbourhoods or groups of neighbourhoods to promote walking and cycling;
- vi) adequate precautions shall be taken to ensure that the community facility uses do not have adverse impacts on adjacent land uses;
- vii) that the Town assess opportunities for the purchase of excess school lands from the relevant school board with a view to retaining and/or expanding parkland for existing and future populations in under-serviced areas of the Town; and
- viii) all development in the Community Facility designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990;



### **4.7.3 Special Policies**

- i) Special Policy Affecting the 12.1 Hectare Property Located on the Southeast Corner of the Banwell Road/Shields Avenue Intersection (Tecumseh Vista School)

Notwithstanding any other policy of this Plan to the contrary, development on these lands shall be in accordance with the following specific policy:

- a. a buffer area, within which no buildings or structures or human occupancy are permitted, shall be established on the subject lands within a 46 metre radius of the rear lot line of the abutting property located at 11684 County Road 42 upon which is located a wholesale and retail fireworks establishment subject to licensing from Natural Resources Canada. The implementing Zoning By-law shall zone the buffer land accordingly. The corresponding site plan control agreement shall establish that this buffer area shall be enclosed by a barrier fence with a minimum height of 1.8 metres. Notwithstanding this requirement for a buffer area, alternative mitigation measures between the subject lands and the wholesale and retail fireworks establishment at 11684 County Road 42 may be implemented and the buffer area rezoned to permit buildings, structures and uses permitted by the Community Facility designation subject to the approval of Natural Resources Canada and the Town. If the abutting wholesale and retail fireworks establishment ceases to operate from its current location, the foregoing buffer area would no longer be required and the Zoning By-law may be amended accordingly.

## **4.8 Recreational**

The Recreational designation is shown on Schedules "B-1", and "B-2" of this Plan. The Parks and Recreation Master Plan provides the community with a long range planning document that helps guide investment in the Town's parks, recreation, trails and sports system. The goals and policies of this Section reflect the recommendations of the Town's Parks and Recreation Master Plan.

### **4.8.1 Goals**

The following goals are established for the Recreational area:

- i) to ensure that the Town maintains an adequate supply of parks, open space and recreational facilities to meet the needs of its residents;

- ii) to ensure that recreational uses are located in suitable locations so as to maximize their accessibility to area residents and minimize their conflicts with other uses;
- iii) to design, create and maintain a continuous linear open space system, connecting various parks, residential neighbourhoods, commercial areas, employment areas and remaining natural heritage sites with each other;
- iv) to obtain the support of and cooperation of local school boards, ratepayer groups, and local school councils to maximize the use of school and Town properties for recreational and educational purposes; and
- v) to work with local service clubs, interested groups and agencies to acquire, develop and maintain the park and open space areas in keeping with evolving community needs.

#### **4.8.2 Policies**

The following policies shall apply to those lands designated Recreational on the Land Use Schedules of this Plan:

- i) the permitted uses shall include indoor and outdoor, public and private recreational uses such as parks, playgrounds, golf courses, arenas and clubs. Wherever possible, recreational uses serving the community at large should be part of a multi-use, larger, more visible and adaptable facility and/or site;
- ii) it shall be the policy of Council to acquire additional parkland, as funds are available, in order to generally maintain the following standards:
  - a. Neighbourhood parks: 1.0 hectare per 1,000 population.
  - b. Community parks: 2.0 hectares per 1,000 population
  - c. Specialized parks and open space: 3.5 hectares per 1,000 population
- iii) wherever possible, new neighbourhood parks should be sited adjacent to elementary school sites or other complementary land uses to encourage a sharing or joint-use of facilities and programs;
- iv) the following locational criteria should be applied when siting new neighbourhood park facilities in the Town:

- a. they should be centrally located and within easy walking distance of the persons who will use the park on a regular basis;
  - b. park sites should be visible and accessible to the neighbourhood, and should have at least 25 percent of the perimeter of the site fronting onto neighbourhood streets; and
  - c. where possible, neighbourhood park sites should be connected with and be designed as part of an overall “greenway system” via existing and new trails natural corridors, and walkway/bikeway features;
- v) the Town supports the reuse of abandoned railway rights-of-way for recreational uses, such as walking, cycling and other physical and leisure activities. The permitted uses within these corridor areas shall include public and private recreational uses. Existing major utility corridors as shown on Schedules “B-1” and “B-3” of this Plan should also be considered for these types of recreational uses;
- vi) the Town will require a 5% parkland dedication as a condition of the approval of every future residential development proposal. Land to be conveyed to the Town for park purposes shall be accepted only if the property is suitable for park purposes and needed in the immediate area. As an alternative parkland dedication standard, the Town may require land to be dedicated on the basis of one hectare for each 300 residential units as required under the Planning Act;
- vii) The Town may request cash-in-lieu for all or part of any required land dedication under the Planning Act under the following circumstances:
  - a. where the parcel of land is either too small or poorly located to meet parkland needs;
  - b. in an area that has excess parklands;
  - c. where the condition of the land is unsuitable for park purposes;
  - d. where no opportunity exists to enlarge existing neighbourhood parks; and
  - e. where a large development project is within reasonable walking distance to an existing park, provided that the trip does not involve crossing an arterial road;
- viii) in assessing parkland dedication for a development proposal, natural heritage features, which may include floodplain areas in some locations, shall not normally be used in calculating the cash-in-lieu

payment or for the purposes of fulfilling the parkland dedication requirement;

- ix) where possible, parkland should be located in conjunction with and adjacent to stormwater management facilities to achieve maximum area of open space;
- x) that the Town assess opportunities for the purchase of excess school lands from the relevant school board with a view to retaining and/or expanding parkland for existing and future populations in under-serviced areas of the Town; and
- xi) all development in the Recreational designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

## 4.9 Natural Heritage System

The Town supports the establishment of a Natural Heritage System, which builds upon the natural heritage system established in the County Official Plan and the Essex Region Natural Heritage System Strategy, 2013 (ERNHSS). The Natural Heritage System contains potential linkages and corridors as well as expansions to the core existing natural heritage features. It reinforces the protection, restoration and enhancement of identified natural heritage features, and promotes the overall diversity and interconnectivity of natural heritage features, functions and areas. The policies of this Plan support a combined approach to the Town's natural heritage system which includes protection for both the natural heritage features that are linked together as well as natural heritage features and areas that are geographically isolated from the linked system. An additional component of the Natural Heritage System is aquatic and fish habitat and the Plan also provides policies intended to ensure their protection.

The natural heritage features that comprise the Natural Heritage System are mapped on Schedule "C" to this Plan and include:

- i) **Natural Environment** – includes significant wetlands, significant woodlands, significant habitat of endangered species and threatened species, significant natural heritage features, and high priority natural heritage features in the Town that meet at least 5 of the 11 natural heritage feature criteria outlined in the ERNHSS or other lands deemed appropriate by the Town and ERCA;
- ii) **Natural Environment Overlay** - includes secondary priority natural heritage features in the Town that meet 1 to 4 of the 11 natural heritage feature criteria outlined in the ERNHSS; and

- iii) **Restoration Opportunities Overlay** - includes secondary restoration lands that meet 1 to 2 of the 5 restoration opportunity criteria outlined in the ERNHSS.

#### **4.9.1 Goals**

The following goals are established for the Natural Heritage System:

- i) to facilitate and support the preservation, protection and enhancement of existing natural heritage features;
- ii) to recognize the Essex Region Natural Heritage System Strategy as a means of providing technical direction towards the location and establishment of the Town's Natural Heritage System as per the Provincial Policy Statement 2020;
- iii) to work with private property owners to support the preservation and enhancement of natural features and to develop implementation mechanisms to protect high priority restoration opportunity areas including, but not limited to, voluntary landowner stewardship policies, financial programs, and attaching conditions to development approvals;
- iv) to increase the size of core natural areas and to create and protect linkages and corridors as part of a linked Natural Heritage System connecting wildlife habitat areas to each other, human settlements to human settlements and people to nature. Inter-municipal co-ordination to accomplish this goal is encouraged;
- v) to support partnerships with the Essex Region Conservation Authority, local municipalities, and other partners, that result in plans to appropriately manage ecologically sensitive lands that are in public ownership, discourage the introduction and spread of invasive species, and promote a high level of biodiversity;
- vi) to encourage private individuals and businesses to participate in tree planting, restoration and stewardship programs and opportunities that will ultimately enhance the Natural Heritage System;
- vii) to maintain and enhance vegetated buffers along municipal drains, where feasible, in order to support the Natural Heritage System and to identify options for implementation of restoration opportunities adjacent to streams and municipal drains;
- viii) to support the creation of new or expanded linkages between natural heritage features, where feasible. Corridors that link isolated natural heritage features or enhance existing linkages improve or enhance the

ecological functions of designated natural heritage features and strengthen the overall Natural Heritage System;

- ix) to support the development of policies and programs to protect and enhance natural heritage features and natural heritage systems. This work may include partnerships with conservation organizations such as ERCA and regional municipal partners to encourage the regional protection and implementation of a natural heritage system

#### **4.9.2 Policies**

The following policies apply to the Town's Natural Heritage System identified on Schedule "C" to this Plan:

- i) the Town will work with private property owners and agencies toward preserving and enhancing natural features;
- ii) the Town will encourage opportunities that may arise with development proposals for creating new habitats, natural vegetation regeneration, conserving natural landforms and functions for protecting and enhancing groundwater and surface water resources, and for promoting environmental education and interpretation;
- iii) the Town will encourage that, wherever possible and appropriate, trees be replanted to replace trees removed if a development proceeds. The Town will encourage the conservation or replanting of roadside and fence-line shrubs and trees, and riparian area vegetation, wherever possible and appropriate in the context of new development. Financial compensation for tree loss is not considered the preferable means of appropriate mitigation for development;
- iv) the Town will support the development of a policy for restoration and compensation where avoiding an impact to the natural heritage feature or natural heritage system is unavoidable. This framework will be supportive of the natural heritage system goals and ensure that the approach to no negative impact reflects the principle of a net gain or benefit to the natural heritage system;
- v) in recognizing that vegetated buffers along municipal drains enhance the Natural Heritage System, the Town will work with the Drainage Superintendent and the Drainage Engineer during the preparation of drainage reports under Sections 4 and 78 of the Drainage Act to incorporate vegetated buffers that are within the Restoration Opportunities Overlay on Schedule "C", where feasible;
- vi) the Town, in consultation with ERCA, nongovernment organizations and private landowners, will identify and establish corridors or linkages

over time through initiatives such as reforestation or regeneration projects;

- vii) the Town recognizes that a natural heritage system would benefit from public ownership to ensure protection of the features and to provide for public access, where appropriate. The Town will consider all options, including the acquisition of land or the placement of conservation easements on land associated with natural heritage features, functions and linkages. Notwithstanding the options for the acquisition of lands as part of a natural heritage system strategy, the County, Town or any other public agency will not be obligated to acquire or purchase any land;
- viii) the significant habitat of endangered species and threatened species is not shown on the Land Use Schedules; however, it can occur in the natural heritage features and areas mapped on the Official Plan Schedules. Species at Risk are identified as extirpated, endangered, threatened or species of special concern on the Species at Risk in Ontario List. The Ministry of Environment, Conservation and Parks (MECP) administers the Endangered Species Act, 2007 (ESA) to protect and conserve species at risk and their habitats. Under the ESA, the MECP is responsible for identifying and approving general and regulated habitat, as well as giving technical advice on species at risk and their habitats. The technical advice provided under the ESA supports the implementation of natural heritage policies found within the Provincial Policy Statement 2020. For the purposes of the PPS, MECP is responsible for approving the delineation of significant habitat of endangered species and threatened species. Environmental Impact Assessments or other planning reports may help with identifying the extent of the significant habitat of endangered species and threatened species. The significant habitat of endangered species and threatened species will be based on a consideration of the following:
  - a. assessments reviewed and approved by the MECP regarding the extent of the species' habitat;
  - b. habitats or areas delineated by MNR and/or regulated under the ESA; and
  - c. habitat that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle.

- ix) the extent and diversity of natural heritage features in an area, and the natural connections between them, should be preserved and enhanced where possible. Natural connections will generally follow watercourses with their associated flood and erosion susceptible areas, unstable lands, steep slopes and other physical conditions that create hazards and will also generally follow the natural heritage features in the rural areas of the Town. Riparian buffering and other similar initiatives are encouraged;
- x) natural heritage features are recognized as viable components of farming operations;
- xi) on lands designated Agricultural that have significant natural heritage features or are adjacent to areas with significant natural heritage features, the construction of greenhouses and other agricultural buildings is strongly discouraged. In most instances the construction of greenhouses and large agricultural buildings within such areas will have a negative impact and therefore would not be permitted. Other locations on the farm can be used for such purposes;
- xii) the participation of natural heritage feature owners in voluntary stewardship agreements, and where eligible, in conjunction with compensation programs such as Ecogifts, the Managed Forest Tax Incentive Program and the Conservation Land Tax Incentive Program will be encouraged;
- xiii) the natural heritage features under private ownership continue to be private and their identification as natural heritage features in no way increases their accessibility to the public or their eligibility for public acquisition;
- xiv) in addition to the above policies, the Town may undertake the following in consultation with the Essex Region Conservation Authority:
  - a. cooperate in identifying and protecting inter-municipal natural connections regarding multi-purpose (recreational/utility/natural) connections and linkages which cross municipal boundaries;
  - b. establish goals and strategies to increase the amount of natural heritage area. One way to achieve this is to have a "State of the Environment Report" prepared and presented to Council on a regular basis; and
  - c. require that when considering development proposals, the approval authority may require the land owner to enter into an agreement regarding the preservation and enhancement of the



trees and vegetation on the property. Where forest cover is to be provided as a condition of a development approval, the use of a variety of indigenous species of vegetation is encouraged.

### **4.9.3 Natural Environment**

The Natural Environment designation is shown on Schedules “B”, “B-2” and “C” of this Plan. Natural Environment features are the most significant components of the Natural Heritage System and include significant wetlands, significant woodlands, significant habitat of endangered species and threatened species, significant natural heritage features, and high priority natural heritage features in the Town that meet at least 5 of the 11 natural heritage feature criteria outlined in the ERNHSS or other lands deemed appropriate by the Town and ERCA.

#### **4.9.3.1 Policies**

The following policies shall apply to those lands designated Natural Environment on the Land Use Schedules of this Plan:

- i) development and site alteration is not permitted on lands designated Natural Environment; and
- ii) permitted uses on lands designated Natural Environment shall be limited to passive recreational uses and activities that create or maintain infrastructure authorized under an environmental assessment process or work subject to the Drainage Act.

### **4.9.4 Natural Environment Overlay**

The Natural Environment Overlay is shown on Schedules “B-1”, “B-2” and “C” of this Plan and includes secondary priority natural heritage features in the Town that meet 1 to 4 of the 11 natural heritage feature criteria outlined in the ERNHSS

#### **4.9.4.1 Policies**

The following policies apply to those lands identified as Natural Environment Overlay on the Land Use Schedules of this Plan:

- i) development and site alteration is not permitted on lands within the Natural Environment Overlay unless it has been demonstrated to the satisfaction of the approval authority and/or the Town, in consultation with the Essex Region Conservation Authority, that there will be no negative impacts on the natural features or their ecological functions;
- ii) prior to the consideration of any Planning Act application, an environmental impact assessment shall be completed in accordance

with the Environmental Impact Assessment Guidelines published by ERCA and endorsed by the County and Town as updated from time to time;

- iii) permitted uses on lands within the Natural Environment Overlay shall be in accordance with the underlying land use designation; and
- iv) activities that preserve and enhance the features contained with the Natural Environment Overlay, such as tree preservation, tree planting, and establishing and improving linkages, are encouraged.

#### **4.9.5 Restoration Opportunities Overlay**

The Restoration Opportunities Overlay is shown on Schedule “C” of this Plan and includes secondary restoration lands that meet 1 to 2 of the 5 restoration opportunity criteria outlined in the ERNHSS. The Restoration Opportunities Overlay applies to lands that do not contain existing natural heritage features, however they have been identified as potential ecological restoration areas to enhance the fragmented system in the Town and within the region.

##### **4.9.5.1 Policies**

The following policies apply to those lands identified as being a Restoration Opportunities Overlay as identified on Schedule “C” to this Plan, and outlined in the Essex Region Natural Heritage System Strategy (ERNHSS) prepared by the Essex Region Conservation Authority:

- i) prior to the approval of any Official Plan Amendment or Secondary Plan, Zoning By-law Amendment, plans of subdivision/condominium, or during the preparation of any Environmental Assessment for infrastructure, an Environmental Impact Assessment shall be undertaken that evaluates the following:
  - a. opportunities to restore and enhance the natural heritage features in the area, including the establishment of linkages;
  - b. the incorporation of Low Impact Development elements into the project where suitable site conditions permit;
  - c. opportunities to establish buffers into the project design that would promote the natural restoration of an area;
  - d. opportunities to set aside strategic areas for restoration and enhancement;

- e. opportunities for local stewardship, naturalization, and education about the benefits of enhancing the area natural heritage system;
  - f. opportunities for public acquisition; and
  - g. if lands are not acquired then the lands will be placed in a protected designation and zone.
- ii) prior to the construction of any new municipal drains under Section 4 of the Drainage Act or any work completed under Section 78 of the Drainage Act within the Restoration Opportunities Overlay as shown on Schedule “C” of this Plan, a Drainage Report shall be prepared in accordance with the Drainage Act that may consider, where feasible and as recommended by the Drainage Engineer, the establishment of vegetated buffers to enhance the Natural Heritage System. This approach is in keeping with best management practices recommended by OMAFRA and Agriculture and Agri-Food Canada (AAFC).

#### **4.9.6 Aquatic and Fish Habitat**

The Town recognizes that the health of the aquatic environment is a fundamental indicator of the health of the overall ecosystem. Aquatic and fish habitat restoration opportunities may be implemented through subwatershed studies, Secondary Plans, and on an individual lot basis. Development and site alteration shall not be permitted in aquatic and fish habitat except in accordance with provincial and federal requirements. Waters supporting aquatic species at risk (fishes and mussels), and their residences and critical habitats, as listed in the federal Species at Risk Act are considered natural heritage features and areas. The location of such waters and habitats are identified by the Department of Fisheries and Oceans (DFO) on the Fisheries and Oceans Canada aquatic species at risk distribution and critical habitat maps and in documents available on the federal Species at Risk Act Public Registry.

##### **4.9.6.1 Policies**

When considering impacts to aquatic and fish habitat areas, the following policies shall apply:

- i) development and site alteration shall not be permitted in waters supporting aquatic species at risk (fishes and mussels), and their residences and critical habitats as identified by the Department of Fisheries and Oceans (DFO) unless an assessment demonstrates that there will be no negative impacts on natural heritage features and areas and ecological functions, and Species at Risk Act provisions have been addressed, in accordance with provincial and federal

requirements. An EIA may be required if there may be potential impacts that may contravene the federal Species at Risk Act from activities occurring in adjacent areas, within 120 metres of the boundary of such waters, residences or critical habitats. Through an EIA and fish habitat mitigation/compensation assessment, in consultation with the Town and the DFO, it is the Town's objective to secure no net loss of productive capacity of fish habitat, and where possible, secure a net gain of productive capacity of fish habitat. The EIA shall indicate how the project will be carried out to remain in compliance with the Species at Risk Act, which may include: modifying the project to avoid impact, development of appropriate mitigation, or acquiring a Species at Risk Act permit to carry out the activities;

- ii) any development or change in land use near or adjacent to an existing or potential fish habitat area will be reviewed by the Town in consultation with the DFO with respect to the potential impact. Any such proposal will be subject to an EIA to determine if it will result in a reduction of the fish habitat;
- iii) the Town may determine the minimum vegetative buffer zone adjacent to existing or potential fish habitat areas where development is proposed;
- iv) where it has been determined by the Town, in consultation with the DFO, that the development or change in land use will affect the natural functions of the fish habitat, the preparation of a fish habitat mitigation/compensation assessment will be required. The assessment will typically be required to include the following information:
  - a. identify the nature and extent of potential impacts;
  - b. determine appropriate mitigative measures to protect the affected fish habitat;
  - c. specify compensation for loss of fish habitat through near-site replacement of habitat, off-site replacement of fish habitat or an on-site increase of fish habitat capacity;
  - d. determine appropriate buffering and how such buffering will be protected in the future; and
  - e. address other matters as determined by the DFO;
- v) any requirements imposed through a fish habitat mitigation/compensation assessment will be implemented by the

proponent with input from, and to the satisfaction of the Town and/or the DFO;

- vi) where it is determined by the Town and/or the DFO, that any development will cause negative impacts to fish habitat, such development may not be permitted; and
- vii) subwatershed studies may be prepared to provide additional policy guidance related to the protection and enhancement of fish habitat and the specification of protective or mitigative measures.

#### **4.9.7 Environmental Impact Assessments**

##### **4.9.7.1 Policies**

The following general policies apply to the areas adjacent to those lands designated as Natural Environment as well as all other areas that have significant natural heritage features (i.e. Natural Environment Overlay) or are adjacent to areas containing significant natural heritage features and Restoration Opportunity Overlay as shown on Schedule “C”.

- i) the purpose of an Environmental Impact Assessment is to:
  - a. collect and evaluate information to provide a more complete understanding of the boundaries, attributes and functions of natural heritage features and associated ecological and hydrological functions that exist;
  - b. determine whether there are any additional natural heritage features on the lands and adjacent lands; and
  - c. make an informed decision as to whether the proposed development and/or site alteration will have an impact on the natural heritage features and ecological and hydrological functions;
- ii) the preparation of all environmental impact assessments referred to in this Plan shall be the responsibility of the landowner and shall be carried out by a qualified environmental professional. The environmental impact assessment is to be prepared in accordance with the Environmental Impact Assessment Guidelines published by ERCA and endorsed by the Town and County on the basis of the natural features or the ecological function for which the area has been identified;
- iii) when conducting the environmental impact assessment, the environmental professional must acknowledge in the report any new information, such as findings of rare or significant species not

previously known to exist on the site, and the impact which may result from any proposed development. The County, Town and/or other approval authority shall have regard to such new information in its decisions regarding planning applications. If, based on the new information, the approval authority, in consultation with the Essex Region Conservation Authority, concludes that the natural environment classification should be altered, this Official Plan will be amended to implement the change;

- iv) removal of a natural heritage feature for the purpose of lowering the natural environment classification in this Plan and/or otherwise affecting the environmental impact assessment, will not be sufficient grounds for amending the planning documents to a lower classification and will invalidate the environmental impact assessment;
- v) in areas other than those designated Natural Environment on Schedule “C” of this Plan, altering the state of the natural heritage features as a result of conducting permitted uses (i.e. clearing lands for agricultural uses) will not be considered negatively by the approval authority. To assist with determining the alteration of a natural heritage feature over time, the Town will use the April 2000 and most recent aerial photography as one of the tools to establish the alteration in relation to the enlargement or retraction of a feature. This does not invalidate the application of policy iv) above; and
- vi) new development proposed within 120 metres of an adjacent municipal boundary will include a review of applicable planning policies and documents and field verification of natural heritage features, if any, in the abutting municipality. This information will then inform the Environmental Impact Assessment.

## **4.10 Future Development**

The Future Development designation is shown on Schedules “B-1” and “B-2” of this Plan.

### **4.10.1 Goals**

The following goals are established for the Future Development area:

- i) to provide suitable locations for additional residential, commercial, employment, recreational and institutional land uses in the Oldcastle and Tecumseh Hamlet settlement areas;
- ii) to ensure future urban land uses take place in an orderly manner, are appropriately integrated into the existing community and that they maintain and strengthen community identity; and

- iii) to ensure future urban land uses develop in an orderly fashion and are serviced with full municipal services.

#### **4.10.2 Policies**

The following policies shall apply to those lands designated Future Development on the Land Use Schedules of this Plan:

- i) lands designated Future Development are intended to accommodate future urban land uses including additional residential, commercial, employment, recreational and institutional land uses where deemed appropriate and as more specifically determined by further planning studies to be undertaken by the Town. The further planning studies will determine the preferred land uses along with transportation and servicing policies, among other matters, and will comprise the following two separate processes:
  - a. the Town will complete the previously initiated “Tecumseh Hamlet Secondary Plan” and incorporate its findings and recommendations into this Plan by way of an amendment;
  - b. the Town will initiate the “Oldcastle Hamlet Special Planning Study for Future Development Lands” and incorporate its findings and recommendations into this Plan by way of an amendment;
- ii) it is the policy of this Plan that individual, privately initiated, site specific Official Plan amendments on lands designated Future Development will not be permitted, rather these lands will only be considered for redesignation as part of the Town’s planning studies and associated Town-initiated Official Plan amendments;
- iii) all new urban land uses will be required to develop on the basis of full municipal sanitary sewage and water services and with the introduction of stormwater management facilities;
- iv) permitted uses in the Future Development designation shall comprise existing uses and agricultural uses as set out in Section 4.1 of this Plan, with the exception of intensive livestock operations, mushroom farms and greenhouse operations; and
- v) the implementing Zoning By-law shall zone all developed land parcels in the Future Development designation according to their existing use. All undeveloped land parcels will be placed in an agricultural zone permitting agricultural uses with the exception of intensive livestock operations, greenhouse operations and mushroom farms.

## **Section 5     Natural Resources and Hazards**

### **5.1        General**

In partnership with the Federal and Provincial governments, the Essex Region Conservation Authority, and the County of Essex, the Town strives to protect natural resources. It is a priority of the Town to ensure the sustainable use of resources and to reduce the risk to public safety and property from hazards, such as flooding, unstable slopes and human made hazards.

### **5.2        Mineral Resources**

In accordance with the Provincial Policy Statement, it is the policy of this Plan that mineral resources will be protected for long-term use. In the Town, the only known mineral resource are salt deposits as illustrated on Schedule “F” to this Plan. Mineral resources will be protected from activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. In areas adjacent to know mineral resources, development which would preclude or hinder the establishment of new operations or access to the resource will only be permitted if:

- i)        resource use would not be feasible;
- ii)       the proposed development and change in land use serves a greater long-term public interest; and
- iii)      issues of public health, public safety and environmental impact are addressed.

Rehabilitation will be required after extraction and other related activities have ceased. Progressive rehabilitation will be undertaken where feasible. As established in the policies contained this Plan for lands designated Agricultural, extraction will be permitted in prime agricultural areas provided the site is rehabilitated to agricultural use. Final rehabilitation shall take surrounding land and approved land use designations into consideration.

### **5.3        Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants**

The following will be the policy of the Town:

- i)        wayside pits and quarries, portable asphalt plants and portable concrete plants used for public authority projects will be permitted without requiring an amendment to this Plan or the Zoning By-law, but



will not be permitted adjacent to or within the Natural Heritage System features or Settlement Areas. Utilization of aggregate from sites licensed under the Aggregate Resources Act and wayside pits and quarries will be encouraged;

- ii) wayside pits and quarries, portable asphalt plants and portable concrete plants used for public authority projects will be subject to Site Plan control in accordance with Section 10.4 of this Plan;
- iii) concession or temporary construction and marshalling yards used for public authority projects will be permitted without requiring an amendment to this Plan or Zoning Bylaw, but will not be permitted adjacent to or within Natural Heritage System features or Settlement Areas;
- iv) concession or temporary construction and marshalling yards used for public authority projects will be subject to Site Plan control in accordance with Section 10.4 of this Plan;
- v) the Town will ensure that the necessary statutory and municipal approvals are obtained prior to permitting asphalt plants and concrete plants, whether temporary or permanent.

## **5.4 Water Resources**

The Town contains streams and rivers, draining to Lake St. Clair and the Detroit River. Among other resources, the lake, streams and rivers support the natural environment and the existing community. Water resource issues arise from various forms of human activity. Demands on water resources can contribute to degraded aquatic communities, the loss of well water supply, aquifer contamination, deteriorating lake water quality, flooding and erosion.

The protection of water resources from contamination and degradation associated with certain land uses and activities is an important element to maintaining the quality of life experienced by both existing residents and businesses, and supporting future growth. Integrating land management and the protection of water allows for the continuance of a healthy environment, solid economic development and healthy communities.

The Town contains four major watershed systems. The Pike Creek forms a portion of the easterly boundary of the Town and drains directly to Lake St. Clair. A portion of the Upper Little River Watershed lies within both the Tecumseh and Oldcastle Hamlets and ultimately drains into the Detroit River. The Turkey Creek Watershed is in the southwesterly portion of the Town and drains into the Detroit River through the Town of LaSalle. The Canard River Watershed is also situated in the southwest portion of the Town and drains into the Detroit River through the Towns of Amherstburg and LaSalle. The

Essex Region Conservation Authority manages and regulates these watersheds.

The following will be the policy of the Town:

- i) the Town will work cooperatively with the Essex Region Conservation Authority in dealing with land management issues within the subwatersheds draining to Lake St. Clair and the Detroit River, including those that extend beyond the Town boundaries into the City of Windsor, the Town of LaSalle, the Town of Amherstburg and the Town of Lakeshore;
- ii) the Town acknowledges the benefits of watershed and subwatershed management plans and will work with ERCA, the County of Essex and abutting municipalities, where necessary, to prepare these types of plans in order to assist in water resource and land use planning on an ecosystem basis;
- iii) the Town will support appropriate flood control management programs of the Essex Region Conservation Authority;
- iv) the Town will encourage the protection and restoration of natural heritage features to improve water quality and quantity.
- v) planning applications that propose to make use of a private water source will be required to submit a detailed hydrogeological study to determine the suitability of the lands for groundwater extraction. The hydrogeological study will be prepared to the satisfaction of the Town, ERCA and the County, in consultation with the Province;
- vi) the Town will require the use of stormwater management facilities downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality. Applications for development will be required to be supported by a stormwater quality/quantity management study. The planning and design of stormwater facilities should be undertaken in accordance with Section 8.3 of this Plan;
- vii) in cooperation with the private sector and the community, the Town will encourage the reduction of water consumption levels through the promotion of the efficient use of water and may specify appropriate water conservation measures within existing and new development; and
- viii) where deemed necessary, the Town may work with various agencies to develop a septic system management program for the Town. Through a collaborative effort with other partners, the management program will consider opportunities including but not limited to: the

Ontario Building Code, facility design and permitting, landowner education and awareness, as well as monitoring and inspections.

#### **5.4.1 Source Water Protection**

The Essex Region Source Water Protection Plan and associated technical studies (Assessment Report) look at the current and future sources of municipal residential drinking water, identify the potential threats to these sources and include policies for actions and programs to reduce or eliminate these risks. All municipal decisions under the Planning Act shall conform to the significant threat policies and have regard for other policies. The policies apply to 'vulnerable areas' identified in the technical studies (Assessment Report) for the Source Protection Plan, including 'Intake Protection Zones' (IPZs), 'Highly Vulnerable Aquifers' (HVAs) and 'Significant Groundwater Recharge Areas' (SGRAs). The Town has no HVAs but SGRAs and IPZs are contained on Schedules "F" and "G" of this Plan, respectively.

##### **5.4.1.1 Intake Protection Zones**

Intake Protection Zones are areas of land and water, where run-off from streams or drainage systems, in conjunction with currents in lakes and rivers, could directly impact on the source water at the municipal drinking water intakes. Schedule "G" maps the Town's Intake Protection Zones. The Town contains only Intake Protection Zone 3 (IPZ-3) areas. These extend outward from IPZ-2, and cover larger watershed areas generally within a specific time of travel related to the transport of specific contaminants reaching the intake. IPZ-3 includes all rivers and tributaries where modelling demonstrates that contaminant spills may reach the intake during an extreme rainfall or wind storm event.

All IPZs also include lands within 120 metres of the top-of-bank of the subject waterways, or the flood plain regulated area, whichever is greater. Reference must be made to the Source Protection Plan and accompanying Assessment Report for more complete details and explanations regarding these IPZs, the threats to drinking water sources, and associated policies.

The Clean Water Act requires that all decisions under the Planning Act or Condominium Act made by municipal planning authorities must conform to significant threat policies and have regard for other policies in an approved Source Protection Plan. Within areas identified in an approved Source Protection Plan any use or activity that is, or would be, a significant drinking water threat is required to conform to all applicable Source Protection Plan policies and, as such, may be prohibited, regulated or otherwise restricted by those Source Protection Plan policies. Where required by policies in an approved Source Protection Plan, the local municipalities shall circulate all development applications or proposed land use changes proposing fuel storage, fuel transportation or industrial uses to the Risk Management Official (RMO). Where the Source Protection Plan does not require an RMO notice,

the local municipality should be satisfied that the proposal will not include activities which would be a significant threat in the location proposed.

#### **5.4.1.2 Groundwater Protection**

The protection, conservation and careful management of groundwater resources is necessary to meet both the present and future needs of residents, businesses and the natural environment. As groundwater and aquifer contamination is extremely difficult and costly to rectify, prevention of contamination is the most realistic strategy. Aquifers need to be protected across the Town and Essex County to ensure a clean groundwater supply for private water systems, as well as to provide baseflow for creeks and streams, and water sources for ponds and wetlands.

The following will be the policy of the Town:

- i) the Town will support initiatives of the Ministry of the Environment, Conservation and Parks, the County of Essex, ERCA, the City of Windsor, and other agencies, including the implementation of the Essex Region/Chatham-Kent Regional Groundwater Study in identifying strategies to protect groundwater resources.
- ii) development and site alteration will only be permitted within an SGRA where it has been demonstrated by way of the preparation of a groundwater impact assessment that there will be no negative impact on the SGRA; and
- iii) the Town will require groundwater impact assessments for development proposals as appropriate according to the level of intrinsic susceptibility and potential groundwater contaminants, if any, based on Schedule “F”.

#### **5.4.2 Watercourses**

Watercourses transport both water and sediment from areas of high elevation to areas of low elevation. Changes to the amount or velocity of water being transported or the amount or size of bed load being moved can have significant impacts on watercourses, which may result in increased erosion and flooding. Watercourses provide habitat for fish and other species to live as well as provide water for wildlife and livestock and water based recreation. Watercourses are directly related to many hazards including flooding, erosion, slope stability and natural features such as wetlands.

The following will be the policy of the Town:

- i) the Town, where possible, will require the preservation and enhancement of natural stream bank vegetation and promote suitable erosion control methods;

- ii) the Town will ensure that the construction of tile outlets do not contribute to erosion along watercourses;
- iii) the Town will promote tree planting along watercourses, where possible, to enhance the natural corridor function, provide for cool water temperatures and protect watercourse banks from erosion;
- iv) the Town will ensure that best management practices and interim measures are utilized during construction projects adjacent to watercourses to reduce sedimentation and erosion;
- v) the Town, in consultation with ERCA will establish an appropriate setback from the top of bank for all new development and expansions in order to prevent erosion, improve water quality, enhance wildlife corridors and protect fish habitat; and
- vi) the Town will promote the use of watercourses and adjacent lands for pedestrian movement and passive recreation areas, where feasible.

## 5.5 Natural Hazards

It is the intent of the Town to protect life and property by respecting natural hazards, which may represent constraints to development. New development should only take place in areas that are not susceptible to hazards. Hazard lands are lands that have inherent environmental hazards such as flood susceptibility, erosion susceptibility, instability and other physical conditions which are severe enough, if developed upon, to pose a risk to occupants of loss of life, property damage and social disruption. Topographical variations of the floodplain directly affect the nature of a flood event.

There are generally two types of topography: valley topography which includes slopes and banks; and flat topography which includes riverine and shoreline floodplains. In valley topography, the floodplain is well defined and areas that are subject to flooding are generally less distinguishable from areas that are subject to minimal or no flooding. Floods within valley topography tend to be deeper and have higher velocity flows. Due to flood characteristics there is a major concern for loss of life and significant property damage. In areas characterized by flat topography the floodplain can be extensive and severely hazardous areas may not be clearly definable (riverine and shoreline). In low lying inland areas the resulting floods tend to be shallow and of low velocity and consequently the major concern is property damage, impaired access, and reduced emergency services (e.g., police, fire, ambulance) and other areas along Lake St. Clair which are susceptible to wave uprush, ice conditions and erosion. Under these conditions in the inland floodplain areas, more opportunity for development is possible, provided that problems upstream or downstream are not created

and the development is appropriately floodproofed and provides for appropriate safe pedestrian and vehicular access.

In some cases, where development is proposed, the Town and ERCA may require the preparation of engineering reports in order to determine the extent of the regulatory floodplain. The outcome of this analysis may impact the feasibility and location of proposed development.

Wetlands and their surrounding areas of interference are subject to regulation under the Conservation Authorities Act due to the potential hazards associated with flooding, organic soils and interference with water source/recharge areas. Filling or draining can have an impact on the hydrologic functions of a wetland, which in turn may influence the flooding and erosion processes in the area. Technical studies to determine impact of development on the wetland will be required with 120 metres of all identified wetlands. The outcome of this analysis may impact the feasibility and location of proposed development.

Schedule “D” illustrates the components of the Town’s Natural Hazard Lands: Limit of the Regulated Area (LORA); Lake St. Clair Floodprone Areas; and Inland Floodplain Development Control Areas (FDCA). The following policies will apply to all Hazard Lands:

- i) the extent of the Limit of the Regulated Area, Lake St. Clair Floodprone Areas and Inland Floodplain Development Control Areas will be considered approximate on Schedule “D”. In all cases, it will be necessary to verify the boundaries on an individual basis in consultation with ERCA; and
- ii) the Town, in consultation with ERCA, recognizes the need to periodically update the methodology and mapping used to evaluate and identify flood risk areas. Accordingly, the Town shall, once revised floodplain mapping is updated, conduct the necessary studies to determine the appropriate approach to mitigating flood risk. Study findings may indicate the need to undertake area-specific remediation works and possible changes in land use designations and flood risk mapping in this Official Plan. The Town is currently undertaking a Shoreline Management Plan, the findings of which may assist the Town and ERCA in developing updated floodplain mapping and associated policies.

The following additional policies shall apply to the individual components of the Hazard Lands:

#### **5.5.1 Limit of the Regulated Area (LORA)**

The Limit of the Regulated Area comprises two principal hazards: riverine hazards and shoreline hazards. These hazards can be significantly impacted

on by fluctuations in water level and other impacts created from ice jamming in riverine hazards and ice shove on Lake St. Clair. Subject to the other policies of this Plan, the following policies will apply to land within the Limit of the Regulated Area (LORA) as shown on Schedule “D”:

- i) development within the Limit of the Regulated Area, which would aggravate or contribute to the hazard will not be permitted;
- ii) prior to permitting development within the LORA, the Town will be satisfied that the appropriate permits have been obtained from ERCA;
- iii) all lands within the Limit of the Regulated Area are regulated by the Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the Conservation Authorities Act; and
- iv) this section of the Plan must be read in conjunction with the Inland Floodplain Development Control Area policies and the Lake St. Clair Floodprone Area policies.

### **5.5.2 Inland Floodplain Development Control Area**

Lands within an Inland Floodplain Development Control Area (FDCA) on Schedule “D” of this Plan are areas that have been identified as being susceptible to flooding under regulatory flood conditions as implemented by ERCA. This area is subject to the Development Interference with Wetlands and Alteration to Shorelines and Watercourses regulations of the appropriate Conservation Authority, and as such, a permit allowing for development activities including construction, placement of fill and alterations to shorelines and watercourses is required from the ERCA prior to undertaking such activities.

Where a landowner is proposing development in close proximity to a watercourse where a flood line study has not been completed, the landowner may be required to undertake a detailed flood line study consistent with the requirements established in the Technical Guide – River and Stream Systems: Flooding Hazard Limit published by the Ministry of Natural Resources and any other requirements deemed applicable at that time.

The Town will utilize a two-zone concept to floodplain management. Under the two-zone approach to floodplain management, the Town will, to the satisfaction of ERCA, identify the floodway (the area that is subject to deeper, faster flows, which acts as the channel in times of flooding) and the flood fringe (the outer portion of the floodplain between the floodway and the flooding hazard limit, which are subject to depths and velocities of flooding that are generally less severe than those experienced in the floodway). Development is prohibited in the floodway with the exception of buildings and/or structures required for flood and erosion control. It has been

determined that a setback of 8 metres plus the depth of the watercourse or municipal drain, to a maximum of 15 metres, will constitute the floodway, for the majority of watercourses.

The following will be the policy of the Town:

- i) the regulatory flood standard for floodplains will be the 1:100 or maximum observed flood condition for the Essex Region watersheds;
- ii) development and site alteration shall not be permitted within:
  - a. areas that would be rendered inaccessible to people and vehicles during times of flooding hazards and erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and
  - b. a floodway regardless of whether the area of inundation contains high points of land not subject to flooding;
- iii) development and site alteration in the Inland Floodplain Development Control Area, other than within those areas identified in Section 5.5.3 ii), may be permitted provided that the existing or potential hazards can be overcome by accepted engineering techniques and resource management practices which meet the approval of the Town, ERCA, and other appropriate agencies as necessary, and where the risk to public safety and other effects can be absorbed, managed or mitigated in accordance with the following standards:
  - a. the flooding and erosion hazards can be safely addressed, and the development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
  - b. existing hazards are not aggravated or new hazards are not created;
  - c. no adverse environmental impacts will result;
  - d. vehicles and people have a way of safe ingress and egress during times of flooding, erosion or other emergencies;
  - e. the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances; and
  - f. development is carried out in accordance with established standards and procedures;



- iv) in considering development in the FDCA, other than within the areas identified in Section 5.5.3 ii), the Town and ERCA will consider:
  - a. the existing physical hazards;
  - b. the potential impacts of these hazards;
  - c. the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques, such as those set out in Provincial technical manuals; and
  - d. the costs and benefits in economic, social and ecological terms of any engineering works or resource management practices needed to overcome these impacts;
- v) any new development permitted within the FDCA must meet minimum flood protection standards to the satisfaction of the Town and ERCA;
- vi) as part of the approval process for new developments, the Town, along with ERCA, will ensure that appropriate vehicular access routes are planned and available during flood events;
- vii) the following uses will be prohibited within the FDCA:
  - a. uses related to manufacturing, storage, disposal or consumption of hazardous substances or the treatment, collection or disposal of sewage;
  - b. institutional uses such as hospitals, nursing homes, retirement homes, daycare centres and schools; and
  - c. uses associated with services such as fire, ambulance, police or electrical substations.

### **5.5.3 Lake St. Clair Shoreline Floodprone Area**

Lands within the Lake St. Clair Shoreline Floodprone Area on Schedule “D” of this Plan are areas that have been identified as being susceptible to flooding. The flooding and erosion hazard limits for the Great Lakes, including Lake St. Clair, have been established in order to regulate development in areas susceptible to periodic flooding and/or erosion hazards. As such, ERCA should be contacted when planning for new development and/or site alteration to determine permit requirements. The land uses permitted within the Lake St. Clair Shoreline Floodprone Area are determined by the underlying land use designations identified on Schedule “B-1” and are based on the one in one-hundred year (1:100) flood standard plus an allowance for wave uprush and/or other water related hazards for the

Essex Region. The implementing Zoning By-law will prescribe certain setback and minimum floodproofing elevation requirements for development within the floodprone area and setbacks from the top of bank for erosion prone area. Generally, the setbacks and minimum elevation requirements will vary depending on whether or not approved shore protection works are installed in addition to addressing other issues relative to the hazard, such as conditions on adjacent properties. The required setbacks and minimum elevations will be determined in consultation with ERCA. These areas are subject to ERCA's regulations, and a permit allowing for such activities as: building and/or construction, grading of fill and/or breakwall and other shoreline construction works will be required. The following will be the policy of the Town:

- i) in order to protect a building from lake-related flooding, it will be required to be floodproofed to the Regulatory Flood Standard. In order to protect a building from wave uprush and other water related hazards, an appropriate setback from the defined shoreline of Lake St. Clair may also be required. This setback will vary depending on the condition of the shoreline, the type of protection being provided and the condition of the shoreline on adjacent lands;
- ii) climate change may have significant impacts on lake and river levels as well as storm intensity and duration. The shoreline of Lake St. Clair is subject to naturally fluctuating lake levels, regular wave action and storms. Development will generally be directed to areas outside of the flood hazard limit and the erosion hazard limit;
- iii) development and site alteration will not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or other water related hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development, and the natural hazard;
- iv) development and site alteration may be permitted in the Lake St. Clair Floodprone Areas other than those identified in Section 5.5.3 iii), in consultation with ERCA, and where the risk to public safety and other effects can be absorbed, managed or mitigated in accordance with the following standards:
  - a. the flooding and erosion hazards can be safely addressed, and the development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
  - b. existing hazards are not aggravated or new hazards are not created;

- c. no adverse environmental impacts will result;
  - d. vehicles and people have a way of safe ingress and egress during times of flooding, erosion or other emergencies;
  - e. the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances; and
  - f. f. development is carried out in accordance with established standards and procedures;
- v) in cases of severe water or erosion damage to Town roads or other Town properties, studies will be undertaken to compare the costs of erosion abatement with structure relocation, road closing or relocation, or the acquisition of new properties. Alternatives will be considered prior to any erosion abatement scheme or other course of action being undertaken;
  - vi) the replacement of an existing building or structure may be permitted provided the hazard has been adequately addressed through the use of accepted engineering and resource management practices. Acceptable replacement will not result in an increase in the original usable floor area of the building or structure, or alter the original use or affect shoreline processes;
  - vii) there may be areas where the hazard needs to be addressed on a comprehensive basis, rather than on an individual lot basis. Replacement of an existing building or structure may need to be evaluated in the context of a comprehensive review of the particular hazard. The Town will consult with ERCA in this regard;
  - viii) nothing in the above policies will be interpreted to prohibit the relocation of an existing building or structure presently located within the erosion hazard limit either to a location farther away from the top of bank on the same lot or to another lot farther away from the top of bank, even if still within the erosion hazard limit. If a structure is relocated to another lot, no replacement structure may be constructed on the lot from which the original structure was moved, unless it is located on an area outside of the farthest landward of the flood hazard limit and the erosion hazard limit;
  - ix) any new development permitted within the Lake St. Clair Shoreline Floodprone Area must meet minimum flood protection standards to the satisfaction of the Town and ERCA;

- x) as part of the approval process for new developments, the Town along with ERCA, will ensure that appropriate vehicular access routes are planned and available during flood events; and
- xi) the following uses will be prohibited within the Lake St. Clair Shoreline Floodprone Area:
  - a. uses related to manufacturing, storage, disposal or consumption of hazardous substances or the treatment, collection or disposal of sewage;
  - b. institutional uses such as hospitals, nursing homes, retirement homes, daycare centres and schools; and
  - c. uses associated with services such as fire, ambulance, police or electrical substations.

#### **5.5.4 Other Hazards (Unstable Soils & Steep Slopes)**

There is land subject to hazards due to steep slopes, unstable soils and/or erosion in locations other than flood plains or the shoreline area. Development of such areas may be considered provided that the existing or potential hazards can be overcome by accepted engineering and resource management practices and techniques, including setbacks from the stable top of bank. The stable top of bank will be determined by a qualified professional, in consultation with the Town and ERCA. The required setback will reflect the degree, severity and extent of the hazard. The erosion hazard (slope setback) will be determined using an allowance for slope stability, an erosion allowance based upon the 100-year erosion rate, and an erosion protection allowance. The Town, in consultation with ERCA, may require a geotechnical study or engineering analysis in order to determine the feasibility of proposed development in the above-mentioned areas. A minimum setback may be included in the implementing Zoning By-law. The following will be considered in the review of development proposals within hazard areas associated with unstable slopes, and the Town will consult ERCA in this regard:

- i) the existing physical hazards;
- ii) the potential impacts of these hazards;
- iii) the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques;
- iv) the costs and benefits in economic, social and ecological terms of any engineering works or resources management practices needed to overcome these impacts; and

- v) protection of Natural Heritage System features.

## **Section 6     Land Division Policies**

This section shall form the basis for decisions on all applications for land division within the Town.

### **6.1        General Policies**

The following policies shall apply to all designations within the Town.

- i)     the division of land will generally occur by way of a registered plan of subdivision. Consent applications may, however, be considered when a plan of subdivision is deemed not to be required for the orderly development of any one parcel of land;
- ii)    the division of land will only be allowed if the proposed lots conform to the policies of this Official Plan and comply with the provisions of the Zoning By-law for the Town which shall establish minimum lot frontages and areas in accordance with Provincial and municipal requirements established at the time of approval of this Plan. Where any by-law amendment or minor variance is necessary, it shall be a condition of the consent or plan of subdivision approval;
- iii)   the division of land shall not be allowed where development could occur on lands subject to flooding, erosion or unstable conditions or any other physical limitation as determined by the Town in consultation with the Essex Region Conservation Authority; and
- iv)    the division of land which is adjacent to a Provincial Highway shall be designed in accordance with the policies, standards and requirements of the MTO and such lots shall be oriented to front onto a local internal street.

### **6.2        Plans of Subdivision**

In considering applications for proposed plans of subdivision, Council shall have regard to the policies of this Plan, the policies of the County of Essex Official Plan and to the Provincial Policy Statement, as well as those matters outlined in Section 51(24) of the Planning Act, as amended, and to the following policies:

- i)     the proposed subdivision can be adequately supplied with municipal infrastructure and services in an economic manner;
- ii)    the proposed subdivision has been designed to integrate with transit, and the broader transportation system, adjacent existing and planned land uses, and both the natural heritage system and cultural heritage resources;

- iii) the plan of subdivision has been designed so there are no negative impacts on the natural heritage features or areas or hazard land areas;
- iv) the proposed development addresses issues of energy conservation and sustainability;
- v) the proposed subdivision is necessary, timely and in the public interest; and
- vi) the design of the proposed plan of subdivision meets accepted design principles and standards of the Town, and has had adequate regard for any urban design guidelines, land acquisition programs, or other policy initiatives that are relevant to the area.

#### **6.2.1 Required Studies**

Applicants of a proposed subdivision development may be required to have specialized studies prepared to the satisfaction of the Town that assess impacts (and outline means of alleviating impacts where necessary) to ensure that the proposed development supports the health, safety, convenience and welfare of future inhabitants and the satisfactory functioning of the Town's built and natural systems. Such studies include (but are not limited to) noise, traffic, environmental impact, servicing and stormwater management, soil and/or hydrogeology. Additional information or studies as may be required to fully assess the proposed plan of subdivision are detailed in Section 10.19 of this Plan. Policies in the County of Essex Official Plan should also be referenced to support a subdivision development.

#### **6.2.2 Draft Approval Conditions**

Draft approval of plans of subdivision will generally include conditions which must be satisfied prior to final approval of the plan of subdivision by the County of Essex. Such conditions may be required to be satisfied within a specified time period (a maximum of three years) or draft approval may be withdrawn and any servicing capacity may be re-allocated. Draft approval can be extended prior to lapsing, based on municipal re-assessment and Council support. Conditions of approval may be changed prior to final approval in accordance with the policies of the Planning Act.

#### **6.2.3 Development Agreement**

Prior to final approval of a plan of subdivision, the owner will be required to enter into a development agreement with the Town and to file necessary financial securities to the satisfaction of the Town to ensure that conditions of approval are fulfilled.

#### **6.2.4 Deeming By-law**

Eight years after final approval of a plan of subdivision, Council may deem by by-law the whole, or a portion of, a plan of subdivision to no longer be a registered plan of subdivision, pursuant to the provisions of the Planning Act.

### **6.3 Plans of Condominium**

The County of Essex is the approval authority for condominium applications. Before embarking on a condominium process, the applicant must determine which type(s) of condominium they wish to establish. The Provincial “Condominium Act” identifies a variety of condominium corporations (alone or in combination) which are categorized as either “leasehold” or “freehold” condominiums. The four types of freehold condominiums are: common elements; phased, vacant land and standard.

Plan of condominium approval will proceed in accordance with the provisions of the Planning Act, the Condominium Act. Plans of condominium must conform to the policies of this Plan, to the policies of the County Official Plan and to the Provincial Policy Statement, as amended, and to the following policies:

- i) the plan of condominium, the proposed units, and common elements are appropriate for the intended purpose, and meet all requirements of the Zoning By-law, Building Code and Property Standards By-law;
- ii) the plan of condominium meets the requirements of the site plan control by-law; and
- iii) the plan of condominium meets the requirements of the parkland conveyance by-law.

#### **6.3.1 Required Studies**

Applicants of the proposed condominium may be required to have specialized studies prepared to the satisfaction of the Town that assess impacts (and outline means of ensuring that there are no adverse effects where necessary), and to ensure that the proposed development supports the health, safety, convenience and welfare of future inhabitants. Such studies, as are detailed in Section 10.20 of this Plan, may include, but are not limited to, structural engineering, traffic, parking or pedestrian movements, environmental impact, servicing, stormwater management, and soil and hydrogeology reports.

#### **6.3.2 Draft Approval Conditions**

Draft approval of plans of condominium will generally include conditions that must be satisfied prior to final approval. Such conditions may be required to



be satisfied within a specified time period, or draft approval may be withdrawn.

### **6.3.3 Development Agreement and/or Site Plan Control Agreement**

Prior to final approval of a plan of condominium, the owner will be required to enter into a condominium agreement and/or a site plan control agreement with the Town in accordance with the Planning Act and Condominium Act, and to file necessary financial securities to the satisfaction of the Town to ensure that conditions of approval are fulfilled.

### **6.3.4 Condominium Conversions**

The County of Essex is the approval authority for requests for Condominium Conversions. Pre-consultation with the Town and County is required prior to submission of an application for a condominium conversion. When approving a plan of condominium as a conversion of an existing building, the County policies along with the following policies will apply:

- i) these condominium conversion policies apply to existing rental buildings or to newly constructed buildings where condominium approval is not going to be exercised until after occupancy by tenants;
- ii) if additional units are being created as part of the condominium conversion, then parkland contributions must be made in accordance with the parkland conveyance by-law;
- iii) the applicant must submit a report from a qualified person detailing the existing condition of the building and any necessary improvements. The report must include cost estimates on the necessary improvements, as well as information on the maintenance and operating costs of the project in the past five years, or from the date of construction of the project if less than five years;
- iv) the applicant must submit a report by a qualified person stating to what extent the existing services and utilities on the property meet Town specifications and requirements. The report must also include detailed plans of underground services, and a site grading and drainage plan with details for paved areas and parking spaces;
- v) the applicant must notify all of the tenants about the intention to convert the building(s) to condominium ownership, in accordance with the regulations of the Residential Tenancies Act, 2006 or the Commercial Tenancies Act;
- vi) tenants have the option to continue to lease their units following the approval of the conversion to condominium in accordance with the provisions of the Residential Tenancies Act;

- vii) tenants are given the right of first refusal to purchase a condominium, units in the building proposed a for conversion;
- viii) a public meeting has been held on the proposed conversion, to which the owner and all tenants of the subject building were invited;
- ix) the conversion will result in the creation of affordable housing for affordable home ownership; and
- x) where the conversion involves changing residential rental units to condominium ownership, the supply of rental accommodation, both Town-wide and within the subject neighbourhood, must not be adversely affected by the proposed condominium conversion. The public rental vacancy rate, when available for comparable units including size, type and rental rates must be assessed. The rental vacancy rate(s), as determined by the Canadian Mortgage and Housing Corporation (CMHC), will be reviewed, and where the rate is less than three percent (3%), the application for the condominium conversion may be denied.

The Town and County will monitor the cumulative impact of condominium conversions on the supply of rental housing. The assessment of the potential impacts of condominium conversions will include the following:

- a. The overall availability of, and vacancy rates for, rental units of various sizes, types and rental rates; and
- b. The number of potential new units becoming or having become available within twelve months of the proposed conversion, including new rental units in the vicinity of the conversion.

## 6.4 Consent Policies

In considering applications for consent, Council and the Committee of Adjustment shall have regard to the following policies:

- i) consents will be granted only when all parcels involved abut an existing publicly owned and maintained road of a standard of construction acceptable to the Town and the Ministry of Transportation;
- ii) consents will not be granted when any parcel involved requires access to be obtained where a traffic hazard could be created because of limited sight lines on curves or grades or proximity to intersections;
- iii) consents will be granted only when it has been established that soil and drainage conditions for all parcels involved are suitable:

- a. to permit the proper siting of any permitted building or structure;
  - b. to obtain a sufficient and potable water supply, where no municipal piped water supply exists; and
  - c. to permit the installation of an adequate means of private sewage disposal acceptable to the Ministry of the Environment, Conservation and Parks or its designated agent, where no municipal piped sanitary sewer collection system is available;
- iv) consents shall be granted only if they comply with the provisions of the Town's Zoning By-law. Where a by-law amendment or minor variance is necessary, it shall be a condition of the decision;
- v) consents shall not be granted where development would occur on lands subject to flooding, erosion or unstable conditions or any other physical limitations as determined by the Town in consultation with the Essex Region Conservation Authority;
- vi) notwithstanding any other section of this Plan, consents for lot adjustments or minor boundary changes are permitted in all designations provided they are granted conditional to Section 50(3) or (5) of the Planning Act, R.S.O. 1990;
- vii) consents may also be permitted to create an easement or right-of-way provided all other applicable policies of this Plan are maintained;
- viii) the consent-granting authority may exercise its powers under Section 53(12) of the Planning Act, R.S.O. 1990 when reviewing the shape, size, etc. of any proposed lot;
- ix) the consent-granting authority will give consideration to the following items, in addition to other items deemed necessary by the consent-granting authority, which may be stipulated as conditions of the consent where applicable:
  - a. that all realty and business taxes be paid in full;
  - b. that a land development charge is paid to the Town in accordance with the Council-approved Ontario Land Development Charges By-law;
  - c. that a parkland dedication, or alternatively, a cash-in-lieu of parkland dedication contribution is made to the Town;
  - d. that any road widening required be dedicated to the Town, county or provincial agency having jurisdiction over the road affected;

- e. that the Town's Zoning By-law be amended to permit the proposed use, if necessary, prior to the issuance of a certificate or the stamping of deeds;
- f. that the applicant enter into an agreement with the Town to construct, upgrade or maintain a required service affecting the lot to be severed or retained;
- g. that access to the property be constructed to the satisfaction and requirements of the Town and other relevant agencies; and
- h. that the severed and retained lot be serviced with separate sanitary, storm and water services.

#### **6.4.1 Agricultural Severances**

On those lands designated Agricultural, consents may only be permitted if they are in accordance with the following additional land division policies:

##### **i) Division of Farm Lots**

A consent may be granted to permit a farm lot to be divided into two farm lots provided:

- a. each lot (both the severed and retained parcel) has a minimum lot area of 40 hectares; and
- b. the land to be conveyed is transferred to someone other than the applicant, the applicant's spouse or a corporation or a partnership of which the applicant is a principle owner.

##### **ii) Surplus Dwelling**

A consent may be granted to sever a dwelling unit that is considered surplus to the needs of the farming operation as a result of the acquisition of additional farm property provided:

- a. the retained farm property has a minimum lot area of 20 hectares;
- b. the size of the surplus dwelling lot is in compliance with the Town's Zoning By-law and is not greater than 0.5 hectares in area, except where natural or man-made features or servicing requirements dictate otherwise;
- c. as a condition of the consent, the retained farm parcel will be rezoned to prohibit a residential dwelling from being constructed upon it;

- d. the land to be conveyed is transferred to someone other than the applicant, the applicant's spouse, a partnership, or a corporation of which the applicant is a principle owner;
  - e. the requirements of the Minimum Distance Separation (MDS) I shall be applied to the severing of a surplus house;
  - f. barns and other agricultural outbuildings that are in close proximity to surplus dwellings are encouraged, where feasible and warranted in terms of future farm operations and options, to be demolished, removed or remain with the farmland; and
  - g. the surplus dwelling is in a habitable condition as determined by the Town or certified by a qualified building inspector.
- iii) a consent may be granted to create a lot for agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
  - iv) With the exception of the residential lots that could result from subsection 4.4.1 ii), no consent shall be granted that has the effect of creating a non-farm related residential lot in the Agricultural designated areas of the Town.
  - v) Lot creation to permit new infrastructure uses is permitted where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
  - vi) Lot adjustments for legal or technical reasons, such as easements, corrections or deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot are also permitted.

## Section 7 Urban Design Principles

### 7.1 General

Urban Design encompasses the arrangement of elements within the built and natural environment that contribute to a “sense of place” and appreciation of that place. It includes the relationship of buildings, landscape elements, and the spaces between them, as well as streetscape features such as sidewalks and boulevard treatment, signage, and building setbacks. It also comprises the architectural design of structures within the built environment. Urban design is recognized as having both functional and aesthetic aspects and good design is important throughout all areas of the Town.

### 7.2 Goal

To provide a framework for the provision and maintenance of an attractive, safe, efficient, accessible, and harmonious environment, which recognizes, values and supports the specific aspects of the built and natural environment that contribute to an area's sense of place and significance to the community.

### 7.3 Policies

- i) The Town recognizes the value associated with quality architecture, pedestrian-friendly streetscapes, and vibrant neighbourhoods. For these reasons, the Town may undertake urban design guidelines for specific types of development, for specific areas of the Town or for the entire Town. Any urban design guidelines that are developed will be used to:
  - a. clarify the strategic direction and design objectives of the Official Plan;
  - b. complement and enhance any design considerations in development applications;
  - c. assist in the preparation of any future secondary plan, community improvement plan, or other relevant planning documents; and
  - d. assist the Town in evaluating development proposals.
- ii) The following guiding principles should be used to ensure the development of successful communities:
  - a. foster attractive communities and a sense of place;
  - b. create compact, accessible, mixed-use communities;

- c. provide a variety of housing types;
  - d. provide access and visibility to open spaces;
  - e. encourage environmentally sustainable development;
  - f. foster developments that are context appropriate;
  - g. create a street network for active transportation and transit;
  - h. integrate and highlight cultural heritage resources; and
  - i. encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality.
- iii) Town will promote the provision of barrier-free access and safety by:
- a. providing for age-friendly needs and the requirements of people with disabilities, and others requiring access supports through improved amenities such as parking, benches, and washrooms, clear signage, visual or auditory indicators, and other means as appropriate;
  - b. ensuring accessibility for persons with disabilities and the aged by addressing land use barriers which restrict their full and equitable participation in the community;
  - c. improving public security through enhanced lighting, natural surveillance, well-defined entrance locations in well-traveled areas, and ease of access for emergency personnel or vehicles;
  - d. clearly defining building entrances and avoiding designs that would create areas that are hidden from public view and thus potentially available for criminal activity;
  - e. arranging public uses and amenities within a convenient walking distance;
  - f. providing adequate walkway widths, visually permeable materials and structures, and landscaping elements that do not obstruct sightlines in the design of streetscapes, transportation facilities, or public buildings and places; and
  - g. promoting safe environments by applying Crime Prevention Through Environmental Design (CPTED) concepts and principles in the design of buildings, site layout and landscaping of development sites.

- iv) Through the review of development proposals, construction of public works, or the preparation and approval of area plans, the Town shall maintain or enhance the character of valued streetscapes, community areas, and landscapes by:
  - a. preserving human scale in locations that are pedestrian-oriented and establishing an appropriate street wall height by controlling building heights through the implementing Zoning By-law, requiring building step-backs, having entrances at street level, providing street furniture, and other means as appropriate;
  - b. providing shade through natural or built means to provide comfortable outdoor environments;
  - c. siting new buildings and structures in a manner that repeats and complements the siting and spacing of existing buildings, structures or landscaped areas in order to continue a pattern that is characteristic of surrounding neighbourhoods and heritage areas;
  - d. the strategic use of building separation, landscaping and buffers to mitigate inharmonious elements of the built or natural environment, such as railways, service areas, or incompatible uses;
  - e. designing public spaces or requiring the design of common spaces in private projects to have a clear sense of definition, and provide sufficient amenity, accessibility and security to encourage public use and linkage to other public areas;
  - f. preserving and enhancing the context of special buildings, streetscapes, landscapes and sites that have been identified as having architectural, or cultural heritage value or interest; and
  - g. encouraging the burial of utility features, where feasible, or promoting innovative methods to minimize their visual impact by containing utility features within streetscape elements or by screening them from view.
- v) The Town encourages the design of new development to be visually compatible with surrounding neighbourhoods through its site plan control review, preparation of zoning standards, and urban design guidelines, as appropriate, that address the following:
  - a. siting, scale and design of new development in relation to the characteristics of the surrounding neighbourhood or the significant cultural heritage resources including, scale, massing,



setbacks, access, landscaped treatment, building materials, exterior design elements or features;

- b. protecting natural heritage features through the siting, design and review of new development;
- c. promoting innovation in building design to create an interesting and varied built environment, to increase sustainability by improving energy efficiency, and to deliver barrier-free accessibility; and
- d. encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality.

Signage should be harmonious with the type and location of development, placed to serve its function, sized appropriately, and not overwhelm the streetscape, cause inappropriate light pollution that is not necessary in the circumstances, or dominate the skyline. It is the policy of this Plan to use signage in a manner that protects views to historic sites, significant landmarks or vistas of Lake St. Clair or other natural heritage features or cultural heritage landscapes.

- vi) Several roads provide principal entrances to the Town for vehicular traffic including: Tecumseh Road, Old Tecumseh Road, Brighton Road, Riverside Drive, Lesperance Road, Manning Road, County Road 42, County Road 46, County Road 34, Highway 3, County Road 9, County Road 11 and Malden Road. Each provides an important entry or “gateway” to the Town. Treatment of these roadways is therefore a high priority. Development is intended to be characterized by a high standard of site design that satisfies the following objectives:
  - a. buildings are oriented to enhance the relationship of the buildings to the road;
  - b. vehicular parking, except for visitor parking and parking for people with a disability, are provided on the sides and rear of the buildings;
  - c. joint access or shared driveways are required, in conjunction with parking to the side and rear of buildings, in order to make the area available at the front of buildings for landscaping;
  - d. service areas, including loading, garbage and storage areas, are not exposed to the roads. Where this is not practical, such areas should be screened from public view by appropriate landscaping and/or fencing;

- e. screening for outdoor storage areas is integrated with the building; and
- f. landscaping on the site is planned to ensure a continuous landscaped area between the buildings and the road.

Along individual corridors, the Town will develop an appropriate streetscape for the corridor through the implementation of public works, site plan control review, and through the effort of individual owners by providing such features as tree plantings, gardens, boulevards, public and private signage, and where feasible, underground utilities.

- vii) The Town will implement urban design policies through one or more of the following mechanisms:
  - a. zoning, subdivision and site plan control review, urban design guidelines, a sign by-law, guidelines for persons with disabilities, or any other relevant guideline adopted by Council;
  - b. the preparation and implementation of community improvement plans and programs, as budget permits;
  - c. the design, construction, and installation of public works or facilities;
  - d. undertaking the preparation of secondary plans or other planning exercises; and
  - e. consultation with the private sector with respect to development applications.

## **Section 8      Municipal Services**

### **8.1      General**

It is the intent of this Plan to recognize the key role that infrastructure plays in shaping the future growth and development of the Town. Provision of infrastructure must be provided in a responsible, efficient and cost-effective manner to ensure long-term fiscal and environmental sustainability. The objectives of this Plan related to infrastructure include:

- i)      provide infrastructure in a coordinated, efficient and cost-effective manner that is integrated with planning for growth so that these necessary services are available to meet current and projected needs;
- ii)     optimize the use of existing infrastructure, wherever feasible, before constructing new infrastructure;
- iii)    strategically locate infrastructure to support the effective and efficient delivery of emergency services;
- iv)    work co-operatively with other agencies, jurisdictions and private developers in addressing common servicing needs and challenges;
- v)     undertake the financial planning required to make the necessary investments in infrastructure systems to accommodate the long-term community and economic growth anticipated by this Plan; and
- vi)    require that all development within the Town of Tecumseh be serviced in accordance with the Development Standards Manual adopted by Council and as amended from time to time.

### **8.2      Municipal Water and Sanitary Sewer Services**

#### **Municipal Water Services**

Municipal piped water is currently supplied to the Town, by way of agreement, from the Windsor Utilities Commission (WUC). The Town is responsible for its own distribution system within the boundaries of Tecumseh and any new storage works that may be required to supply its fire flow of water. WUC will deliver peak hourly flow and storage for equalization and peak flow of water for the Town. Water pressures will be maintained at adequate service levels, and no watermain extension will be permitted if the resulting water pressure would fall below acceptable waterworks standards.

## **North Service Area**

The north service area comprises the Tecumseh North Settlement Area and accounts for approximately 90 percent of the Town's current population. The existing distribution system in the north service area is supplied water through metering facilities and connections to the WUC water system at the Town boundary at Dillon Drive, McNorton Street, Tecumseh Road, County Road 22, County Road 42 and Baseline Road. The watermains in the north service area range in size from 100 mm to 600 mm in diameter and consist of various pipe material including cast iron, ductile iron, PVC, PE and Concrete. The Town owns and operates an elevated water storage facility with a storage capacity of 4.5 ML (1.0 MIG). This storage capacity is used for fire flows for the Town and is currently utilized by the WUC for pump control at the AJ Brian and George Avenue pumping stations. The Town of Lakeshore is also supplied water from the WUC through the Tecumseh system via the north service area through four bulk water metres located east of County Road 19 (Manning Road).

## **South Service Area**

The south service area includes the Oldcastle Hamlet Settlement Area, the Maidstone Hamlet Settlement Area and the rural area south of County Road 42. The existing distribution systems in these areas are supplied water through metering facilities and connection to the Windsor water system along the Town boundary at 8th Concession Road, County Road 46 (Provincial Road), County Road 11 (Walker Road), North Talbot Road and County Road 9 (Howard Avenue). The watermains range in size from 100 mm to 600 mm in diameter and consist of various pipe material including cast iron, ductile iron, PVC, PE and Concrete.

## **Municipal Sanitary Sewer Services**

The wastewater from the settlement areas of the Town of Tecumseh are serviced through a combination of capacities at the 64 MLD Little River Pollution Control Plant and/or the 159 MLD Lou Romano Water Reclamation Plant, both in Windsor, by way of agreement. The Town has a current treatment capacity allocation of 17 MLD at the Little River PCP and 2 MLD capacity at the Lou Romano WRP. The Town can purchase additional capacity at the Little River PCP for future growth up to a maximum 38.0 MLD. The maximum discharge rate limitations at the Town boundary locations are:

- 935 L/s at the Cedarwood Outlet to Little River PCP
- 1,308 L/s at the Banwell Road Outlet to Little River PCP comprising:
- 983 L/s at County Road 22
- 325 L/s at 8th Concession Road (Oldcastle)

- 85 L/s at the North Talbot Road Outlet to Lou Romano WRP

### **8.2.1 Goal**

The provision of safe, reliable and cost effective municipal water and sanitary sewer services is necessary to enable the Town to carry out critical, important and/or desirable functions related to the continued operation, maintenance, safety, security and well-being of the Town and its residents. The objectives of this Plan related to municipal water and sanitary sewer services, include:

- i) direct and accommodate expected growth in a manner that makes efficient use of existing infrastructure;
- ii) ensure that all water and sewage systems are provided in a manner that can be sustained by the water resources upon which such services rely, are financially sustainable, comply with all regulatory requirements and promote water conservation and water use efficiency; and
- iii) support the improvement and extension of municipal sanitary sewage and water supply services, in accordance with the provisions of this Plan and the Town's Water and Wastewater Master Plan, as amended from time to time, and other relevant Town, County and Provincial policies and regulations, and within the financial capabilities of the Town and on the basis of the approved capital budget program.

### **8.2.2 Policies**

- i) In general, new development will be directed to the Settlement Areas, as identified on Schedule "B". Higher order forms of servicing, including full municipal water and sanitary sewer services are the preferred form of service infrastructure, and will be required for all development in the Town's Settlement Areas. The only exception is for lands which were previously designated and zoned for development and the approved form of servicing at the time was municipal piped water and individual on-site sewage services. This level of servicing may continue on these lands until full municipal services are extended to these areas by the Town;
- ii) The extension of municipal sewer and water services should take place only within lands in the Settlement Areas as identified on Schedule "B". Such extensions shall be consistent with the Town's Water and Wastewater Master Plan (as amended), Municipal Class Environmental Assessments (Class EAs) and relevant secondary plan policies;

- iii) The Town will encourage and promote water conservation practices in order to free up capacity within the municipal water and sanitary sewage treatment plant and distribution systems and to make them work more efficiently. The Town shall promote water conservation by:
  - a. encouraging development proposals that minimize additional demands for water from the Town's water system; and
  - b. directing and accommodating expected growth in a manner that promotes the efficient use of existing Town sewage services and Town water services.
- iv) the Town will not award capacity allocation for growth beyond the uncommitted reserve capacity in the respective water and sewage treatment facility as established by the agreements. As such, the Town will maintain, in conjunction with the Ministry of the Environment, Conservation and Parks and neighbouring municipalities where there are shared services, up-to-date records of:
  - a. the reserve capacity of water and sanitary sewage treatment facilities;
  - b. the amount of unconnected servicing commitments to zoned land/ development; and
  - c. the uncommitted reserve capacities.
- v) new development is permitted within the Settlement Areas only if there is confirmation, to the satisfaction of the Town, of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services. Further:
  - a. the Town shall only approve new development within the Settlement Areas that can be allocated Town sewage and water capacity or servicing allocation, in conformity with Town policies, procedures and by-laws;
  - b. the assignment of servicing allocation to any specific development proposal is at the sole discretion of the Town and furthermore, depending on the amount of servicing allocation and infrastructure available, not all development proposals may be able to proceed and/or be approved;
  - c. the Town may assign preliminary Town water and sewer servicing allocation for Draft Plans of Subdivision within the Settlement Areas at the time of Draft Plan Approval by the Town;

- d. If a Draft Plan of Subdivision or Condominium is not registered within three years from the date of Draft Plan Approval, or the Draft Plan has not proceeded to the satisfaction of the Town within the term of Draft Plan Approval, the Town, at the time of considering extension of the Draft Plan Approval, may revoke the preliminary assignment of municipal servicing allocation, in whole or in part;
- e. Prior to revoking allocation, the Town shall afford the developer an opportunity to address the Town on the matter. Servicing allocation shall be formally assigned at the time of the execution of the subdivision agreement and/or condominium agreement.
- vi) development within the Settlement Areas shall be designed and constructed in accordance with a Functional Servicing Plan or Plans dealing with sewage and water systems. A Functional Servicing Plan shall be prepared in accordance with criteria established by the Town and shall be submitted prior to, or concurrently with development applications. These Plans shall be prepared to provide for the continuous, orderly extension of services in a cost-effective manner, to the satisfaction of the Town;
- vii) the cost of providing full municipal services to facilitate the development of lands within the Settlement Areas shall be paid for by the benefitting landowners/developers and shall not impose a financial burden on existing ratepayers. Accordingly, such costs shall be recovered through development charges, as identified in the Development Charges By-Law or by such other means available by way of legislation. In some circumstances, the Town may arrange cost-sharing agreements or front ending opportunities with future benefitting land parties;
- viii) within lands designated Agricultural, the Town may choose to permit individual on-site sewage services only where municipal sewage services are not provided and where site conditions are suitable for the long-term provision of such services with no negative impacts;
- ix) for any private sewage treatment system, all requirements of the Town shall be met, including the receipt of an Environmental Compliance Approval from the Ministry of the Environment, Conservation and Parks, where required by regulation, necessary for the installation of a Class IV system (septic tanks with tile bed) or equivalent for all existing or newly created lots to be serviced with individual private sewage treatment systems; and

- x) existing uses and agricultural uses situated within the Future Development designation shall be allowed to continue to operate, expand and add new buildings and structures, as permitted in the comprehensive Zoning By-law and serviced with individual on-site sewage services, as approved by the Town.

### **8.3 Storm Drainage**

Stormwater runoff within the Town currently drains via an extensive network of inland watercourses, municipal drains roadside ditches, storm sewers and mechanical pumping systems. In the Settlement Areas, impervious surfaces such as building rooftops, driveways, patios and parking lots reduce the ability of the land to absorb storm flows. Appropriate stormwater management is necessary to control erosion, flooding and to protect watercourse and water bodies from impaired water quality.

The following is the policy of the Town:

- i) prior to development approval of subdivisions or applications involving significant lot creation and/or development, the Town will require the preparation and approval of a stormwater management plan, which is acceptable to the Town, the Essex Region Conservation Authority and the Ministry of the Environment, Conservation and Parks, and is completed in accordance with current Provincial guidelines, the Windsor/Essex Region Stormwater Management Standards Manual and any relevant watershed or subwatershed plans. A stormwater management plan will be required to ensure that runoff is controlled such that development does not increase peak flows from a quantity perspective and that appropriate water quality control measures are implemented, typically on site, to address potential adverse impacts downstream. This is to prevent the accelerated degradation of watercourses as a result of development. Pre-submission consultation with the Town and the Essex Region Conservation Authority on measures of stormwater management works pursuant to Ministry of the Environment, Conservation and Parks Guidelines and the Windsor/Essex Region Stormwater Management Standards Manual is encouraged;
- ii) regionalized stormwater management facilities are the preferred form of serving by the Town. Where the preferred stormwater management solution for development within a defined area has been determined and approved through a Municipal Class Environmental Assessment process, all development within that area shall only proceed in accordance with the approved Municipal Class Environmental Assessment document. These preferred stormwater management facilities will be implemented in an orderly and cost effective manner as new development proceeds. The potential need for interim



stormwater management plans for development within these areas will be determined by the Town with the ultimate stormwater solution being in accordance with the approved Municipal Class Environmental Assessment document;

- iii) stormwater management facilities, including stormwater management ponds and inland drains/corridors, may be permitted in all designations, except Natural Environment, subject to the satisfaction of the Town and Essex Region Conservation Authority and confirmation that there are no impacts on adjacent natural heritage features and their associated functions;
- iv) development within the Settlement Areas shall be designed and constructed in accordance with a Functional Servicing Plan or Plans dealing with storm water management. A Functional Servicing Plan shall be prepared in accordance with criteria established by the Town and shall be submitted prior to, or concurrently with development applications. These Plans shall be prepared to provide for the continuous, orderly extension of services in a cost-effective manner, to the satisfaction of the Town;
- v) stormwater management facilities will be designed to manage stormwater quality and quantity, as defined by the most current Ministry of the Environment, Conservation and Parks Stormwater Planning and Design Manual and the Windsor/Essex Region Stormwater Management Standards Manual. These decisions shall be undertaken in consultation with the Town and the Essex Region Conservation Authority, and the statutory approval authority for the stormwater works being proposed. The integration of natural vegetative features adjacent to and within new facilities will be encouraged where appropriate, and the naturalization of the periphery of the existing stormwater management facilities is encouraged;
- vi) modifications to existing natural watercourses will only be undertaken where natural features can be integrated with the optimal design ensuring quality and quantity impacts are mitigated. In reviewing individual development applications, the Town will require developers to utilize appropriate stormwater management techniques and best management practices to minimize erosion and siltation of watercourses and open drains and to not adversely affect upstream or downstream property owners;
- vii) the Town will encourage the preparation of stormwater management plans on a watershed or subwatershed basis;

- viii) no new development will have a negative impact on the drainage characteristics of adjacent land or downstream receiving storm infrastructure or watercourses;
- ix) prior to development approval, the development proponent will consider, where appropriate, enhancing the vegetation, wildlife habitats and corridors in and along the stormwater management system and the receiving watercourses;
- x) prior to development approval, the proponent will provide, where appropriate, public access to and along the stormwater management system and the receiving watercourse where such areas can be used to form part of a natural trail or open space system. Roads and sidewalks within the study area will be required to provide access to these natural areas. Where applicable, the use of dry ponds which can be located adjacent to parkland for the purpose of maximizing the space available for public use is encouraged. Wet ponds are encouraged to be incorporated into subdivision design as aesthetic features of the community;
- xi) the Town encourages, where deemed appropriate and applicable, the use of innovative low impact development design and technologies in new development and redevelopment including the use of bio-swales, innovative stormwater practices, at-source infiltration and greywater re-use systems;
- xii) in order to ensure that the size, configuration and grade of the land surrounding the facility can be efficiently utilized as a component of a trail or open space system, it may be necessary to prepare a landscape design prior to development approval;
- xiii) it is the position of the Town that the areas required for stormwater management will not be considered toward the parkland dedication. However, the development of these areas into parkland facilities, such as the provision of asphalt paths, may be considered as an alternative to a portion of cash-in-lieu of parkland contribution. The provision of additional land to facilitate the use of these areas as parkland may also be considered;
- xiv) the Town will ensure that the design of stormwater management facilities considers long-term maintenance and safety requirements;
- xv) the Ministry of Transportation will be consulted in relation to stormwater management plans and facilities in proximity to Provincial Highways;
- xvi) the Town will own, operate and maintain all stormwater management facilities that serve more than one property; and

- xvii) the Town will incorporate stormwater management requirements as a component of the development approvals process.

## **Section 9      Transportation**

### **9.1      General**

The Town's transportation system, depicted on Schedules "E-1", "E-2", "E-3" and "B-3", moves people and goods via sidewalks, bicycle routes, multi-use trails, the transit system and roads. It is the intent of this Plan to develop a multi-modal transportation system that is safe, efficient, economical, convenient and comfortable for all users. The policies of this Section reflect the

#### **9.1.1      Transportation Objectives**

The objectives of this Plan related to transportation, include:

- i)      develop and maintain multi-modal transportation routes throughout the Town, with linkages to external transportation systems, to facilitate community development and to ensure access to goods, services, and amenities for the residents, visitors and businesses of the Town;
- ii)     ensure the transportation system is interconnected, efficient, safe, and supportive of all modes of travel, with dedicated facilities for vehicles, pedestrians and cyclists;
- iii)    enhance active transportation facilities with streetscape elements such as trees, benches, waste receptacles, bicycle racks, crosswalks, pedestrian-scaled lighting, and shade; and
- iv)    integrate the multi-modal transportation system with existing and planned land use patterns.

#### **9.1.2      General Policies**

- i)      new facilities or major improvements to the existing transportation system will only occur where such improvements are consistent with the planned character of the community. Major capacity improvements to the existing road system will only occur when the need exists and all reasonable transportation demand management options, including smart transportation technologies, have been previously considered and/or implemented;
- ii)    enhanced mobility options for all residents and visitors will be achieved by adopting a complete streets approach to the design of new streets, as well as the reconstruction, repair and maintenance of any right-of-way in the Town; and

- iii) the Town will work in partnership with private developers, adjacent municipalities, the County and the Province to provide a transportation system that integrates a range of travel modes to move people and goods in a safe, seamless and barrier-free manner.

## 9.2 Complete Streets

The concept of “complete streets” encapsulates the notion that streets should be designed to safely accommodate the access, mobility and safety needs of motorists, transit users, bicyclists and pedestrians of all ages and abilities in the context of an efficient multi-modal transportation network. The Town is committed to the development of complete streets to:

- i) ensure safe and accessible streets enabling mobility for people of all ages and abilities;
- ii) give people a range of transportation choices, including active and public transportation, making transportation convenient, accessible, affordable and safe;
- iii) create healthy and livable neighbourhoods by encouraging a built form designed to promote social interaction and permit eyes on the street;
- iv) create vibrant and attractive public spaces;
- v) support economic prosperity;
- vi) improve environmental sustainability;
- vii) balance the needs and priorities of the various users and uses within the right-of-way, including provision for:
  - a. the safe, low carbon and efficient movement of pedestrians of all ages and abilities, cyclists, transit vehicles and users, goods and services vehicles, emergency vehicles, and motorists across the network; and
  - b. space for other street elements, such as utilities and services, trees and landscaping, green infrastructure, snow and stormwater management, wayfinding, boulevard cafés, marketing and vending, and street furniture;
- viii) improving the quality, safety and convenience of active transportation options within all communities by giving full consideration to the needs of pedestrians, cyclists, and public transit users;
- ix) reflecting differences in local context and character;

- x) protecting view lines and view corridors; and
- xi) serving community destinations and public gathering places by providing choice and flexibility in transportation options.

### **9.3 Road Classification System**

A road classification system is the orderly grouping of roads into systems according to the type of service they provide to the public. When a road system is properly classified, the characteristics of each road are readily understood. Classification assists in establishing the geometric design features for each group of roads, consistent with the short and long term operational needs of that particular group.

The following policies apply to road planning, operations, and design:

- i) the Town's road network will be based on a hierarchical system which distinguishes between the relative importance of providing for traffic movement and/or property access for each roadway. This roadway classification includes:
  - Provincial Highway;
  - County Road;
  - Commercial Main Street;
  - Minor Arterial;
  - Collector (Urban);
  - Collector/Freeway Ramp;
  - Local (Urban);
  - Collector (Rural); and
  - Local (Rural);
- ii) the MTO and the County of Essex own roads throughout the Town that play an important role in regional mobility and carry significant traffic volumes. These roads function as arterial roads in the Town's road network hierarchy. The Town will work with the MTO and the County of Essex to ensure that appropriate infrastructure to meet the safety and mobility needs of all users is provided. In urban settlement areas, these roads, other than those designated as controlled access highways, are expected to be complete streets. The following roads in or adjacent to the Town are under the jurisdiction of others:

- a. the MTO owns Highway 401 and Highway 3. Both of these facilities are high speed roads in rural areas that only serve auto traffic. Focus in the development of the multi-modal street network will be on crossing these corridors safely and efficiently;
  - b. the County of Essex owns a series of roads within the Town boundaries. Many of these roads have urban settlement area segments that impact transportation choices in the Town. The Town will continue to work with the County to ensure a complete streets approach to urban county roads is accomplished, regardless of ownership;
  - c. the City of Windsor owns a segment of Banwell Road between County Road 22 and the CPR railway as it is within the City municipal limits. This segment of road is immediately adjacent to the Tecumseh North Settlement Area. The Town will continue to work with the City to encourage a more complete streets approach to the design and operation of this road to meet the needs of Tecumseh users;
- iii) Commercial Main Street is a key east-west spine in the network for all modes of travel and the focus of activity for a planned vibrant commercial node (Tecumseh Road Main Street Community Improvement Plan Area) which extends from the westerly limit of the Town to the VIA Rail tracks east of Lesperance Road. The CIP recommended reducing the existing four lane cross-section to two driving lanes and shared cycling space with the balance of the road space used for parking and pedestrian amenities. The right-of-way width for Commercial Main Street shall typically be 26.0 metres;
  - iv) Minor Arterial Roads provide for high volumes of both passenger and commercial traffic for inter-urban travel at moderate speeds, while at the same time providing access to individual properties. The right-of-way width for all Minor Arterial Roads shall typically be 26.0 metres;
  - v) Collector Roads are intended to provide for the movement of moderate volumes of traffic between local roads and the arterial roads at low to moderate speeds, while at the same time providing access to individual properties. The right-of-way width for all Collector Roads shall typically be 23.0 metres;
  - vi) Collector/Freeway Ramp applies to the Sylvestre Fly-off and the portion of Westlake Drive that connects the fly-off to Lesperance Road. Absent the ramp connection, Sylvestre Drive (County Road 22 to Westlake Drive) and Westlake Drive (Sylvestre Drive to Lesperance Road) would be designated as Collector Roads; with the ramp

connection both roads will function as Minor Arterial Roads and Westlake Drive will consist of a three-lane cross section;

- vii) all other roads in the Town are expected to function as Local Roads during the planning period, providing direct access to various abutting land uses. By their very nature they are designed and intended to accommodate a much lower volume of traffic at low speeds. The right-of-way width for all Local Roads shall typically be a maximum of 20.1 metres.
- viii) to maintain a safe and efficient road system in the Town, it shall be the policy of Council to pursue a program of improving road alignments, surfaces and pavement widths, and to establish adequate road allowances and standards for new development. The Roads Need Study of the Town and the capital works budget will be used to establish priorities for the upgrading of the existing municipal road system that is under the control and jurisdiction of the Town;
- ix) all road improvements and new road projects shall be undertaken in accordance with the provisions of the Municipal Class EA process;
- x) in designing, building and maintaining roads within the Town, the following policies shall be applied to new and existing roads:
  - a. alignment, boulevard, and centre median development should be an aesthetic consideration during the design of all roadways;
  - b. landscaping and planting should be used to establish a uniform and coordinated street image along arterial and collector roads;
  - c. the roadway classification and function should be used as a guide to determine the number, frequency and location of permitted driveway and street intersections, in accordance with sound traffic engineering principles that maximize safety and protect the capacity and operational characteristics of the overall road network;
  - d. sidewalks, walkways, and bikeways shall be considered as integral parts of all new developments, to facilitate cycling and pedestrian modes of transportation within and between residential neighbourhoods, recreational and community facilities. Sidewalks shall be provided along both sides of all new streets built in the Town of Tecumseh;
  - e. the use of cul-de-sacs is discouraged within the Town and, wherever possible, a modified grid system should be used when designing and constructing new roads in order to promote and facilitate walking within neighbourhoods and the efficiency



of the public transit system. Where cul-de-sacs are required to be used within new developments as a result of unique design constraints, they should be designed in such a manner as to not exceed 150 meters in length; and

- f. alternative design standards may be favourably considered by Council in those instances where such innovation is required to protect important natural heritage features;
- xi) Council will require that all developments incorporate sufficient off-street parking spaces to meet the anticipated needs of the proposed land use, in order to maintain safe and convenient transportation corridors Town-wide. Shared access and cross-access agreements are encouraged between abutting property owners, particularly in commercial areas where opportunities exist to interconnect abutting parking areas and thus improve connectivity and provide alternative circulation routes between properties. The Town's Comprehensive Zoning By-law will establish the minimum number of spaces required for each type of land use. Design standards for the location, layout, construction, lighting and landscaping of offstreet parking areas will be applied through the site plan control review and approval process. The intent of such standards will be to achieve safe access, efficient usage, improved aesthetics and reduced impacts on adjacent land uses and transportation corridors. Key design elements that will be considered by the Town include:
  - a. appropriate building orientation, including building entrance locations;
  - b. clearly defined pedestrian access, connectivity and circulation routes; and
  - c. tree planting and other landscaping elements, including landscaped islands;
- xii) the Town's Comprehensive Zoning By-law shall establish the minimum number of bicycle parking spaces required for each type of land use within the Settlement Areas. All development within the Settlement Areas shall include parking for bicycles, as follows:
  - a. provide bicycle parking at institutional, retail, commercial and employment areas, as well as at other destinations to promote purposeful cycling;
  - b. provide bike storage sheltered from weather for 15% of total building occupants for all multiple and apartment form residential developments;

- c. for non-residential development, place accessible and secure bike racks at the front of buildings; and
- d. provide bicycle racks in all public parks.

## 9.4 Active Transportation

The active transportation system, both existing and planned, is shown on Schedule “E-2” and “B-3”. This Plan shall provide for a balanced transportation system that promotes active transportation facilities to encourage walking and cycling. To promote active, healthy living, the Town shall require that all development within the Settlement Areas contribute to the creation of a walkable and connected community with multiple destinations within walking distance of all residents. To support walking and cycling as attractive modes of transportation within the Town, the following policies will apply:

- i) the Town will endeavour to provide a safe, convenient and clearly delineated bicycle movement network to meet the needs of both experienced and less experienced cyclists. The network will comprise both on-road and off-road routes planned in accordance with local and regional walkways, bikeways and multi-use trails plans;
- ii) new development will be required to conform to and satisfy such plans and objectives using a complete streets approach to the design of new streets, as well as the reconstruction, repair and maintenance of any right-of-way in the Town;
- iii) all development and reconstruction of existing infrastructure shall be planned, designed and developed to ensure the safety and efficient movement of cyclists and pedestrians, with a highly inter-connected street network;
- iv) vehicle crossings of multiuse trails will be minimized, wherever possible, while the highest safety standards for those crossings that cannot be avoided will be implemented;
- v) the Town shall include supportive infrastructure for active transportation such as enhanced street crossings, pedestrian rest areas, and bicycle parking in the design of new and reconstructed streets;
- vi) off-road multi-use paths will connect to the street network and to community amenities and will ensure that corridors between key destinations are fully accessible and support active transportation;
- vii) pedestrian circulation will generally be on sidewalks or multi-use trails adjacent to roads and shall be separated from the road by a

landscaped, tree-lined boulevard. Exceptions may be considered where other design considerations (i.e. an urban commercial main street) warrant an exception or where insufficient right-of-way widths exist, or other terrain constraints exist;

- viii) active transportation routes, such as sidewalks, bike lanes, trails, and multi-use paths will include streetscaping elements that promote pedestrian and cyclist comfort and safety and are designed to enhance accessibility for all residents and will comply with the Accessibility for Ontarians with Disabilities Act (AODA). Such streetscape elements include, but are not limited to, benches, waste receptacles, bicycle racks, crosswalks, pedestrian-scaled lighting, and street trees;
- ix) the planning, design and development of bicycle facilities shall be informed by the design standards outlined in the Ontario Traffic Manual (OTM) Book 18 as amended from time to time. Higher order bicycle circulation will generally be provided on bicycle lanes, cycle tracks, or multi-use paths;
- x) to protect the safety of pedestrian and cyclists, the Town will endeavour to utilize traffic calming initiatives such as:
  - a. implementing street designs that discourage vehicle speeding through appropriate cross-section designs, complimentary streetscape designs, closer building proximity to the street and boulevard street tree planting;
  - b. reducing maximum traffic lane widths;
  - c. limiting the maximum number of traffic lanes in the roadway; and/or
  - d. the provision of on-street parking; and
- xi) the Town is committed to the development and ongoing enhancement of the County Wide Active Transportation System (CWATS) Master Plan in partnership with the County of Essex and the lower tier CWATS partners. In accordance with the timetable of the CWATS plan, as funding permits, the Town will continue to extend on- and off-road systems annually both to complete the Town's portion of the CWATS system and to provide the linkages to it and the local communities and facilities it serves. The Town will embrace other opportunities and initiatives that will enhance active transportation in the Town.

## 9.5 Transit

To continue to support and grow the Town's transit service, the following policies shall apply:

- i) the Town recognizes the importance of built form on the success of its transit system. Accordingly, the Town shall:
  - a. establish a clear local community structure including settlement areas, non-settlement areas, urban growth boundaries, nodes, corridors and built-up areas;
  - b. utilize urban design policies to ensure the creation of a transit-supportive urban form, applicable to both new areas and the retrofit of existing areas to support higher levels of transit ridership;
  - c. encourage compact patterns of development at densities and mix of land uses that are capable of supporting public transit;
  - d. design and orient buildings and parking areas to support accessibility to transit services;
  - e. encourage the design of neighbourhoods that make it easy for people to walk and bike to and from transit stops and services; and
  - f. design street networks and blocks that provide for connections between living areas and transit;
- ii) the transit system should be planned and coordinated to provide links to, between and through major destinations within Tecumseh and to interconnect with routes and major destinations/transit hubs located in adjacent municipalities;
- iii) transit supportive design requires the following:
  - a. locate stops within a maximum five-minute walk of a destination. The typical five-minute walking distance for residents is 400 to 500 metres;
  - b. a system design which allows for safe pedestrian access to as many residential, employment and retail locations as possible;
  - c. ensure the coordination of the transit network with the multi-use trails and path system to further the accessibility of transit; and

- d. provide a range of transit facility amenities including but not limited to: bicycle parking, weather protection, seating, waste receptacles, lighting and route information; and
- iv) where feasible, the Town shall utilize parking and transportation demand management policies to promote a shift towards higher levels of transit use and more active modes of transportation.

## **Section 10 Implementation and Interpretation**

### **10.1 General**

This Plan shall be implemented by means of the statutory powers conferred upon the Council and other municipal officials by the Planning Act, the Heritage Act, the Municipal Act, the Development Charges Act and any other powers as may be exercised through the Zoning By-law, subdivision control regulations, development and site plan control agreements and standards of maintenance and occupancy by-laws.

### **10.2 Implementing Zoning By-Law**

The Town will prepare a new comprehensive Zoning By-law to zone lands in accordance with the policies and designations contained in this Plan.

### **10.3 Holding Zones**

The Town's Zoning By-law will incorporate the holding zone approach in accordance with Section 36 of the Planning Act, R.S.O. 1990. The Zoning By-law will identify the uses that are ultimately intended for certain lands, but by adding the holding (h) symbol, will delay their actual development until specific conditions are met. When the required conditions are met, a by-law removing the holding (h) symbol will be passed.

Holding zones will be used in the Zoning By-law in accordance with the policies of Section 4 of this Plan. The holding (h) symbol will not be removed until such time as Council is satisfied that adequate sewage disposal and the provision of other services is possible, development applications are approved by Council, various agreements are in place and plans of subdivision are approved, where necessary. In the interim period, the Zoning By-law shall permit existing uses and in some cases, agricultural uses.

### **10.4 Site Plan Control**

The Town will exercise site plan control in accordance with the provisions of Section 41 of the Planning Act, R.S.O. 1990 and the following policies:

#### **10.4.1 Proposed Site Plan Control Area**

The Town of Tecumseh in its entirety is designated as a proposed site plan control area pursuant to Section 41(2) of the Planning Act, R.S.O. 1990.

#### **10.4.2 Objectives**

The Town's objectives in using site plan control are:

- i) to ensure a high standard of site design for new development;
- ii) to ensure safety and efficiency of vehicular and pedestrian access;
- iii) to minimize incompatibilities between new and existing development;
- iv) to control the location of driveways, parking, loading and garbage collection facilities;
- v) to secure easements or grading and alterations necessary to provide for public utilities and site drainage;
- vi) to ensure the exterior design of new development, including the character, scale, appearance and design features, and their sustainable design, is in accordance with Council-approved architectural guidelines, where applicable; and
- vii) to ensure that the development proposed is built and maintained as approved by Council.

#### **10.4.3 Application of Site Plan Control**

Expansions to existing and the establishment of new medium and high density residential developments, commercial, industrial, recreational and institutional developments shall be subject to site plan control. The development of new mushroom, greenhouse and cannabis greenhouse operations shall also be subject to site plan control. The Town's Site Plan Control By-law will be reviewed and maintained to identify those uses and parameters of the site plan control process.

#### **10.4.4 Proposed Road Widening**

As a condition of the approval of site plans, the Council of the Town of Tecumseh may require the owner to provide, at no expense to the municipality, a specified amount of land for the purpose of road widening. Such land shall only be required where the proposed development abuts one or more of the roads indicated below and only on the side and to the extent indicated below:

<b>Road Name</b>	<b>Segment for which Widening is Required</b>	<b>Present Width</b>	<b>Required Width</b>	<b>Side</b>
Oldcastle Road	North Talbot Road to Highway 3	12.2 m	20.1 m	either
Oldcastle Road	Highway 3 to County Road 11	12.2 m	20.1 m	either
Ruston Road	County Road 34 to Railway	12.2 m	20.1 m	either
Tecumseh Road	Westerly Town Limit to Lacasse Blvd	Varies	26 m	both

#### **10.4.5 Implementation**

This policy shall be implemented through the adoption of one or more Site Plan Control By-laws designating specific Site Plan Control Areas in accordance with Section 41(2) of the Planning Act, R.S.O. 1990 and the policies contained in this subsection.

### **10.5 The Municipal Act, The Development Charges Act, The Community Benefits Charge**

It is intended that the Town shall review existing legislation pursuant to the Municipal Act governing such uses as fences and signs, and where necessary amend existing by-laws or pass new by-laws as may be required to ensure such uses are properly regulated and controlled. Also, it is the intention of the Town to pass a Development Charges By-law in accordance with the Development Charges Act and a Community Benefits Charge By-law in accordance with the Planning Act. The development charge outlined in the By-law will reflect Council's opinion that the majority of capital-related expenses incurred as a result of new development will be borne by the developers and not the Town at large.



## **10.6 Delegated Authority and Advisory Committees**

The Town may delegate its authority for various approval or advisory functions in accordance with the provisions of enabling legislation including the Planning Act, the Municipal Act, and the Ontario Heritage Act. Without limiting the Town's authority to add, revise or abolish Committees pursuant to legislation, the Town has established a number of Committees and mandates as noted in the following sections.

### **10.6.1 Committee of Adjustment**

A Committee of Adjustment has been established by Council in accordance with provisions of the Planning Act to make decisions on specific applications. The Planning Act requires that decisions on applications be consistent with provincial policy in effect at the time of the decision, with respect to the following:

- i) applications to allow a minor variance to the Zoning By-law or any other by-law which implements the Official Plan;
- ii) applications for the extension or enlargement of a legal nonconforming use;
- iii) applications to allow a change in the use of land or buildings from one legal non-conforming use to another use, that in the opinion of the Committee is similar to the existing legal non-conforming use or that is more compatible with the uses permitted by the by-law;
- iv) applications to grant a consent (land severance), as set out in Section 6.0; and
- v) partial discharge of mortgage in accordance with Section 6.0.

### **10.6.2 Heritage Committee**

The Town of Tecumseh Heritage Committee has been appointed in accordance with the Ontario Heritage Act to undertake the following tasks:

- i) maintain an inventory of properties and structures having historical or architectural value;
- ii) recommend to Council for designation under the Ontario Heritage Act, real properties having architectural or historic merit;
- iii) recommend to Council areas to be designated as Heritage Conservation Districts under the Ontario Heritage Act;

- iv) review plans referred to it by the Town with respect to applications to alter or demolish structures or buildings or elements that have been designated under the Ontario Heritage Act and make recommendations with respect to such proposals;
- v) involve the Municipal Heritage Committee in the planning process where heritage buildings are located on or adjacent to properties that are the subject of development applications, including, but not limited to, amendments to the official plan and zoning by-laws, severance and minor variance applications, and site plan control review; and
- vi) promote public understanding of local history and appreciation of heritage resources.

#### **10.6.3 Tecumseh Accessibility Advisory Committee (TAAC)**

The Tecumseh Accessibility Advisory Committee has been established by Council in accordance with provisions of the Accessibility for Ontarians with Disabilities Act with the responsibility of providing advice on the implementation of that legislation.

The Ontarians with Disabilities Act provides that municipalities must establish an Accessibility Advisory Committee. The Committee shall advise Council in each year about the preparation, implementation and effectiveness of the municipality's Accessibility Plan. The Committee is also responsible for carrying out all obligations of an Accessibility Advisory Committee as established by the Ontarians with Disabilities Act as amended.

#### **10.6.4 Property Standards Committee**

Tecumseh Council enacted a Property Standards By-law which provides for a Property Standards Committee comprising three (3) members selected by Council from the Committee of Adjustment. The Property Standards Committee considers appeals from orders issued by the Property Standards Officer.

#### **10.6.5 Cultural and Arts Committee**

Tecumseh Council has established a Cultural and Arts Committee, the mandate of which is to:

- i) identify cultural activities and engagements encouraging community participation (i.e. to promote theatre art, music, visual arts and film);
- ii) obtain artwork depicting local diverse talents and landmarks in addition to the unique features of the Town of Tecumseh, preserving the Town's various histories in the former municipalities of the Town of Tecumseh, Village of St. Clair Beach and Township of Sandwich

South, and capturing the essence and spirit of the amalgamated Town;

- iii) identify prominent locations within the Town of Tecumseh for public display of artwork; and
- iv) research grants and acquire donations for achieving such goals.

#### **10.6.6 Senior Advisory Committee**

Tecumseh Council has established a Senior Advisory Committee the mandate of which is to:

- i) provide advice to Council and Town Administration on issues that affect area seniors;
- ii) work with Town departments, agencies and organizations for the purpose of improving the quality of life for senior residents in Tecumseh;
- iii) solicit input and act as a public forum for issues that affect local seniors; and
- iv) identify barriers of access to seniors to Town services and programs.

#### **10.6.7 Youth Advisory Committee**

Tecumseh Council has established a Youth Advisory Committee, the mandate of which is to:

- i) provide advice to Council and Town Administration on issues that affect area youth; and
- ii) work with Town departments, agencies and organizations that are involved in youth initiatives.

### **10.7 Plans of Subdivision**

It shall be the policy of the Town to recommend to the County for approval, only those plans of subdivision which conform to the policies of this Plan, which can be supplied with adequate servicing such as fire protection, water supply, storm drainage and sewage disposal facilities, and which are appropriate in light of the Town's financial position.

### **10.8 Community Improvement**

Council recognizes the value of revitalizing residential, commercial and industrial sections of the Town, where warranted, and intends to continue

and enhance the established processes of renovation, rehabilitation, revitalization, environmental remediation and energy improvement. To this end, it is intended that community improvement project areas will be identified and appropriate strategies for their revitalization detailed by Council through the adoption of community improvement plans in accordance with the following policies:

- i) the community improvement policies of this Plan are enabling policies under the Planning Act. It is the intent of Council that the Community Improvement Area shall be the entirety of the Settlement Areas shown on Schedule “B” to this Plan and may be designated, in whole or in part, by by-law, as one or more defined community improvement project areas for which detailed community improvement plans will be prepared;
- ii) community improvement plans are created for various situations where there is an identified community need. Therefore, the designation of a community improvement project area, and the creation of a community improvement plan, will be entirely at the discretion of Council;
- iii) the provision of financial assistance in a community improvement plan will be entirely at the discretion of Council. The Town shall be satisfied that its participation in community improvement activities will be within the financial capabilities of the Town;
- iv) a community improvement plan may be established for any portion of the Community Improvement Area that conforms to one or more of the following criteria:
  - a. the presence of building stock or housing units that do not meet minimum occupancy standards as set forth in the Town’s Property Standards By-law;
  - b. the presence of unused or underutilized land or buildings that could be developed, redeveloped, renovated or converted to another use;
  - c. the presence of buildings or lands of cultural heritage value or interest and sites of archaeological significance or interest;
  - d. the presence of deficiencies, including accessibility considerations, in hard services including roads, sidewalks, curbs, gutters, storm and sanitary sewers, and water service;
  - e. the presence of lighting or other public utilities that fail to meet municipal standards, or that are not energy efficient;

- f. inadequate community services such as public indoor/outdoor recreation facilities, and public open space;
  - g. a lack of adequate off-street parking facilities;
  - h. limited traffic circulation or poor access to residential, commercial or industrial areas;
  - i. excessive building vacancies within the area;
  - j. the presence of incompatible land uses;
  - k. the overall streetscape or aesthetics of an area require upgrading;
  - l. the presence of lands or buildings that may require detailed environmental site assessments or designated substances surveys and the implementation of appropriate and necessary remediation;
  - m. the prevalence of building stock or housing units at a neighbourhood scale that is energy inefficient as determined through energy mapping or other means;
  - n. the opportunity to support development that would intensify vacant or underutilized lots in the Community Improvement Area; and
  - o. the opportunity to support development that would decrease carbon emissions or improve energy efficiency.
- v) within the Community Improvement Area, the Town of Tecumseh intends to:
- a. encourage improvement activities that contribute to a strong economic base including tourism, cultural, commercial and industrial development;
  - b. establish and maintain the physical infrastructure required for residential, commercial and industrial development;
  - c. ensure the maintenance of the existing building stock where appropriate and encourage rehabilitation, renovation and repair of older buildings;
  - d. preserve cultural heritage resources and facilitate the restoration, adaptive re-use and improvement of these resources;

- e. provide a mix of housing types to accommodate all segments of the Town's population, including the construction of affordable housing;
  - f. improve parking for vehicles and active transportation modes;
  - g. promote the continued development and revitalization of the Tecumseh Mainstreet Community Improvement Planning Area and strengthen its role as a mixed-use, pedestrian-oriented commercial and residential centre within the Town;
  - h. promote good urban design in accordance with Section 7 of this Plan;
  - i. provide and maintain adequate social, cultural, community and recreational facilities and services;
  - j. improve energy efficiency and reduce carbon emissions where feasible; and
  - k. encourage the rehabilitation of environmentally compromised land and buildings through appropriate remediation.
- vi) In order to implement its community improvement policies, the Town may:
- a. designate by by-law community improvement project areas and prepare community improvement plans for the project areas in accordance with the Planning Act;
  - b. integrate community improvement projects with other public works and Town programs and initiatives;
  - c. continue to support and encourage the Business Improvement Area (BIA) in its efforts to maintain strong and viable business areas;
  - d. continue the enforcement of the Property Standards By-law with respect to residential, commercial and industrial building stock and lands;
  - e. continue to make applications to participate in all appropriate senior level government programs;
  - f. continue to support heritage conservation programs and initiatives;

- g. continue to encourage private initiatives regarding the rehabilitation, development, conversion and environmental remediation of lands or buildings and, where appropriate, support infill development;
  - h. develop an environmental program designed to assist private interests in undertaking the remediation of environmentally compromised land or buildings;
  - i. where feasible, acquire buildings and lands to carry out community improvement objectives;
  - j. develop more detailed area-specific urban design guidelines for community improvement project areas;
  - k. consider a more flexible approach to zoning where community improvement objectives are supported; and
  - l. develop energy programs designed to assist private interests in undertaking actions that reduce carbon emissions or increase energy efficiency from buildings.
- vii) The Town will continue to monitor and implement Community Improvement Plan Project Areas and associated Community Improvement Plans and their key financial components of tax assistance and grants.

## **10.9 Public Works and Capital Works Programs**

- i) it is intended that the construction of public works within the Town of Tecumseh shall be carried out in accordance with the policies of this Plan and meets the requirements of Section 24 of the Planning Act;
- ii) the Town will work with utility companies and other providers of infrastructure to coordinate works and infrastructure improvements; and
- iii) regard to the Official Plan will be had in the preparation of municipal capital works budgets and programs.

## **10.10 Maintenance and Occupancy By-Law**

It is the goal of this Plan to maintain an efficient and pleasant living environment. To achieve this goal, a Maintenance and Occupancy By-law may be passed and enforced in accordance with Section 31 of the Planning Act, R.S.O. 1990. This by-law will establish the minimum standards for property maintenance and occupancy as they relate to:

- i) the physical conditions of yards and passageways;
- ii) the adequacy of sanitation including drainage and garbage; and
- iii) the physical condition of all building elements.

This Maintenance and Occupancy By-law shall be enforced and administered by the Chief Building Official or any other person designated by Council. A Property Standards Committee shall also be maintained to review all appeals.

## **10.11 Other Methods of Implementation**

The Town may use the agencies and techniques listed below to assist in the implementation of Official Plan policies as appropriate:

- i) the assistance and advice of the Ontario Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment, Conservation and Parks on agricultural operations;
- ii) the assistance and advice of the Essex Region Conservation Authority on adequate flood protection and conservation measures;
- iii) the acquisition of significant natural areas by public or private bodies or individuals concerned with conservation;
- iv) the assistance and advice of the Ministry of the Environment, Conservation and Parks and the local Health Unit on servicing matters.

## **10.12 Existing Land Uses and Buildings**

Certain lands within the Town have been developed for a use other than that which is permitted by the designations and policies of this Plan. Some of these uses are still operating but some have ceased to exist leaving vacant substantial buildings, most commonly commercial or industrial buildings. Such lands (both those with legally existing uses and those with vacant buildings) may be zoned in the Zoning By-law to permit the existing use if there is one or the previous use if the buildings are presently vacant provided:

- i) the buildings lawfully existed prior to the date of adoption of this Plan;
- ii) the use to be permitted does not interfere with the desirable development or enjoyment of neighbouring properties;
- iii) the use does not constitute a danger to surrounding uses and persons because of its hazardous nature or traffic generated; and



- iv) the Zoning By-law reasonably limits the amount of expansion that is to be permitted to ensure that the use does not become larger than would be appropriate for the area.

Applications to amend the Zoning By-law to permit a use that is as, or more, compatible with the surrounding area may also be approved by Council without an amendment to this Plan provided the proposed use satisfies the above criteria.

Also, there are a number of parcels that have applying to them, current zonings that are not in conformity with this Plan. Those zonings can be carried forward in the implementing Zoning By-law without the requirement of amending or modifying this Plan.

### **10.13 Non-Conforming Uses**

Any land use which does not meet the provisions of Section 10.12 shall be left as a non-conforming use in the Zoning By-law. As a general rule, such a use should cease to exist. In special circumstances however, it may be desirable to permit the extension or enlargement of such a non-conforming use in order to avoid unnecessary hardship. It is the intention of this Plan that extensions and enlargements be handled without an amendment to this Plan through the use of either Section 34(10) or 45(2) of the Planning Act, R.S.O. 1990. When considering an application under either section of the Act for the extension or enlargement of a non-conforming use, Council shall decide if the special merits of the individual case make it desirable to grant permission for the extension or enlargement and in so doing shall have regard to the following matters:

- i) that the proposed extension or enlargement of the established non-conforming use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of this Official Plan and the Zoning By-law applying to the area;
- ii) that the proposed extension or enlargement shall be in an appropriate proportion to the size of the non-conforming use;
- iii) that the application which would affect the boundary areas of different land use designations will only be processed under these policies if it can be considered as a "minor adjustment" permitted under the Interpretation clause, Section 10.16 of this Plan, without the need for an amendment. Any major variance to the property boundaries will require an amendment to this Plan;
- iv) the characteristics of the existing non-conforming use and the proposed extension or enlargement shall be examined with regard to

noise, vibration, fumes, smoke, dust, odours, lighting and traffic generating capacity;

- v) that the neighbouring conforming uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc.;
- vi) that adequate provisions have been, or will be made for off-street parking and loading facilities;
- vii) that applicable municipal services such as storm drainage, sewage disposal and water supply are adequate and meet the approval of the Town.

## **10.14 Existing Lots of Record**

There are several existing lots of record in the Town which are under separate ownership and which do not conform with the development standards of the designation or the corresponding zone in the Zoning By-law. Notwithstanding their non-compliance, it is the policy of this Plan that these lots may be developed for a use permitted by this Plan in accordance with the yard and other setback requirements established in the Zoning By-law provided the necessary servicing approvals are obtained from the Town and the development is in compliance with the Minimum Distance Separation (MDS) I and II.

## **10.15 Temporary Use By-Laws**

Pursuant to Section 39 of the Planning Act, R.S.O. 1990, Council may pass "temporary use by-laws" to authorize the temporary use of land, buildings or structures for a purpose not otherwise authorized by the Zoning By-law for a specific period of time not to exceed three years. Council may authorize a temporary use on a one-time basis or for a short period of time on a periodic basis, where it is considered inappropriate by Council to permit the proposed use on a permanent or continuing basis, and where alternatives such as relocation, etc. are not practical. Council may pass subsequent by-laws granting extensions of up to three years. However, once the by-law has lapsed, the use must cease or otherwise will be viewed as contravening the Zoning By-law.

Prior to the approval of any temporary use by-law, Council shall be satisfied that the following principals and criteria are met:

- i) the proposed use shall be of a temporary nature, and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original use upon the termination of temporary use provisions;
- ii) the proposed use shall not be incompatible with adjacent land uses and the character of the surrounding area;
- iii) the proposed use shall be properly serviced and not require the extension or expansion of existing municipal services;
- iv) the proposed use shall not create any traffic problems within the surrounding area, nor shall it adversely affect the volume and/or type of traffic found on the area's roads;
- v) parking facilities required by the proposed use shall be provided entirely on-site; and
- vi) the proposed use shall generally be beneficial to the surrounding area or the community-at-large.

Notwithstanding the policies of this Plan, Council may authorize the temporary use of land which may not conform with the land use policies of this Plan provided:

- a. the temporary use is determined to not have any detrimental effect upon the existing land uses in the area; and
- b. the proposed temporary use conforms to the principles and criteria established in this subsection.

## **10.16 Interim Control By-Laws**

Pursuant to Section 38 of the Planning Act, R.S.O. 1990, Council may pass Interim Control By-Laws to place immediate restrictions on the use of certain lands or certain land uses where the Town has directed that a study of land use planning policies be undertaken. When considering a proposal to enact an Interim Control By-Law prohibiting the use of land, the Town shall require or provide justification that there is a need to carry out a study and that the required study can be carried out expeditiously.

## **10.17 Interpretation**

The designation boundary lines and the text of this Plan should not be interpreted in a legalistic, narrow or strict manner. They are meant to be relatively flexible. Appropriate variations may be made by Council, without an amendment to this Plan, where necessary and appropriate, provided that the general intent of the Plan is maintained.

Where any Act or portion of an Act is referred to in the Plan, such references shall be interpreted to refer to any subsequent renumbering of the sections in the Act and/or changes in the date of the Act.

## **10.18 Amendment Procedures**

All proposed amendments to this Official Plan or the implementing Zoning By-law shall be processed in accordance with the provisions of Sections 21 and 34 of the Planning Act and due regard shall be given to the following matters:

- i) the degree of conformity of the proposed amendment to the general intent and philosophy of this Plan, particularly the planning principles as set out in Section 2.3, and consistency with provincial policy;
- ii) the availability and suitability of land already designated for the proposed use, and the need for (or market feasibility of) the proposed use;
- iii) the compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses;
- iv) the ability of the Town's infrastructure to accommodate the proposal; and
- v) the adequacy of the transportation system to accommodate the proposal.

## **10.19 Official Plan Review and Monitoring**

The policies and designations of this Plan shall undergo a comprehensive review in accordance with the requirements of the Planning Act. The purpose of the comprehensive review will be to:

- i) document the type and location of new development that occurred since the approval of this Plan;
- ii) project the nature of new development that can be expected during the subsequent identified planning horizon;
- iii) review the continued appropriateness of the Plan's goals, policies and designations; and
- iv) formulate revised or new goals, policies and designated land uses.

- v) consider the land use impacts and related housing demands that may result from the construction of the proposed regional mega-hospital in the City of Windsor.

## **10.20 Consultation and Application Requirements**

- i) in addition to the standard information required in the Town's application forms, additional information in the form of the studies or assessments listed in this Section may be required in order to consider a planning application complete;
- ii) the additional information will be required as part of a complete application under the Planning Act in order to ensure that all the relevant and required information pertaining to a development application is available at the time of submission to enable Council or its designated approval authorities to make informed decisions within the prescribed time periods. It also ensures that the public and other stakeholders have access to all relevant information early in the planning process;
- iii) in all instances, the number and scope of studies and assessments to be required for the submission of a complete application is appropriate and in keeping with the scope and complexity of the application;
- iv) the additional information or material that may be required includes, but is not limited to, the following:
  - Agricultural Soils Assessment/Impact Analysis on Agricultural Lands or Operations;
  - Air Quality/Dust/Odour Study;
  - Arborist's Report;
  - Archaeological Assessment(s) and Impact Mitigation Report;
  - Architectural Renderings;
  - Biomass Energy Generating System-Related Studies;
  - Climate Impact Study;
  - Compatibility Assessment;
  - Concept Plan;
  - Contaminated Site Assessment;

- Decommissioning Plan;
- Design Guidelines;
- EIA Compliance Report;
- Emergency Management/Response Plan;
- Environmental Impact Assessment;
- Environmental Site Assessment/Audit and/or Previous Land Use Inventory and/or Site-Specific Risk Assessment;
- Erosion and Sediment Control Plan;
- Farm Viability Study;
- Financial Impact Assessment/Analysis;
- Floodplain Management/Slope Stability Report;
- Forest Management Plan;
- Geotechnical Study;
- Groundwater Impact Study/Well Interference Study;
- Height and Density Assessment/Analysis;
- Heritage Conservation Report;
- Heritage Impact Statement;
- Housing Affordability Analysis;
- Hydrogeological Report;
- Landscaping Plan/Natural Features Plan;
- Lot Grading and Drainage Plan;
- Massing Study (for proposed buildings);
- Market Justification and Impact Assessment;
- Minimum Distance Separation Formulae;
- Municipal Servicing Capacity Report;

- Noise and/or Vibration Impact Study;
- Nutrient Management Plan;
- Odour Impact Study;
- Parking Study;
- Photo-Montage Visualization Images;
- Planning Justification Report;
- Record of Site Condition;
- Servicing Report;
- Shadowing Impact Assessment;
- Soil Analysis;
- Solar Energy Generating System-Related Studies;
- Stormwater Management Report;
- Structural Engineering Analysis;
- Subwatershed Plan/Study;
- Surface Water Impact Study;
- Transportation/Traffic Impact Study and/or Access Analysis;
- Tree Inventory;
- Tree Preservation and Protection Plan;
- Urban Design Study/Guidelines;
- Viewplane Assessment;
- Visual Impact Study;
- Watershed Plan/Study;
- Wave Uprush Study;

v) notwithstanding the required studies and assessments listed above, Council may ask for any additional information that is considered

reasonable and necessary in order to make a decision on a development application;

- vi) all required reports and technical studies will be carried out by qualified persons retained by and at the expense of the proponent. The Town may require a peer review of any report or study by an appropriate public agency or a professional consultant retained by the Town at the proponent's expense; and
- vii) public participation is regarded as an essential part of the municipal planning process. Proponents are encouraged to hold community meetings in addition to the statutory public meetings in order to explain the details of the development proposal to residents and agencies.

## **10.21 Public Consultation**

Councils shall actively encourage meaningful public participation by seeking the opinions and the advice of individuals and community and stakeholder groups in the on-going task of implementing, monitoring and reviewing this Plan. Council shall ensure that the public is adequately notified and consulted. The measures utilized to facilitate public participation will be consistent with the scope and nature of the planning matter being addressed. Prior to making decisions related to planning matters, Council will encourage appropriate steps to be taken to resolve conflicting issues associated with the proposal. Where conflicting issues remain unresolved, these issues and the measures taken to respond to these issues shall be identified as part of any planning report prepared. Measures such as peer review and Alternative Dispute Resolution will be used when determined to be appropriate.

## **10.22 First Nations and Metis Consultation**

Council shall actively seek the opinions and the advice of Indigenous communities. The Town honours the land and peoples of all First Nations and Métis in Tecumseh and their past and present contributions to this land. Council commits to collaborating with these communities on respectful inclusion and representation of Indigenous peoples' culture in urban greenspaces, Indigenous art and ceremonial gathering spaces.

## **10.23 Municipal Coordination**

The Town of Tecumseh is adjacent to the City of Windsor and three lower-tier municipalities within the County of Essex including the Town of Lakeshore, the Town of Essex and the Town of LaSalle. The Town recognizes the need to achieve orderly growth and the efficient provision of services to ensure the long-term health and prosperity of the region. There is



an ongoing need to ensure coordinated planning and engineering and plans of action to foster effective and efficient growth and settlement.

Council shall, in conjunction with the County of Essex, local Essex County municipalities and the City of Windsor establish and maintain a formal protocol for on-going liaison on matters of mutual interest and concern including, but not limited to the following:

- i) Growth management;
- ii) Transportation and physical service coordination;
- iii) Natural area conservation and watershed management;
- iv) Economic development;
- v) Climate change mitigation and adaptation;
- vi) Coordination of overall planning activities; and
- vii) Cultural heritage resources.

The Town will endeavor to co-operate with and invite affected adjacent municipalities to participate in Municipal Class Environmental Assessments for municipal infrastructure projects including roads, water and wastewater projects. The Town will also participate in the preparation of Municipal Class Environmental Assessments within adjacent municipalities as potentially being affected by the subject undertaking.

## **10.24 Municipal Plan Review/One Window**

Notwithstanding other policies of this Plan, if the policies of this Plan require consultation with government ministries for development applications under the Planning Act, the Town and/or applicant shall consult with the County of Essex where the County of Essex is the approval authority.

Where the Official Plan has been drafted to require that an evaluation, demonstration or other action should be “to the satisfaction of” one or more of Provincial Ministries, the policy should generally be interpreted to mean that it is the Town’s responsibility to ensure regard has been had for Provincial policies, standards or guidelines as established by that Ministry.

In keeping with the statutory requirement of the Planning Act, the Town will forward all applications to amend the Official Plan to the County of Essex within 30 days of receiving the application, for review and comment.

## **Section 11 Secondary Plans**

### **11.1 Introduction**

#### **11.1.1 Purpose**

The policies in this section of the Official Plan apply to development and redevelopment on all lands situated within approved secondary planning areas. Secondary Plans provide a more detailed planning framework for specific geographic areas within the Town, and may establish more specific land use, transportation, urban design, servicing, and implementation policies for the land areas affected. These secondary plans are intended to guide and direct Council, staff, landowners, developers, residents, other levels of government, and other interested stakeholders regarding the manner in which lands within these areas are developed and redeveloped over a 25-year planning horizon. The Tecumseh Official Plan may, from time to time, be amended as required to add one or more additional secondary plans upon their completion.

#### **11.1.2 Relationship to Official Plan**

The land use designations and policies of Section 11.2 shall be in relation to specific secondary plans as identified by way of policy and as shown on the noted Schedules. The secondary plan policies and designations generally conform to, and are designed to implement the policies of the Official Plan. However, where there is a conflict between the policies of the Official Plan and the policies of the secondary plan, the secondary plan policies will prevail and will supersede those of the Official Plan for the land area which is the subject of the Secondary Plan. In all other instances, the policies and designations of the Official Plan are relevant and shall apply.

### **11.2 Maidstone Hamlet Secondary Plan**

#### **11.2.1 Basis of the Plan**

A community-based Secondary Plan process was initiated by the Town in order to formulate a comprehensive land use and servicing policy framework and concept plan to facilitate the development of a coordinated, properly serviced and livable community in Maidstone Hamlet. The policies and land use designations are intended to provide a policy framework that will allow for the proper evaluation of individual development applications located within the hamlet while establishing a clear vision for the hamlet's future.

##### **11.2.1.1 The Process**

Council established a Steering Committee to oversee and guide the preparation of the Secondary Plan. Given the interest expressed by

residents in the hamlet regarding its future development, two representatives of the community were selected to sit on the Committee, along with four Council members and technical support staff.

In order to facilitate a meaningful form of public involvement, a community-based planning process was undertaken to assist in the building of a partnership with residents, landowners, developers, Town Council and Administration with the common goal of positively influencing the future design, livability and quality of life in the hamlet. Accordingly, the Town held two Visioning Sessions as overseen by a professional facilitator. This led to the completion of “Discussion Paper No. 1: Results of Community Visioning Sessions, Maidstone Hamlet Secondary Plan, June 2002”.

Subsequently, a second discussion paper was completed, “Discussion Paper No. 2: Conceptual Plan and Servicing Report, Maidstone Hamlet Secondary Plan, July 2003, Revised September 2003”. This document considered planning and servicing issues and provided for the completion of a preferred concept plan.

#### **11.2.1.2 Guiding Community Planning Principles**

In addition to having regard to the Provincial Policy Statement, a number of broad planning principles and design issues became evident as a result of the public consultation process undertaken with the community. Two key planning principles that arose from the Visioning Sessions are:

- i) that the overall future design of Maidstone Hamlet should attempt to recognize and preserve the patterns and character revealed in the existing community; and
- ii) that key elements and patterns of the existing rural landscape be incorporated into the future design of the hamlet.

These broad principles are to be achieved as development proceeds in the hamlet by incorporating the following key design elements and ensuring the fulfillment and realization of a community vision that applies the following specific principles throughout the hamlet and within individual developments:

- a. **Linked Open Space System:** The Pike Creek, the Ontario Hydro corridor, a number of tree lines along with stormwater management requirements provide the opportunity to create more naturalized spaces throughout the hamlet which may serve as the focus of a linked open space system. The Ontario Hydro corridor may service as the major east-west open space spine for a trail system linked to the Pike Creek and other open space areas;

- b. **Compatible New Development:** New development needs to be designed so as to respect and complement the existing hamlet scale, character of buildings, sense of openness and country setting;
- c. **Importance of ‘Quality of Life’ and ‘Sense of Place’:** An abundance of trees (tree-lined streets and trails), open spaces and uncluttered pedestrian ways greatly influence a community’s appearance, physical character, livability and “feel”. This combined with linked neighbourhoods and a network of streets, sidewalks and multi-purpose trails provide opportunities for exercise, socializing and interaction of citizens and an improved quality of life and sense of place;
- d. **Malden Road, an ‘Original Rural Road’:** This road currently links County Road 34 to County Roads 19 and 46 to the north and is characterized by a single tier of deep residential lots along both sides of the majority of its length. A deep ditch is situated close to the paved portion of the road. The existing built form has a strong rural sense, with deep lots and homes set back a significant distance from the road. New traffic resulting from growth in the hamlet shall be directed to a new north-south road system. Malden Road shall remain as a two-lane rural road with open drains, to be used locally and where possible integrated as part of a recreation trail system. Appropriate measures will be undertaken to ensure that “through” traffic, with neither an origin or destination in the hamlet, is discouraged from using Malden Road and, instead, is directed to County Roads 19, 34 and 46;
- e. **Community and Cultural Elements:** Cultural heritage elements and community facilities, including buildings and structures, are incorporated as focal points of the community. Features which help create the unique identity of the hamlet and are part of its social fabric include the church, elementary school, post office and grain silos;
- f. **Improved and Properly Identified Gateways to the hamlet:** The road intersections providing points of entry to and means of exit from the community need to be of such a design to ensure safe movement of people and vehicles. Special design treatment and land uses on abutting parcels at key entry points can further identify the community;
- g. **Employment:** Grain storage and handling facilities are integral components of the municipality’s agricultural economy. Noise, dust and lighting studies will be required before any residential

development on lands takes place to ensure that sensitive uses are properly set back from these facilities and proper subdivision and building design measures are taken to ensure land use compatibility.

#### **11.2.1.3 Preferred Concept Plan**

A preferred conceptual road pattern and land use pattern for Maidstone Hamlet was presented in Discussion Paper No. 2 and is generally incorporated into the Official Plan as Schedules “B-3” and “E-3”. The principle components of the preferred concept plan, which shall be achieved as individual developments are designed, reviewed and approved, are summarized below and are designated and/or shown conceptually on Schedules “B-3” and “E-3” of the Official Plan. It is noted that in some instances land consolidation and/or mutual cooperation between abutting, developable lands will be required in order to properly achieve the following:

- i) new municipal parkland totaling 9.71 hectares, including one 4.05 hectare parcel for community parkland adjacent to an existing woodlot and 1.78 hectares strategically located adjacent to existing recreational facilities (Diocese lands and St. Mary School property), along with a number of smaller neighbourhood parks, has been provided for. The 4.05 hectare community park is strategically located adjacent to an existing woodlot. There are opportunities for some areas to be naturalized, or used for tot-lots or provide picnic areas or rest-stations along the trail system. Smaller parkland areas provide the starting point for the multipurpose trail system while also providing a central open space feature in individual neighbourhoods;
- ii) open space areas that are linked by an integrated multipurpose trail system. Approximately 9 kilometres of new trail facilities have been provided for to ensure safe and convenient movement around the hamlet for cyclists and pedestrians while exposing users to a range of open space settings and destinations. The trail is intended to linkage between various residential areas and commercial areas and community facilities. Accordingly, the trails are intended to have a number of potential destinations in addition to providing opportunities for recreation and social interaction. Sidewalks on local streets will interconnect with the trail system;
- iii) Pike Creek, to the greatest extent possible, to remain a natural, undisturbed watercourse, with a 15.24 metre “protective” corridor to either side. Future maintenance of the creek will be achieved from this linear area, which would preferably be of public ownership. Trails are to be integrated along the Pike Creek along with ‘regional’ stormwater management features;

- iv) a core of open space features extending from the northwest to the southeast;
- v) use of 'regional' type stormwater management facilities, that also provide a visual amenity and passive recreational opportunities and are an integral component of the multipurpose trail;
- vi) provide single-loaded roads at key locations to provide:
  - a. benefit to whole community of open space features;
  - b. "eyes of community" watching open space areas;
  - c. creating focal points/places of interest and sense of openness throughout the community;
  - d. sight lines from intersecting streets opening upon open space, thus defining the character of the community;
- vii) establish a highly interconnected street system (modified grid) with shorter block lengths allowing for a more balanced transportation system that works better for cyclists, pedestrians and the automobile;
- viii) on the collector roads, create a more naturally flowing road that is more reminiscent of a hamlet or village setting, with slight curves in the road revealing identifiable features or land markings in the distance;
- ix) maintain Malden Road as a "character road", such that it's cross section is not changed as a result of development, rather a new street pattern is created to direct traffic to new north-south collector roads;
- x) limit direct, individual access onto collector road except where no other alternative available. This provides an opportunity for a trail system along the collectors that is not overly encumbered by individual driveways;
- xi) close existing 6 corners intersection and relocate intersection to south to a new, re-aligned Malden Road and North Talbot Road (in Town of Lakeshore) intersection at County Road 19;
- xii) provide opportunities for commercial development (including uses such as retail, office uses, gas station, restaurant) at locations that:
  - a. have least impact on residential character/integrity of the community;
  - b. create gateway features to the community;

- c. meet the daily needs of the community as well as respond to some of the needs of the traveling public at strategic locations (e.g. intersection of County Roads) which are less suitable for residential-type uses;
  - d. are integrated with the trail system for convenience and act as 'destination' points on the trail;
- xiii) allow single unit development on a lotting pattern that has regard to the existing lotting pattern, such that where existing single tier residential lots exist, new lots abutting will have a minimum depth of 45.72 metres and larger widths (30.48 metre minimum) and completion of the existing lotting pattern (single tier of lots, with direct connection) on Malden Road and Talbot Road to maintain their character of homes "looking upon" the street (exception is south side of Talbot Road, west of the railway);
- xiv) majority of residential lots to be single unit with a frontage of 25.90 metres, depth of 36.57 metres, for total area of 947.61 square metres per lot, creating a unique residential character for the hamlet, taking into account existing development pattern;
- xv) provide opportunities for reduced residential lot frontages where adjacent land uses may make the lands less suitable for larger residential lots, for example abutting commercial lands and major transportation corridors (highways and railways) as well as areas that are away from the existing built areas;
- xvi) the general pattern of new residential lots is for larger single unit lots to be abutting existing residential development, gradually moving to a range of smaller single unit residential lots (to an 18.28 metre minimum frontage) and some more intensive housing forms (semi-detached, townhomes) as one moves towards the outer limits of the hamlet, as generally shown on the preferred concept plan. The foregoing subparagraphs regarding lot sizes provide for a range of lot sizes, housing sizes and housing needs;
- xvii) provide deeper single unit residential lots and/or setbacks abutting features that may require increased separation and other forms of mitigation to address noise, dust, lighting, vibration, and other forms of non-compatible features commonly associated with highways, railways and the existing grain elevator operation. All residential development shall be required to prepare and implement the findings of specific studies to address these issues (scope and extent of buffering/mitigation to be determined at the time of development, based on the recommendations contained in individual studies

prepared by qualified professionals and those other studies deemed necessary);

- xviii) increased side yards are to be incorporated to allow greater separation between residential buildings on separate lots (e.g. 2.43 metre side yard for 4.87 metre separation between buildings). A slightly reduced building separation may be considered for 18.28 metre lots.

A breakdown of the land use components and their areas on the preferred concept plan follows:

### **Land Use Components**

Existing Land Designated Commercial	5.09 hectares
Additional Land to be Designated Commercial	5.42 hectares
Diocese Parkland	1.29 hectares
St. Mary's School Parkland	1.29 hectares
New Municipal Parkland	10.03 hectares
Area of Ontario Hydro Corridor	5.58 hectares
Easterly Stormwater Management Land Area	1.82 hectares
Westerly Stormwater Management Land Area	1.01 hectares
Multipurpose Trail	8.85 kilometres
Approximate Total Dwelling Units/Population	
30.48 metre frontage lots	70 dwelling units
25.9 metre frontage lots	450 dwelling units
Less than 25.9 metre frontage lots	280 dwelling units
Semi-detached and townhome lot	100 dwelling units
Total Dwelling Units:	900 dwelling units

Assuming an average 3.12 persons per household, the preferred concept plan accommodates an approximate population increase of 2,810 persons. With a 2002 population of approximately 500 persons, the total Maidstone Hamlet population at build-out, over a 20-year planning horizon from 2002 to 2022, would be approximately 3,310 persons. Given the absence of residential development as of 2020, these build-out projections are carried



forward to a 25-year planning horizon of 2020 to 2045. Notwithstanding the foregoing, it is recognized that these are estimates and that there may be some variation in the size of lots and types of dwelling units as development proceeds over time and in accordance with the policy direction established in Section 11.2.1, 11.2.2 and 11.2.3 of this Plan.

Reference should be made to Section 11.2.5 of this Plan regarding servicing issues in Maidstone Hamlet.

### **11.2.2 Maidstone Hamlet Residential Goals**

The following goals are established for the Maidstone Hamlet Residential area:

- i) to recognize the existing residential development and employment uses and to encourage new residential development within the hamlet;
- ii) to allow for further development of primarily single unit detached dwellings taking into account the existing residential character, built form and densities in the hamlet while providing some range in new lot sizes;
- iii) to allow, in a limited fashion, the introduction of more intensive housing forms (semi-detached dwellings and townhomes) where suitably located and in recognition of the Provincial Policy Statement;
- iv) to promote and encourage residential intensification activities in areas of the Town where a full range of municipal infrastructure, community facilities, and goods and services are readily available. Residential intensification includes infilling, second units, conversions and redevelopment;
- v) to encourage the provision of an adequate supply of new residential building lots to meet the anticipated demand for additional housing units over the next 25 years;
- vi) to ensure that new residential development occurs in a manner in keeping with the capacity of the services available and the financial capability of the municipality;
- vii) to encourage residential development in the hamlet where a full range of municipal infrastructure (including a piped sanitary sewer system) can be provided in a cost-effective and environmentally sound manner; and
- viii) to require a development pattern that is in accordance with the guiding principles of the Maidstone Hamlet Secondary Plan, as established in Section 11.2.1 of this Plan and which reflects and implements the

general design direction shown on Schedules “B-3” and “E-3” of this Plan.

### **11.2.3 Maidstone Hamlet Residential Policies**

The following policies shall apply to those lands designated Maidstone Hamlet Residential on the Land Use Schedules of this Plan:

- i) residential development shall primarily consist of single detached dwelling units. More intensive forms of residential development may be permitted in accordance with Section 11.2.1.3 of the Plan and subject to consideration by way of site specific zoning by-law amendments;
- ii) the density of residential development and its relationship to existing development shall be established by permitting different minimum lot sizes at different locations throughout the hamlet, in keeping with the policies of Section 11.2.1 of this Plan. In addition to the policies established in Section 11.2.1 regarding the location and size of residential lots, the following additional policies apply:
  - a. the location of lots having a minimum frontage of 30.48 metres and a minimum depth of 45.72 metres shall be as specifically shown on Schedule “B-3” of this Plan;
  - b. the remainder of new residential lots shall be a mixture of lots in accordance with the policies of Section 11.2.1.3 of this Plan. All lots fronting upon Talbot Road shall have a minimum depth of 45.72 metres. Increased lot depths may also be required as a result of further studies as required by Subsection 11.2.3 vii);
- iii) the intensification of residential lands shall be encouraged and standards of development that will assist in achieving this objective shall be a priority for the Town. A minimum of 15 percent of all new housing within the Town should be provided through residential infill and/or intensification, as identified as a target in the County of Essex Official Plan. Residential intensification shall be defined as a net increase in residential units or accommodation within a given property, site or area and includes:
  - a. redevelopment, including the redevelopment of brownfield sites;
  - b. the development of vacant or underutilized lots within previously developed areas;
  - c. infill development;

- d. the conversion or expansion of existing commercial and institutional buildings for residential use; and
  - e. the conversion or expansion of existing residential buildings to create new residential units or accommodation, including second units;
- iv) the addition of a second dwelling unit shall be permitted within a single unit detached, semi-detached or townhouse dwelling unit subject to the following provisions:
  - a. the gross floor area of the second dwelling unit is equal to or less than the floor area of the principle dwelling unit on the lot;
  - b. the dwelling fronts on and has access to/from a municipal road or municipal laneway;
  - c. there are full municipal services and no servicing constraints; and
  - d. adequate access and off-street parking is provided;
- v) a stand-alone second dwelling unit, as an ancillary use to a single unit detached, semi-detached or townhouse dwelling unit, shall be permitted subject to a Zoning By-law amendment and appropriate zoning regulations being in place. The following criteria will be considered as the basis for all Zoning By-law amendments to permit a stand-alone second dwelling unit:
  - a. the use is subordinate to the main dwelling on the lot;
  - b. the use can be integrated into its surroundings with negligible visual impact to the streetscape;
  - c. the use is compatible in design and scale with the built form on the lot and the surrounding residential neighbourhood in terms of massing, height and visual appearance;
  - d. there are full municipal services and no servicing constraints; and
  - e. other requirements such as servicing, parking, access, stormwater management, tree preservation, landscaping and the provision of amenity areas are adequately addressed;
- vi) garden suites shall be permitted as a temporary use in accordance with the terms of the Planning Act and subject to the following provisions:

- a. a maximum of one garden suite per single detached dwelling lot;
  - b. sufficient parking, landscaping and buffering are provided;
  - c. the property owner must reside in the principal dwelling on the lot;
  - d. the property owner has entered into an agreement with the Town with respect to such matters as installation, maintenance, removal and occupancy of the garden suite and has posted suitable financial security with respect to the agreement in accordance with the Planning Act;
  - e. a certificate of occupancy will be required prior to occupancy;
  - f. there are no servicing constraints and, where the property is served by individual on-site sewage services, approval of a garden suite is subject to approval of the Town's Building Department;
  - g. the garden suite shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in removing the garden suite or converting it to a permitted use;
- vii) home occupations may be permitted, provided they do not alter the residential character and amenity of the area;
  - viii) the creation of new lots for residential purposes will primarily occur by plan of subdivision. However, consents for residential lots will be permitted in accordance with the policies contained in Section 11.2.4 of this Plan. All lotting and road patterns, regardless of how the lot is created, shall be designed in accordance with subsection 11.2.1 of this Plan and reflect and implement the general design direction shown on Schedules "B-3" and "E-3" of this Plan;
  - ix) the undeveloped lands that are designated Maidstone Hamlet Residential and have servicing constraints shall be placed in a holding zone in the implementing zoning by-law at the time development applications are being considered by the Town or at such time prior to development applications as Council deems appropriate. The holding symbol will be removed when appropriate sewage, water and any other necessary infrastructure is available to the satisfaction of the Town and a plan of subdivision is approved, where required. Existing uses and agricultural uses, excluding livestock intensive operations, greenhouse operations and mushroom farms, shall be permitted in the interim;

- x) it is the intent of this Plan to avoid intrusions of commercial activities into the residential areas. Therefore, new commercial uses shall not be permitted in the Maidstone Hamlet Residential designation;
- xi) a grain elevator operation is currently located on the north side of Talbot Road, west of Malden Road on lands designated Neighbourhood Commercial on Schedule “B-3” of this Plan. Prior to new residential development proceeding in the hamlet within 300 metres of this facility, the developer shall be required to prepare noise, dust and lighting studies (including but not limited to the Ontario Ministry of the Environment, Conservation and Parks document “Noise Assessment Criteria in Land Use Planning Publication LU-131) by qualified professionals to ensure land use compatibility between sensitive uses and the grain elevator operation for review and approval by the Town and other authorities, as required, and recommended setbacks and mitigation (e.g., structural design features), if required, will be included within any development application. Such studies shall be conducted during the grain elevator’s peak season of July to December at which time dryers are used and the operation will be 24 hours a day, 7 days a week with associated truck movement on and off site. In addition, development agreements executed between the Town and residential developers shall include a provision that requires notice be given on the title of new residential lots regarding the grain elevator operation, its location and the nature of its operations;
- xii) areas identified as “Recreational” on Schedule “B-3” of this Plan represent an overlay designation that identifies the general location of lands that are intended to be set aside for recreational facilities having a range of purposes, as noted in Subsection 11.2.1 of this Plan. The precise location and size of each of these recreational areas shall be determined at the time individual development plans are being reviewed and approved and shall be in accordance with Section 11.2.1 and the general locations shown on Schedule “B-3” of this Plan. Uses permitted in the locations determined at the time of development approval shall be as established in Subsection 4.7 of this Plan.

#### **11.2.4 Maidstone Hamlet Residential Land Division Policies**

In areas designated “Maidstone Hamlet Residential”, division of land by consent shall only be permitted in accordance with the following policies:

- i) the creation of new lots shall be in accordance with Section 6 of this Plan; and

- ii) the proposed new lots shall be in accordance with subsection 11.2.1.3 and Schedule “B-3” of this Plan.

## **11.2.5 Maidstone Hamlet Servicing Policies**

### **11.2.5.1 Municipal Water Services**

All development in Maidstone Hamlet will be serviced by municipal water services in accordance with Section 8.2 of this Plan.

### **11.2.5.2 Municipal Sanitary Sewer Services**

All development in Maidstone Hamlet will be serviced by municipal sanitary sewer services in accordance with Section 8.2 of this Plan.

### **11.2.5.3 Storm Drainage**

All development in Maidstone Hamlet will be serviced by storm drainage in accordance with Section 8.3 of this Plan.

It is noted that Maidstone Hamlet is presently being drained either directly by Pike Creek or a series of municipal drains which, in turn, outlet into Pike Creek. These drains are the Manning Road West Townline Drain, the Malden Road East and West Drains, the east branch of the Delisle Drain, the North Talbot Road Drain and the Talbot Road Drains (north and south). Three (3) smaller drains (the Small Drain, the Collins Drain, and the Cunningham Drain) drain the area bounded by County Road No. 34 (Talbot Road), the CN/CP railway, County Road No. 19 (Manning Road) and Malden Road.

In considering the stormwater management solutions for development in Maidstone Hamlet, regard will be given to the Town’s objective of achieving stormwater management facilities on or near Pike Creek, as shown on Schedule “B-3”. One pond with a total approximate land area of 2 to 3.2 hectares (5 to 8 acres) will be located east of Malden Road near the existing park area to accommodate flows from the east of Malden. Two ponds, each with a total land area of 2 to 2.4 hectares (5 to 6 acres) will be located west of Malden Road to accommodate flows from west of Malden Road. It is important to note that the actual area and location will be more accurately determined as lands are developed and storm water calculations are undertaken and storm water management reports are completed in accordance with Section 8.3 of this Plan. It is the intent that the pond areas not only serve to enhance water quality but also must add an important visual/environmental amenity with opportunities for integration of the multipurpose trail system. The ponds should become focal points and defining elements for their respective neighbourhoods.

Pike Creek is to remain as untouched as possible to keep its rural pristine appearance with a 15.24 metre (50 foot) natural buffer strip on either side of the creek, from within which future maintenance works may be completed and a trail system can be integrated.

#### **11.2.5.4 Transportation**

All development in Maidstone Hamlet will be serviced by a transportation system in accordance with Section 9 of this Plan. In addition, the following more specific policies shall apply to development within Maidstone Hamlet, as depicted on Schedule “B-3” of this Plan.

The existing road pattern for the developed portion of the Hamlet and the adjacent lands is shown on Schedules “B-3” and “E-3” of this Plan. The conceptual location of future collector and local roads for the undeveloped lands situated within the Hamlet are depicted on Schedules “B-3” and “E-3” of this Plan.

The alignment of future collector and local roads is depicted conceptually on Schedule “E-3” of this Plan. The precise alignment of all new roads will be determined at the draft plan of subdivision stage and will be guided by Schedules “B-3” and “E-3” as well as Sections 11.2.1, 11.2.2 and 11.2.3 of this Plan and, for clarity, shall include the strategic location of single loaded roads overlooking open space areas, local roads opening and intersecting with open space areas and the integration of a trail system within portions of the collector road right-of-way.

Maidstone Hamlet is serviced by three (3) major arterials: County Road 19 (Manning Road), County Road No. 46, County Road No. 34 (Talbot Road) and by Provincial Hwy. No. 3. The limits of the Hamlet are well defined by County Road No. 19 (Manning Road) and the Town of Lakeshore to the east, the railway line and Hwy. No. 3 to the south, and County Road 46 to the north. The westerly limit has been set at the westerly limit of Farm Lot 294 and the East Branch of the Delisle Drain.

The Hamlet is dissected into various segments by both natural and man-made obstacles, including Pike Creek, Ontario Hydro Corridor; Malden Road and the CN/CP Railway. The new collector road system along with a limited number of local roads will integrate these areas.

Access is offered to that portion of Maidstone Hamlet which lies to the west of Malden Road by a proposed collector road system which interconnects County Road 46 to the north, County Road 34 (Talbot Road) to the south, which in turn connects to Highway No. 3 and to Malden Road to the east at two (2) separate locations.

In an attempt to integrate the area west of Malden Road with that east of Malden Road, the east collector road will intersect Malden Road and connect

to the collector system to the west. This east collector will also connect to County Road No. 34 to the south.

The overall road concept establishes a new north/south collector road system that will direct traffic away from existing Malden Road.

A system of linear pedestrian/bicycle pathways along streets, the Ontario Hydro corridor and the naturally occurring alignment of Pike Creek will also serve to integrate the various segments. These will serve as an access to the focal point of the Hamlet, the St. Mary's Church/School/park area.

Although Malden Road is intended somewhat to remain in the existing condition, the additional vehicular traffic and pedestrian traffic generated by the adjacent development would no doubt impact Malden Road. For this reason, it is the policy of this Plan that only a limited improvement be considered, i.e. trail on one side, improved street lighting, improved barrier or separation between pavement and existing roadside drain for safety purposes.

Under the April 2002 County of Essex County Road 19 Corridor Study, F. R. Berry & Associates identified several roadway improvements anticipated in the next 20 years. One area of concern is the County Road No. 19/North Talbot Road/Malden Road intersection and its proximity to County Road No. 46. The development of the Hamlet will exacerbate the traffic problem foreseen in this area.

Due to the fact that this area is situated in Tecumseh west of Manning Road and in Lakeshore east of Manning Road, and under the ownership of several parties, any improvement to the alignment of these roads will prove challenging but necessary nonetheless. A proposed approximate realignment is shown on Schedules "B-3" and "E-3". Ultimately, the design will be required to be consistent with the County Road 19 (Manning Road) and County Road 22 Improvements, Environmental Study/Preliminary Design Report, dated November 2008 and prepared by the Ministry of Transportation and the County of Essex.

All proposed local residential rights-of-way must be a minimum of 20 metres in width to accommodate the above- and below-ground infrastructure. The proposed collector right-of-way must be a minimum of 24.38 metres in width in order to accommodate the proposed 3.65 metre foot wide multipurpose, hard-surfaced trail on one side. Pavement width for the collector road need not be any wider than that of local residential streets, except at its intersection with Talbot Road, Malden Road and County Road 46, where a widened pavement width will be required to accommodate left turn lanes, unless determined otherwise by additional traffic impact studies.

A multipurpose trail system is an amenity intended to provide a broad range of recreational opportunities, encourage walking/cycling as an alternative

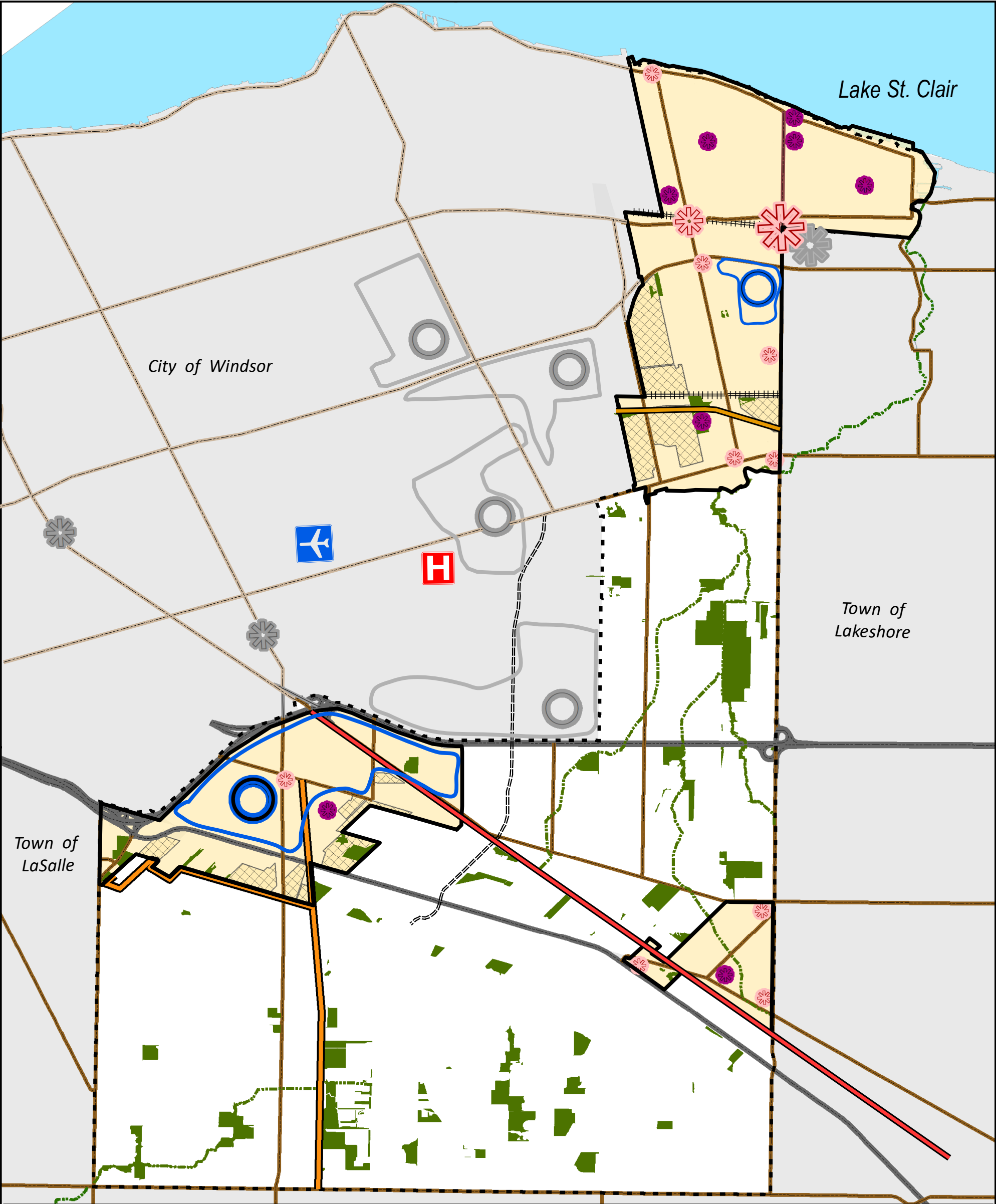


means of transportation for short trips within the Hamlet, and provide a safer environment for pedestrian and non-vehicular recreational traffic. A properly designed trail system will be able to safely interconnect community facilities such as the school, parks and various areas of open space, the church and commercial sites with the surrounding residential community. The trail should be uniformly hard-surfaced throughout the Hamlet.

Improvements will be required where new collector roads intersect with external roadways. In particular, improvements will be required at the following locations:

- intersection of Malden Road and County Road 19;
- length of road connecting County Road 46 and North Talbot Road, along with intersection of same road with County Road 46;
- intersection of new collector roads with Talbot Road (County Road 34).

These improvements may include widenings, turning and bypass lanes, the introduction of traffic signals and traffic circles. Improvements, as identified through individual traffic studies, will be subject to the approval of the County Engineer along with the Town and will be subject to the preferred design solutions of any Municipal Class Environmental Assessment completed in these areas.



**Legend**

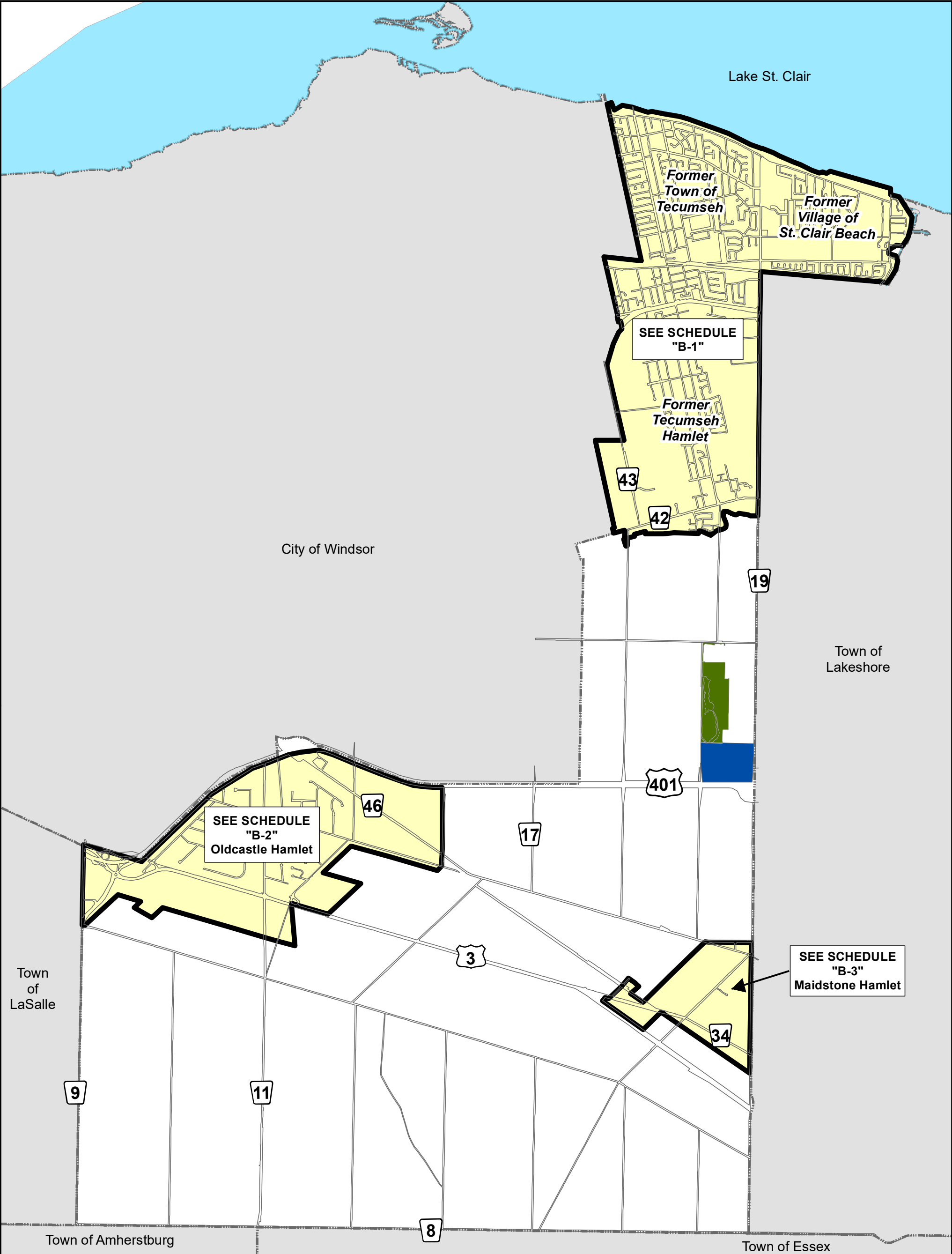
	Settlement Area		Residential Neighbourhoods		Municipal Boundary
	Employment Node		Future Growth Areas		Provincial Road
	Commercial Node		Agricultural/Natural Areas		Main Road Corridors
	Community Node		Natural Linkages		Railways
	Neighbouring Employment Node		Human Made Linkages		Future Lauzon Parkway Extension
	Neighbouring Commercial Node		Potential Human Made Linkages		
			Future Regional Mega-Hospital		

**SCHEDULE "A"**  
**Town of Tecumseh Official Plan**  
**Community Structure Plan**





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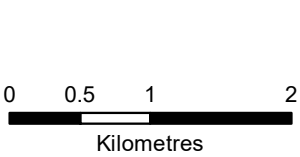
Prepared By:  
Tecumseh Planning and  
Building Services Department



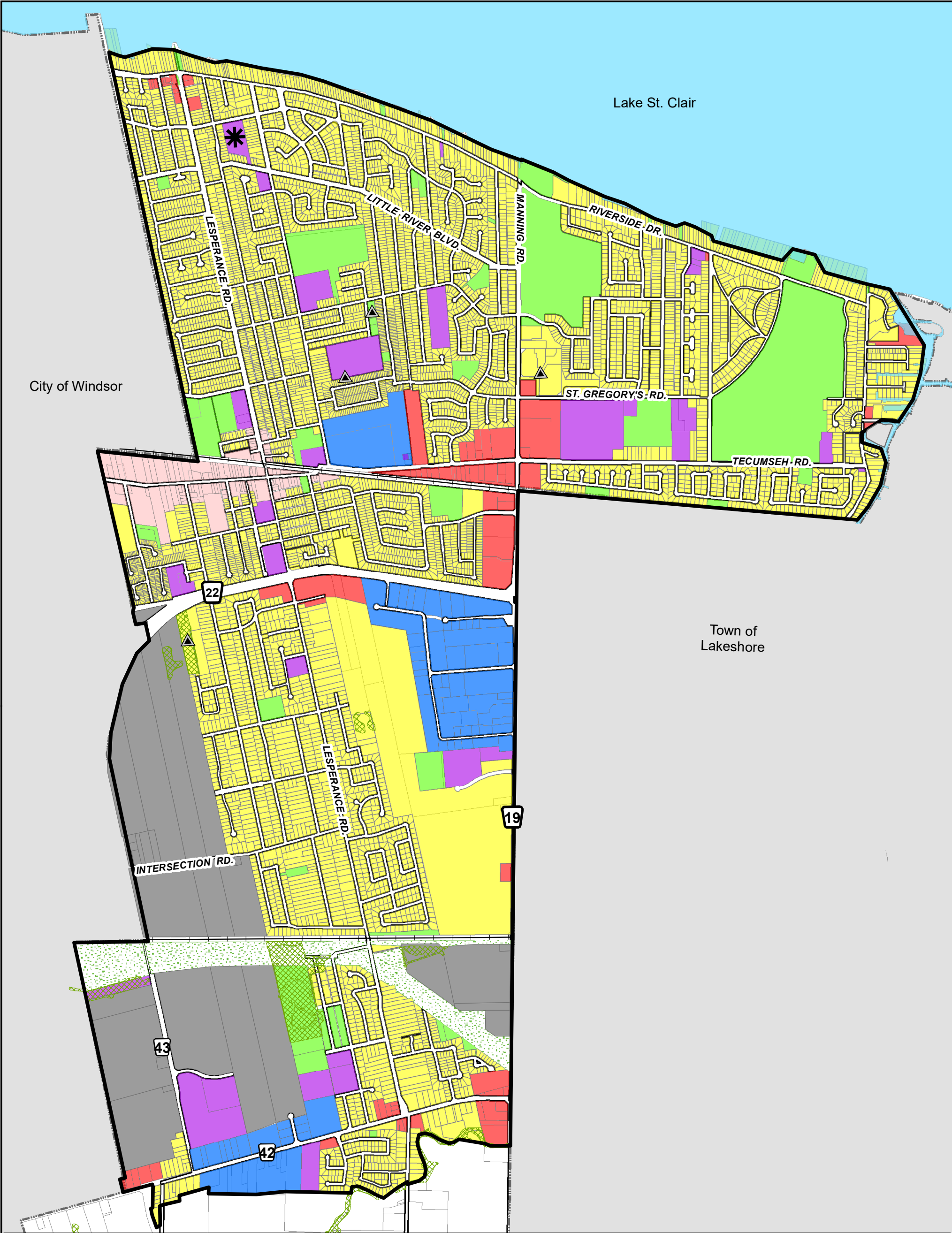
**Legend**

-  Settlement Area Boundary
-  Natural Environment
-  Highway Service Centre
-  Agricultural

**SCHEDULE "B"**  
Town of Tecumseh Official Plan  
**Land Use Plan**







**Legend**

Settlement Area Boundary	Business Park	Future Development
Residential	Recreational	Former Landfill Site
Main Street Mixed Use	Hydro Right-of-Way	Lands subject to prior Official Plan Amendment application as of February 23, 2021
General Commercial	Natural Environment Overlay	
Community Facility		

**SCHEDULE "B-1"**  
**Town of Tecumseh Official Plan**  
**Tecumseh North Settlement Area**  
**Land Use Plan**












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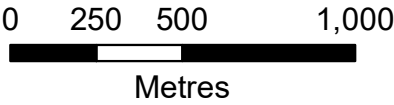
Prepared By:  
Tecumseh Planning and  
Building Services Department



**Legend**

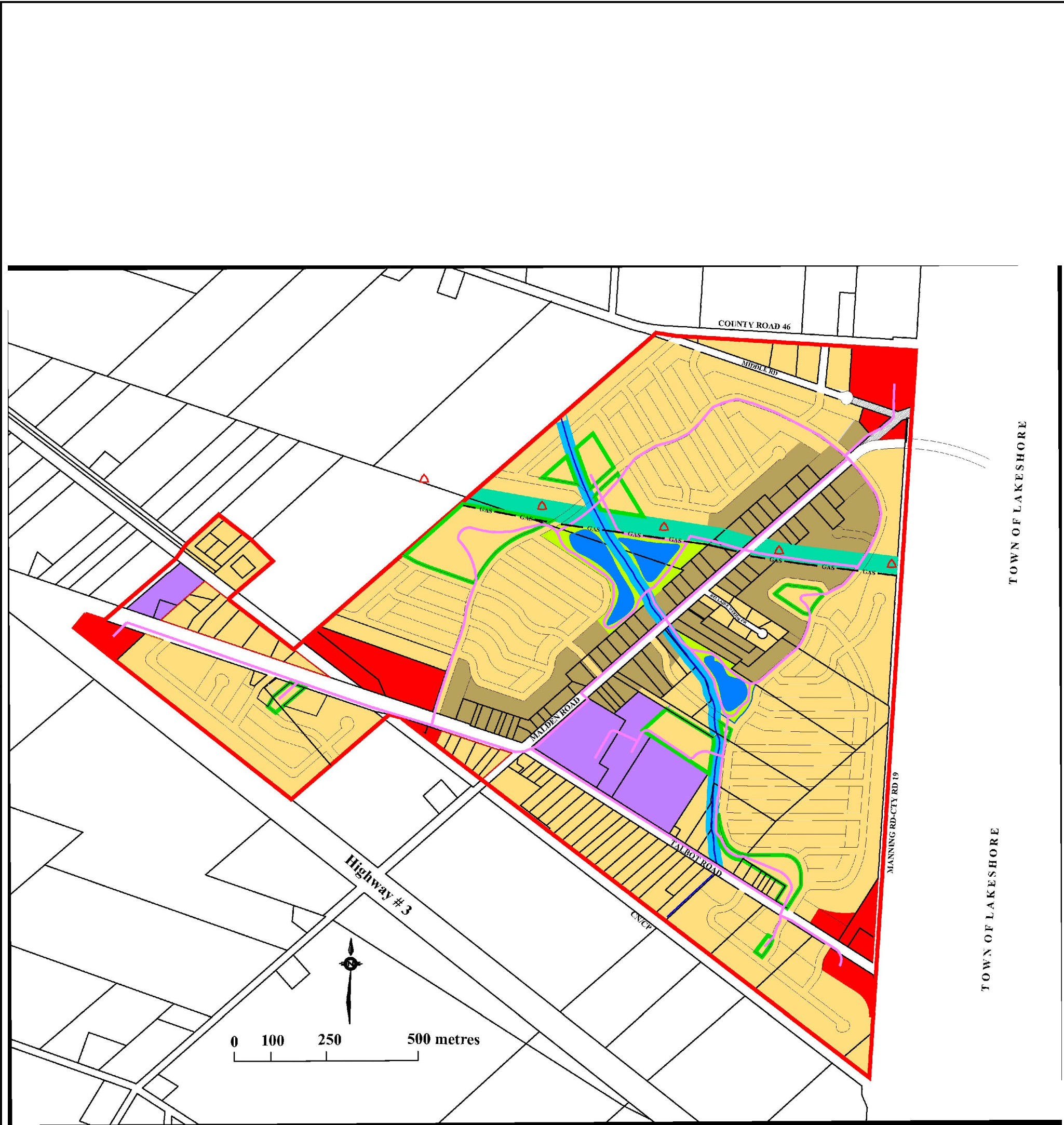
- |   |                          |   |                                  |
|---|--------------------------|---|----------------------------------|
|   | Settlement Area Boundary |  | Recreational                     |
|   | Residential              |  | Natural Environment              |
|   | General Commercial       |  | Natural Environment Overlay      |
|   | Community Facility       |  | Future Development               |
|   | Business Park            |  | Ministry of Transportation Lands |
|  | Former Landfill Site     |   |                                  |

**SCHEDULE "B-2"**  
Town of Tecumseh Official Plan  
**Oldcastle Hamlet Settlement Area**  
**Land Use Plan**



Prepared By:  
Tecumseh Planning and  
Building Services Department





**Legend**

Settlement Area Boundary

Maidstone Hamlet Residential

Maidstone Hamlet Residential 30.48 metre Frontage Lots

Neighbourhood Commercial

Community Facility

Recreational

100' Pike Creek Corridor & Floodway

Stormwater Management Areas

Hydro Right-of-Way

Hydro Towers

Multipurpose Trail

Conceptual Road Pattern

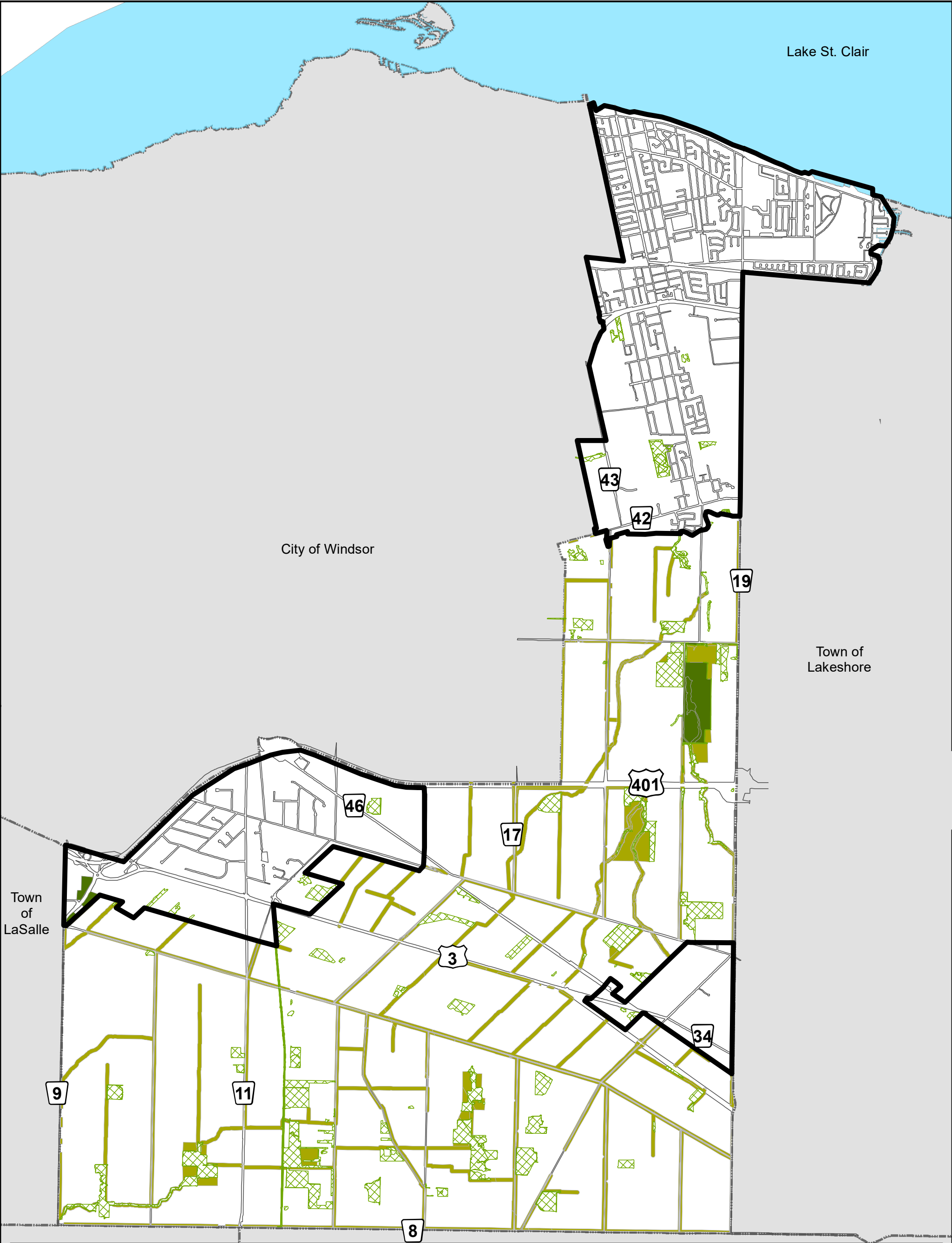
Conceptual Road Closure

**-GAS-** Gas Line





**SCHEDULE "B-3"**  
Town of Tecumseh Official Plan  
**Maidstone Hamlet Settlement Area Land Use Plan**

Prepared By:  
Tecumseh Planning and Building Services Department

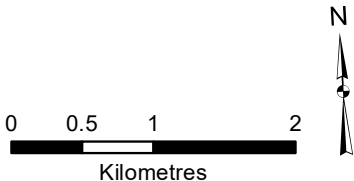
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**Legend**

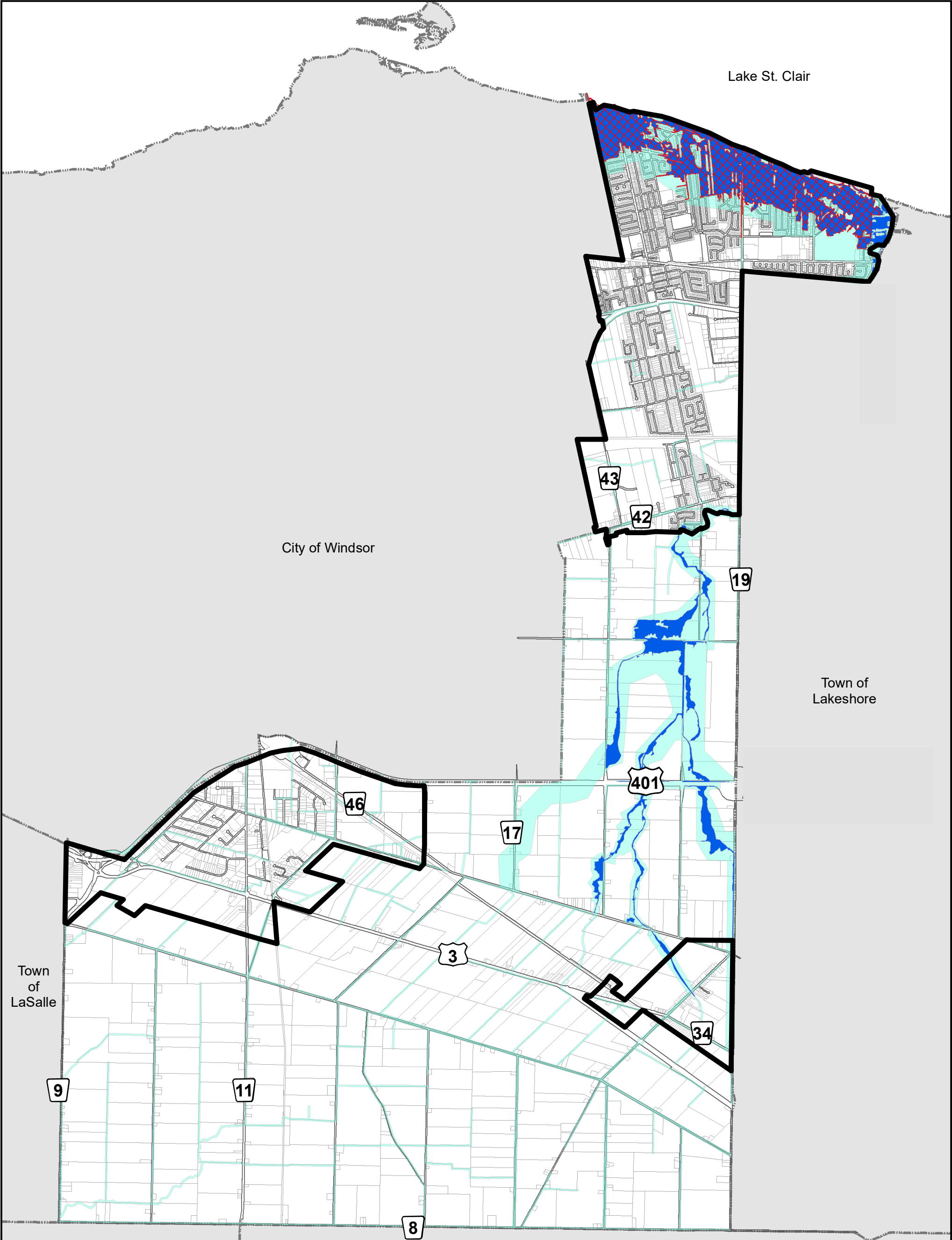
-  Settlement Area Boundary
-  Natural Environment
-  Natural Environment Overlay
-  Restoration Opportunities Overlay

**SCHEDULE "C"**  
**Town of Tecumseh Official Plan**  
**Natural Heritage System**


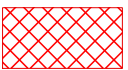

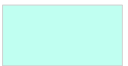


Prepared By:  
Tecumseh Planning and  
Building Services Department





**Legend**

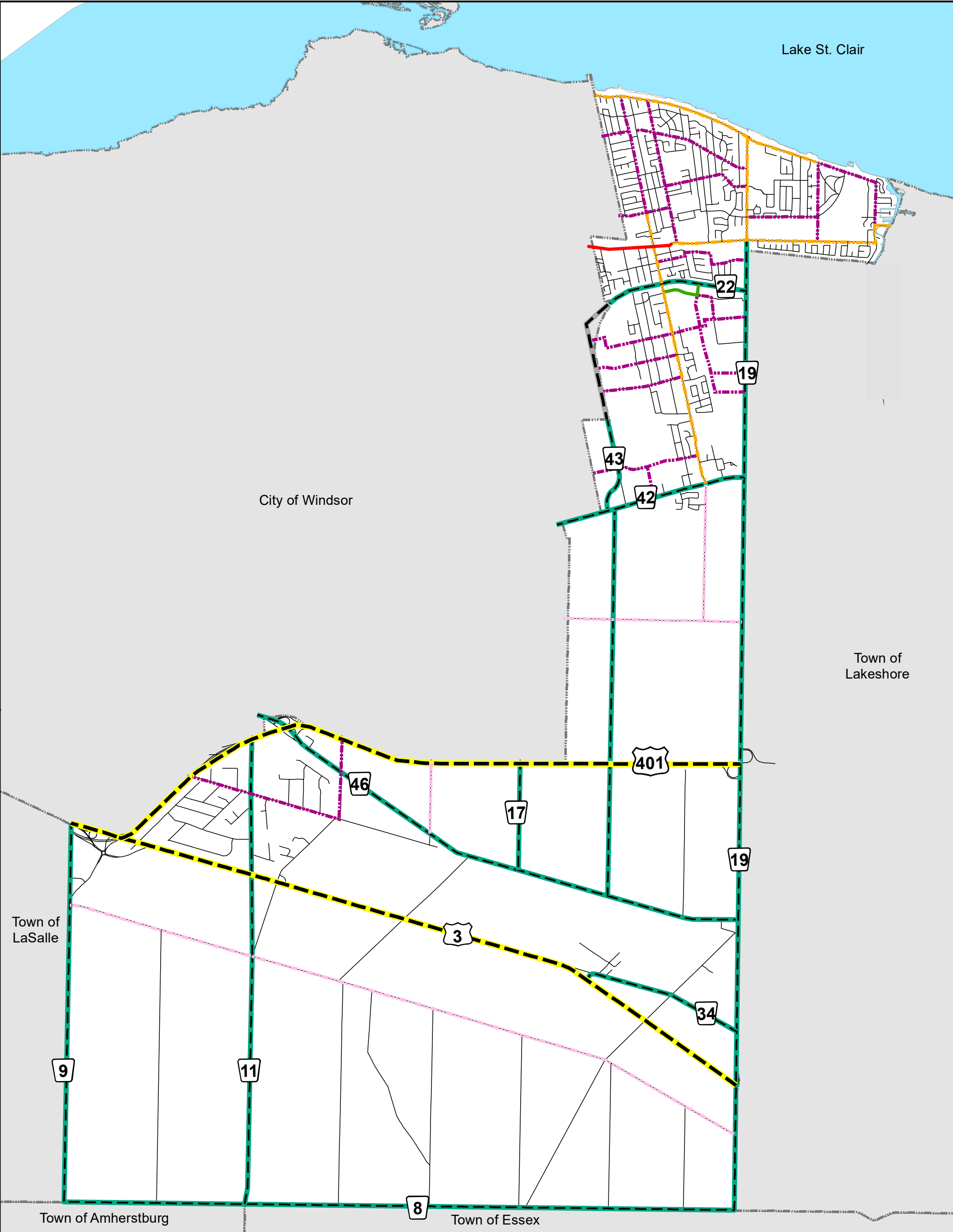
-  Settlement Area Boundary
-  Lake St. Clair Flood Prone Area
-  Inland Floodplain Development Control Area (FDCA)
-  Limit of Regulated Area (LORA)

**SCHEDULE "D"**  
**Town of Tecumseh Official Plan**  
**Natural Hazards**



  
Prepared By:  
Tecumseh Planning and  
Building Services Department

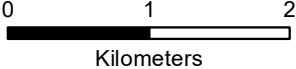




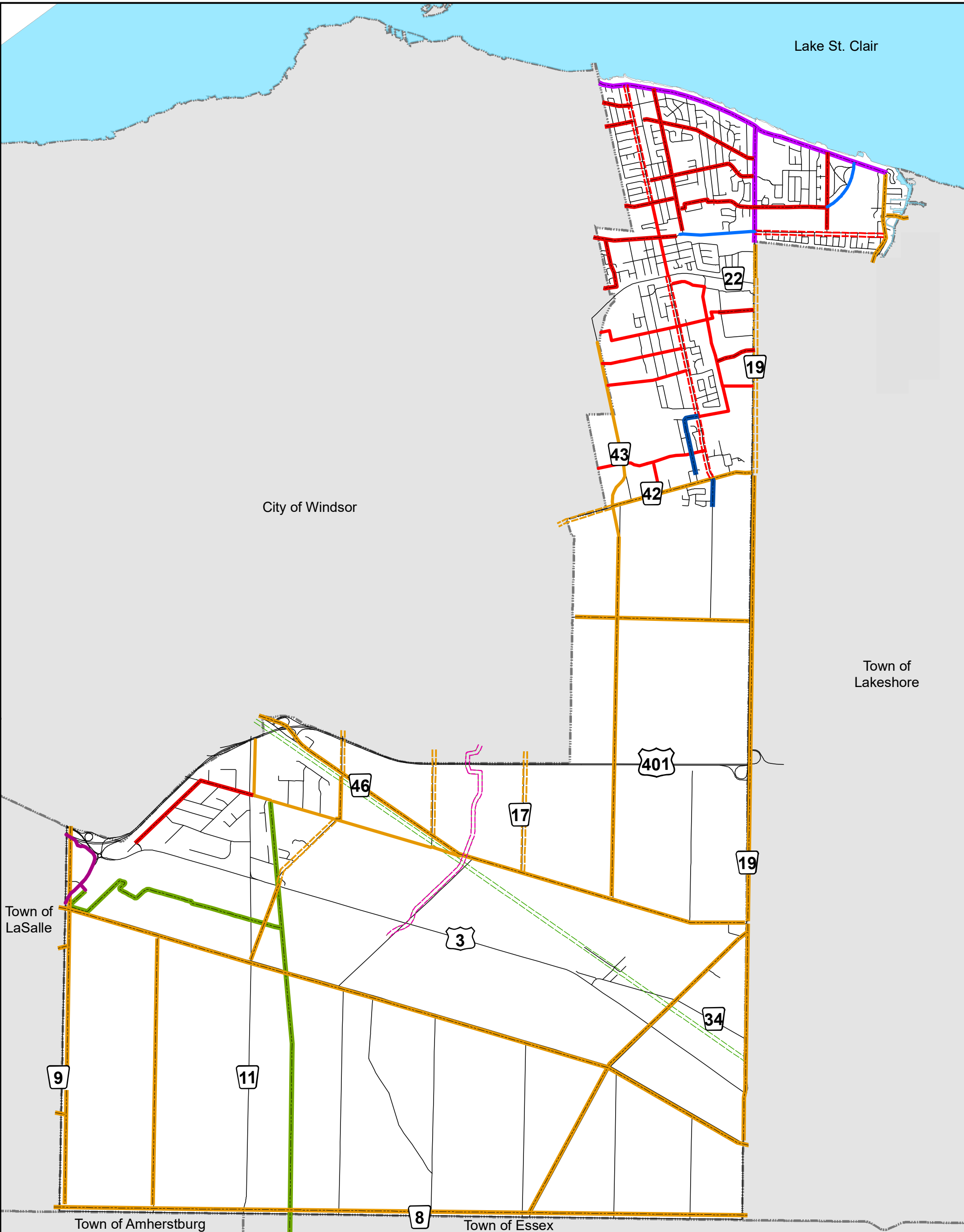
**Legend**

- |                      |                        |                   |
|----------------------|------------------------|-------------------|
| Provincial Highway   | Arterial (Minor)       | Collector (Urban) |
| County Road          | Commercial Main Street | Collector (Rural) |
| City of Windsor Road | Collector/Freeway Ramp | Local Road        |

**SCHEDULE "E-1"**  
**Town of Tecumseh Official Plan**  
**Road Classification**



Prepared By:  
Tecumseh Planning and  
Building Services Department



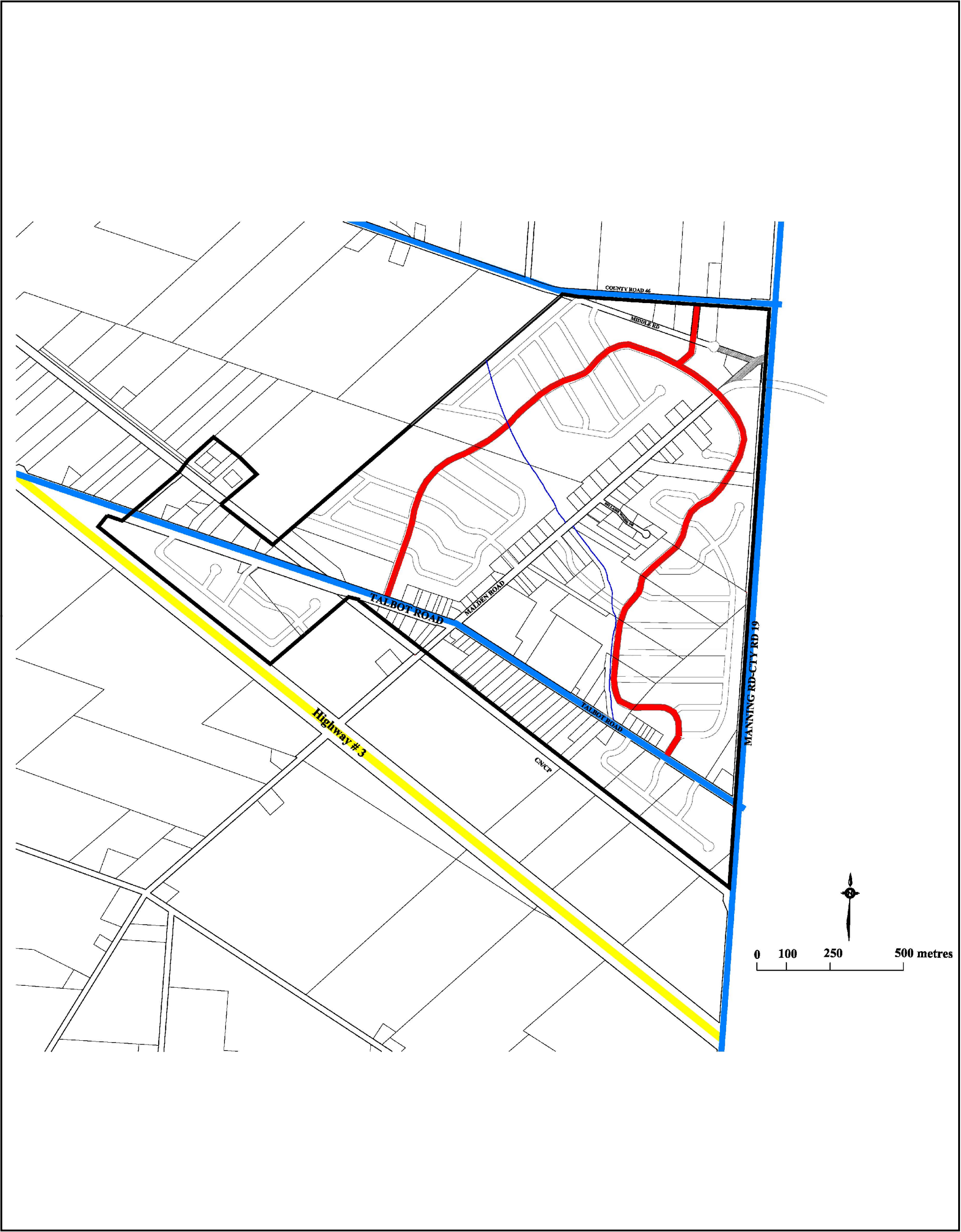
**Legend**

- |                               |                                    |
|-------------------------------|------------------------------------|
| Tecumseh Off-Road             | Herb Grey Parkway Route            |
| Tecumseh On-Road (Dedicated)  | CWATS and Tecumseh On and Off Road |
| Tecumseh On-Road (Shared)     | CWATS On-Road Route                |
| Tecumseh On or Off Road       | CWATS Off-Road Route               |
| Tecumseh On and Off Road      | CWATS On and Off Road Route        |
| Proposed Lauzon Parkway Route | ERCA Routes                        |
|                               | Proposed ERCA Routes               |

**SCHEDULE "E-2"**  
**Town of Tecumseh Official Plan**  
**Active Transportation Network**

(Note: See Schedule B-3 for Active Transportation Network in Maidstone Hamlet Settlement Area)





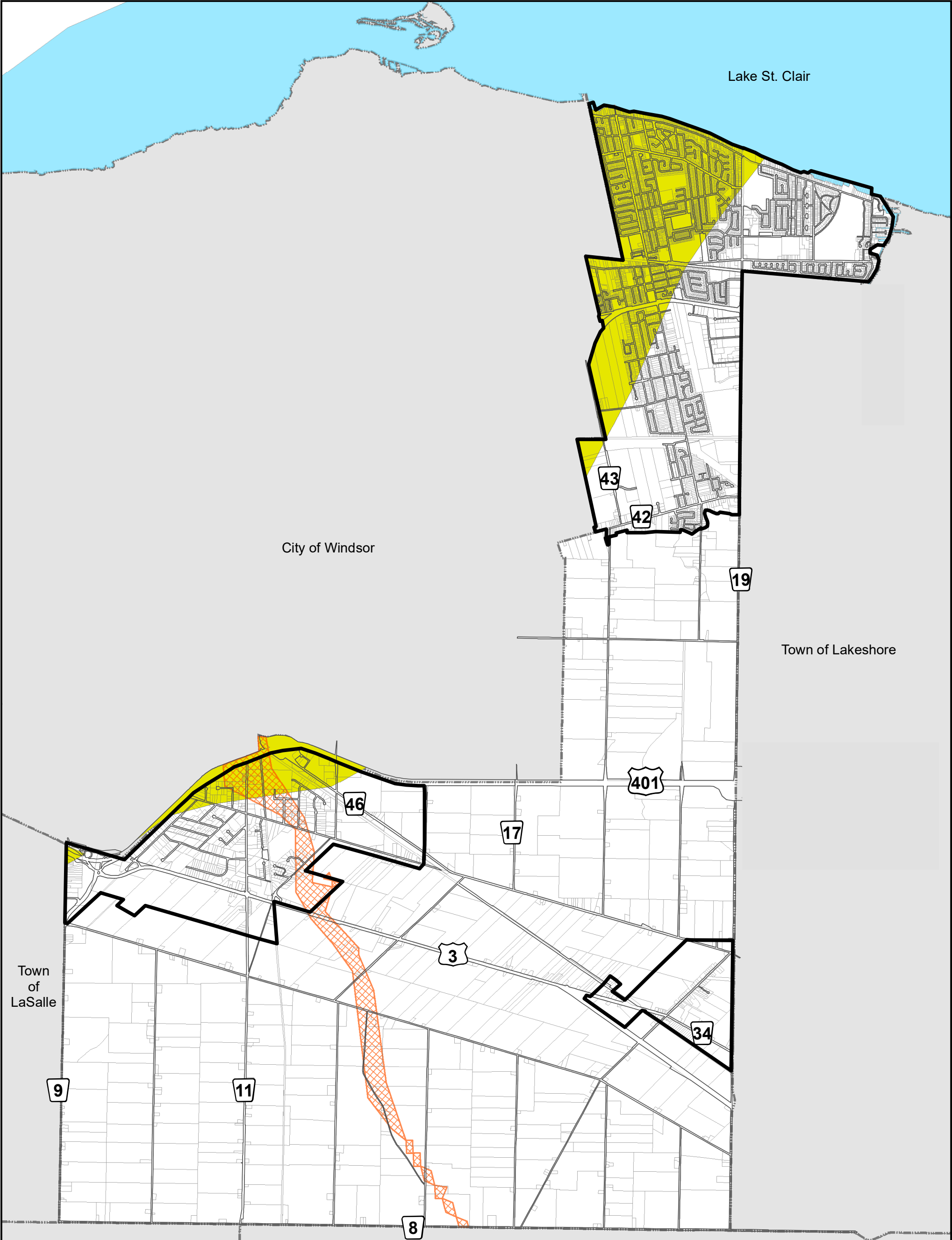
**Legend**

	Settlement Area Boundary		Local Roads
	Provincial Highways		Conceptual Future Local Roads
	Arterial Roads (County Roads)		Conceptual Road Closure
	Collector Roads		




**SCHEDULE "E-3"**  
Town of Tecumseh Official Plan  
**Maidstone Hamlet Settlement Area**  
**Road Classification**

Prepared By:  
Tecumseh Planning and  
Building Services Department

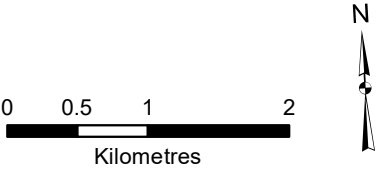




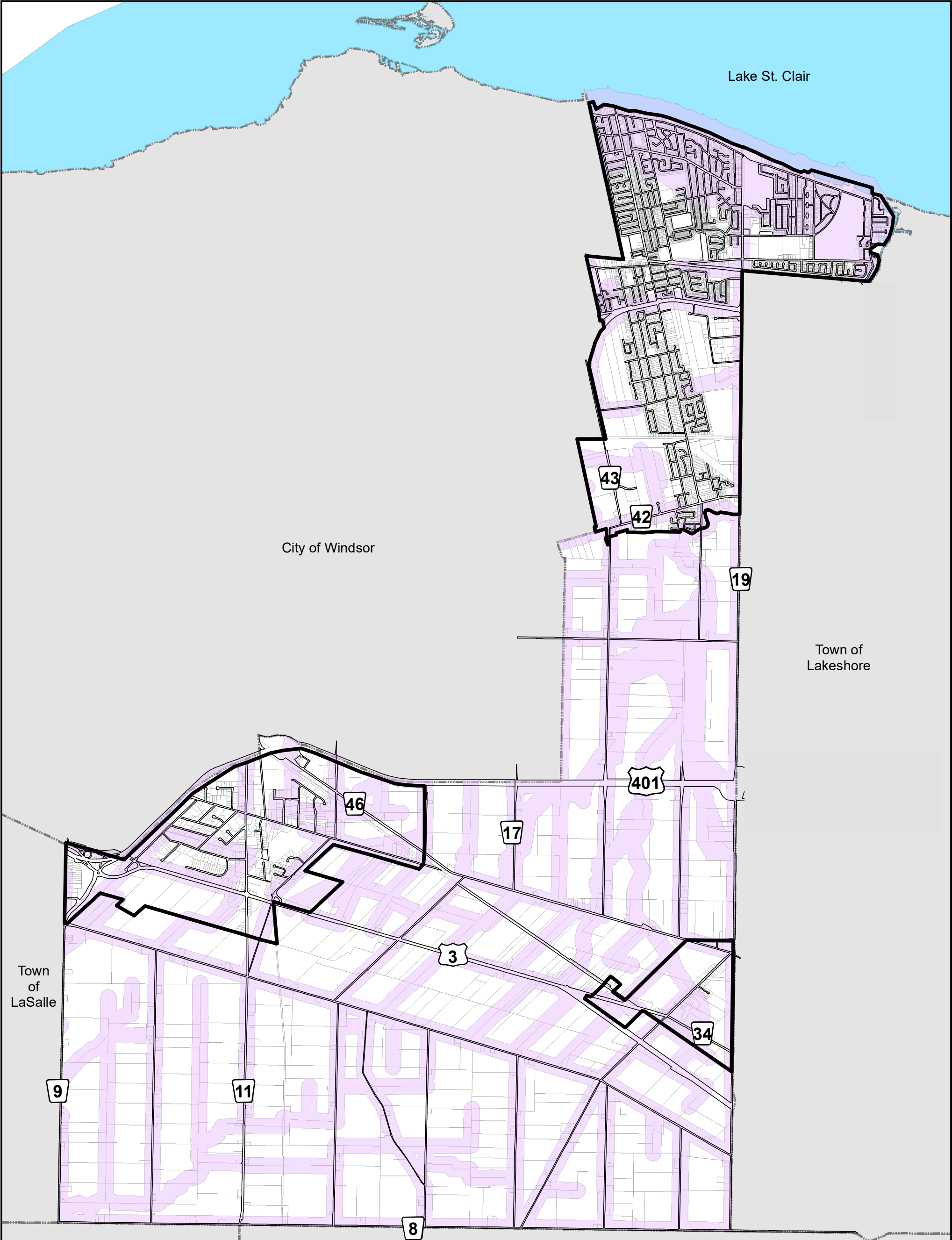
**Legend**

-  Settlement Area Boundary
-  Significant Ground Water Recharge Areas
-  Salt Deposits



**SCHEDULE "F"**  
**Town of Tecumseh Official Plan**  
**Natural Resources**



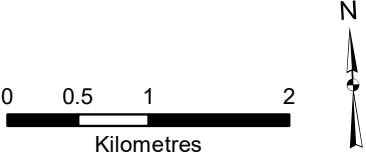
  
Prepared By:  
Tecumseh Planning and  
Building Services Department



**Legend**

-  Urban Area Boundary
-  Intake Protection Zones

**SCHEDULE "G"**  
**Town of Tecumseh Official Plan**  
**Intake Protection Zones**



Prepared By:  
Tecumseh Planning and  
Building Services Department

**Attachment 2**  
**New Town of Tecumseh Official Plan, February 2021**  
**Draft for Council Adoption**  
**Ms. Judy Robson email, January 29, 2021**

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**From:** judy robson <[REDACTED]>  
**Sent:** Friday, January 29, 2021 10:20 AM  
**To:** Brian Hillman <[REDACTED]>; Chad Jeffery <[REDACTED]>  
**Cc:** Laura Moy <[REDACTED]>; Tania Jobin <[REDACTED]>; Joe Bachetti  
<[REDACTED]>; Rick Tonial <[REDACTED]>; Brian Houston  
<[REDACTED]>  
**Subject:** OP Report PBS-2021-01

Good Morning,

At the Public Meeting, I was not cognizant of the report (PBS -2021-01) outlining the results of the Public Information Centres and thank you for the opportunity to comment on the report at this time.

I appreciate the format of the report and found it to be straightforward and easily followed and appreciate its' inclusiveness.

**FOOD 1**

It was not the necessity of consolidating the three OPs under a single name that is problematic. It is the use of the word "Town" in naming both the 'community' and 'municipality' that is confusing and troublesome. For example, in section 1.3 Planning History, you insert the word **(new)** to distinguish the municipality from the community of the 'Town of Tecumseh.' This insert indicates the need to discern between the two when referencing. I am in agreement that this new OP consolidates the **Municipality of Tecumseh**.

1.5.2 pg.10 Further describes the location of the '**Town of Tecumseh** located 'in the northwest corner of Essex County' resulted in the amalgamation of the **(Former)** Tecumseh, Village of St. Clair Beach and Sandwich South.' The amalgamated Township of Sandwich South, being bordered by County Rd.8 which bisects the County (which is indicated) is more centrally located. This is the location of the **new** Town of Tecumseh. It is not the geographical description of the Municipality boundaries of Tecumseh that incorrect but rather in the **naming -.** Former Tecumseh, New Tecumseh, Town of Tecumseh?

In the span of a few pages of the OP the **Community of Tecumseh** has been referred to as (Former) and the **Municipality of Tecumseh** as (New). In the body of the document the describing words of (new and former) are omitted. The lack of name consistency leaves room for confusion in the interpretation of this document by the laity. For the sake of clarity and

recognizing the difference between the processes of amalgamation and annexation, using the accurate names appears to be a logical solution. The name of the community is 'Town of Tecumseh' and the name of the 'municipality' should be renamed to 'Municipality of Tecumseh'. This renaming would coincide with the language of the PPS which does discern between 'community' and 'municipality'. I realize this topic of name is a decision for council but I feel it is important enough, from the perspective of those living in the southern portion on the Municipality to address and introduce it at this time since a change of name may alter some of the language.

## **FOOD 5**

I am referring only to the profiling of Oldcastle within the OP and requesting the **general** inclusion of some of its' other attributes such as parks, trails and churches that are **already in existence**. The current profile mentions only our industrial importance, which we certainly do not deny, but fails to mention any of our other amenities that demonstrates that we are a complete community. Could you clarify and be more precise as to why adding these existing attributes to our community's profile at this time affects policy or the Oldcastle Hamlet Special Planning Study?

## **FOOD 23**

### 4.3 General Commercial

Seeking for my own understanding, clarification, that the CH, CR will remain unchanged when the comprehensive zoning study is done and the wording in the OP has not given reason to amend these zonings?

Thank you



## **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:** February 23, 2021

**Report Number:** PBS-2021-05

**Subject:** 2020 Year End Permit Report

---

### **Recommendations**

It is recommended:

**That** Planning and Building Services “Report No. PBS 2021-05, 2020 Year End Permit Report” **be received.**

### **Background**

This Report summarizes the permits issued for the year of 2020 (January-December) and compares the values of the same period of the previous year.

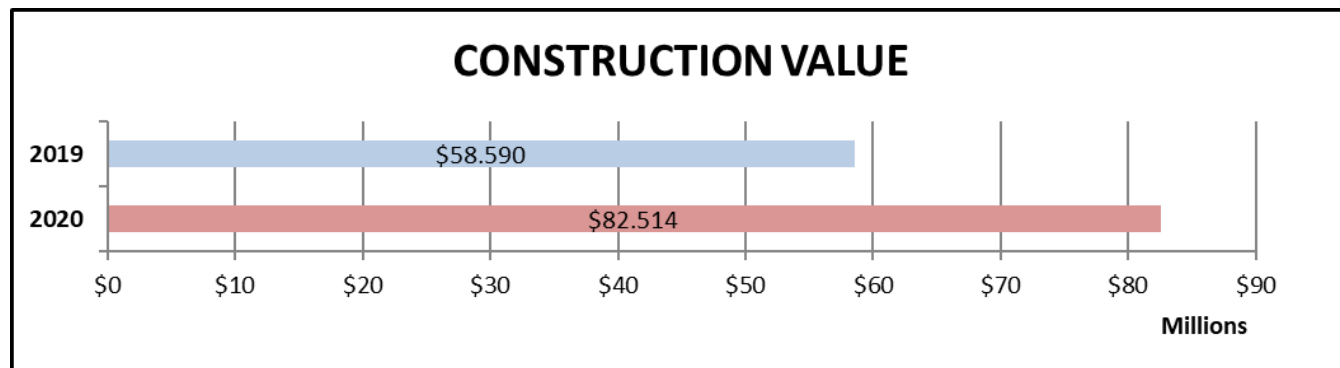
The report also highlights some training achievements that were met in 2020.

### **Comments**

#### **1. Construction Value:**

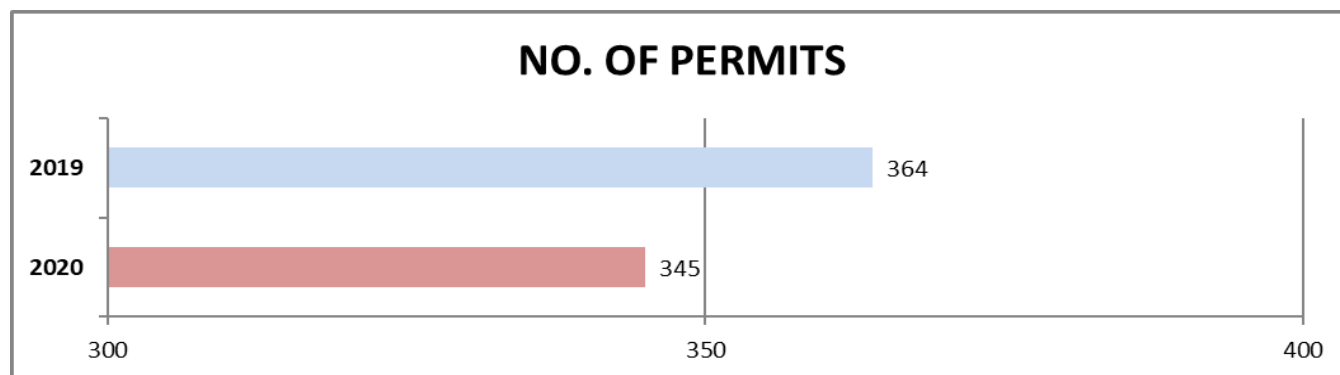
The following chart summarizes the reported construction value of permits for the period. Construction value was reported at \$82,513,674, which is up by \$23,923,896 or 41 percent over last year. This is due in part to the construction of 3 new multi-storey, multi-unit residential buildings that have a combined construction value of \$52,500,000.





## 2. Number of Permits:

The following chart summarizes the total number of permits issued for the period, which are down from last year by 19 permits or 5 percent.



## 3. Permit Types:

The following chart summarizes the number of permits issued by type for the period. A total of 11 new single dwelling unit permits were issued. There were also 3, multi-storey, multi-unit residential permits issued which created 195 dwelling units. For the same period last year there were 19 new single dwelling units and 1, 2-unit residential building. A total of 38 backwater valve permits were also issued for the period.

Permits		
Types of Permits	No of Permits	
	2020	2019
New Residential Buildings	11	19
New Multi-Residential Buildings	3 (195 units)	1(2 units)
Residential Additions and Improvements	155	153
New Non-Residential Buildings	7	7
Non-Residential Additions and Improvements	26	57
Swimming Pools	39	37
Lot Grading	1	6
Fences	35	23
Signs	13	10
Portable Signs	39	36
Demolitions	16	15
<b>Totals</b>	<b>345</b>	<b>364</b>

#### 4. Training

Due to the restrictions caused by the global COVID-19 pandemic, Building Code in-person training was cancelled. As an alternative, an online self-study training program was implemented. We are pleased to advise that our Building Inspector (Michael Di Blasi) took advantage of this program and ultimately wrote and passed the following Ministry of Municipal Affairs and Housing Building Code qualification examinations:

- a) Powers and Duties of Chief Building Official 2012
- b) Plumbing, All Buildings 2012
- c) Building Services 2012
- d) Large Buildings 2012
- e) Detection, Lighting and Power 2012

#### Consultations

None

#### Financial Implications

Total permit fee revenue for the period is reported at \$580,994, which is \$196,194 or 51 percent higher than the budgeted amount of \$384,800.

## Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input 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 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:

Mike Voegeli  
Manager Building Services & Chief Building Official

Reviewed by:

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

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
None	None



## 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:** February 23, 2021

**Report Number:** PBS-2021-06

**Subject:** Site Plan Control Approval  
Carlesimo Holdings  
1840 Blackacre Drive  
OUR FILE: D11 1840BLA

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### Recommendations

It is recommended:

**That** "Site Plan – A0", as prepared by Aleo Associates Inc., attached hereto as Attachment 2A, which depicts the existing 1560 square metre (16,800 square foot) industrial building and two proposed 1114 square metre (12,000 square foot) industrial buildings, along with the respective associated on-site works on a 1.98 hectare (4.89 acre) property located on the north side of Blackacre Drive, immediately north of its intersection with Roscon Industrial Drive (1840 Blackacre Drive), **be approved**, subject to:

- i) the Owner obtaining approval of Minor Variance Application A-14-21, providing relief to allow a third driveway access, from the Committee of Adjustment without appeals;
- ii) 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 for the first (most easterly) proposed building, as shown on the aforementioned plans. In addition, in the event the security is returned to the Owner upon completion of the first proposed building, the Owner shall be required to deposit a further \$10,000 deposit for the construction of the second proposed industrial building; and

- iii) storm water retention calculations and associated drawings being approved by the Town

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

## Background

The subject 1.98 hectare (4.89 acre) property, located at 1840 Blackacre Drive, is situated within the Oldcastle Business Park on the north side of Blackacre Drive, immediately north of its intersection with Roscon Industrial Drive (see Attachment 1). Carlesimo Steel/Carlesimo Holdings (“the Owner”) currently operates from the existing 1560 square metre (16,800 square foot) industrial building that occupies the westerly portion of the property. The Owner has advised that two additional stand-alone industrial buildings are proposed for the easterly portion of the subject property. The Owner has also indicated that a tenant has been secured for the first (most easterly) of the two proposed new buildings (a marble/granite warehousing facility) and that, upon completion of the first new building, construction will begin on the third stand-alone building.

Based on the foregoing, an application for site plan approval has been filed to facilitate the construction of the first (most easterly) 1114 square metre (12,000 square foot) industrial building, along with associated on-site works such as additional parking spaces, curbing and stormwater management measures. The applicant is also seeking approval for a second 1114 square metre (12,000 square foot) industrial building proposed to be constructed as part of a future phase, along with associated on-site works such as additional parking spaces, curbing and stormwater management measures. The lands are subject to site plan control, in accordance with Section 41 of the *Planning Act, R.S.O. 1990*. The subject property is located in an area of the Town that requires Council approval of drawings only, without the need for a formal site plan agreement.

The attached Site Plan (see Attachment 2A and 2B) illustrates the existing and proposed development of the site, including:

- the existing 1560 square metre (16,800 square foot) industrial building that occupies the western portion of the property, along with associated parking area;
- the two proposed 1114 square metre (12,000 square foot) industrial buildings on the eastern portion of the property;
- asphalted/curbed parking lots providing 22 parking spaces for the most easterly new building and 32 parking spaces for the second new building for a total of 52 parking spaces, including three barrier-free spaces. All parking and laneways will be hard-surfaced asphalt and curbed; and
- stormwater management features and landscaped areas for both current and future phases.

The existing and two proposed stand-alone industrial buildings on the subject property will result in a total building area of 3,788 square metres (40,773 square feet).

## **Comments**

### **Zoning**

The subject property is zoned “Industrial Zone (M1)” in the Sandwich South Zoning By-law 85-18 (see attachment 3). As a result of the site plan review process, it was identified that the full development of the site would require the approval of a minor variance application in order to obtain relief from the subsection 5.37, “General Provisions” of the Sandwich South Zoning By-law 85-18 which limits each property to a maximum of two driveways. Three driveways are proposed, resulting in one driveway per building. In order to expedite an aggressive construction timeline to facilitate the occupancy of the first building, the Owner has concurrently applied for a minor variance (Application A-14/21) seeking Committee of Adjustment approval.

Based on the subject property’s large lot area (1.98 hectares/4.89 acres), the extent of the lot frontage along Blackacre Drive (179 metres/587 feet) and the proposed design/layout of the future buildings each with independent entrances, Town Administration does not have concerns with the proposed variance request for a third driveway access. The minor variance application is being heard by the Committee of Adjustment at its February 22, 2021 meeting following which a 20-day appeal period will be in effect. The Owner has been advised that approval of the minor variance, without appeals, will be a condition of site plan approval. The balance of the proposed development depicted on the site plan complies with the M1 zone regulations.

### **Servicing**

All development will be serviced by municipal water and stormwater services, along with private septic facilities. Stormwater servicing for the proposed buildings will be provided by new stormwater connections. Municipal sanitary sewers are currently not available to the subject property and are not anticipated in the foreseeable future. The new septic facilities are proposed to be located in the front yard of the property in front of each respective new building.

A Stormwater Management Study and associated site service drawings, which includes appropriate quantity and quality control measures, are currently under review by Town Administration. The results of this review will be provided to the applicant for incorporation into the final design. Final approval of the Stormwater Management Study and associated servicing drawings, to the satisfaction of the Town, shall be required prior to the issuance of a building permit. Public Works & Environmental Services does not foresee any significant issues with the proposed development, subject to the final approval of the Stormwater Management Study and associated drawings.

## Summary

The existing and proposed future buildings and associated on-site improvements such as parking, curbing, and stormwater management are being addressed through this site plan approval process.

As is the practice of the Town, a security deposit in the amount of \$10,000 (cash or letter of credit) is required as a condition of approval to ensure all performance obligations of the Owner are fulfilled. It should be noted that in the event the security is returned to the Owner upon completion of the first proposed building, the Owner shall be required to pay a further \$10,000 deposit for the construction of the second proposed building.

Town Administration has reviewed the proposal and believes it is of an acceptable design. Accordingly, Town Administration recommends that Council approve "Site Plan – A0", as prepared by Aleo Associates Inc., attached hereto as Attachment 2A.

## Consultations

Fire & Emergency Services  
Public Works & Environmental Services

## Financial Implications

None

## 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 checked="" 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 type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input 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:

Enrico DeCecco, BA (Hons), MCIP, RPP  
Junior Planner

Reviewed by:

Chad Jeffery, MA, MCIP, RPP  
Manager Planning Services

Reviewed by:

Wade Bondy  
Director Fire Services & Fire Chief, C.E.M.C.

Reviewed by:

Phil Bartnik, P.Eng.  
Director Public Works & Environmental Services

Reviewed by:

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

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Subject Property Map
2A	Proposed Site Plan
2B	Proposed Site Plan, Detail View
3	Zoning Map





Prepared By:  
Tecumseh Planning and  
Building Services Department



**Legend:**



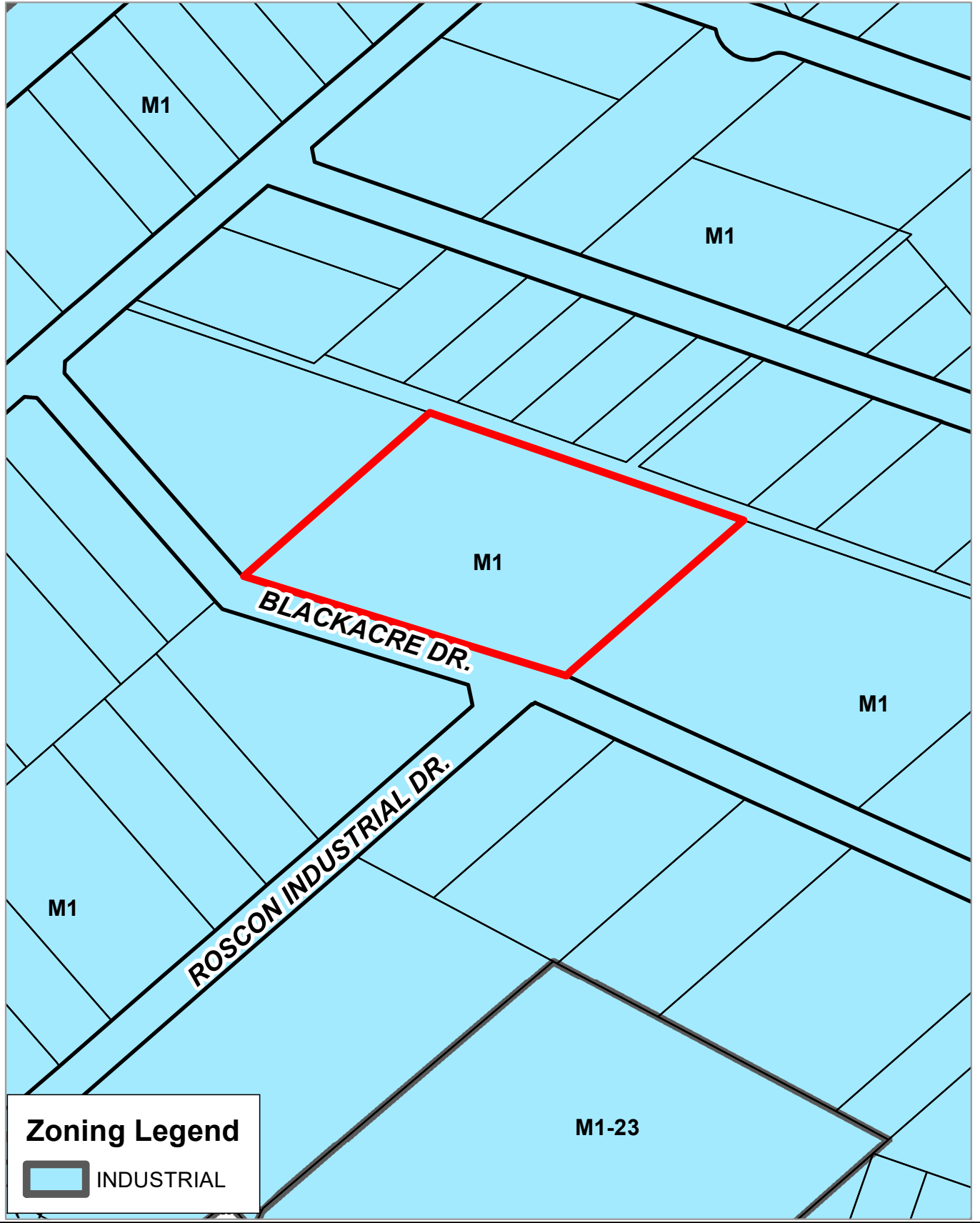
Subject Property

**Attachment 1**  
Site Plan Control Approval  
Carlesimo Holdings  
1840 Blackacre Drive  
**Property Location**









**Zoning Legend**

 INDUSTRIAL



Prepared By:  
Tecumseh Planning and  
Building Services Department



**Legend:**



Subject Property

**Attachment 3**

Site Plan Control Approval  
Carlesimo Holdings  
1840 Blackacre Drive  
**Zoning**



## 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:** February 23, 2021

**Report Number:** PBS-2021-07

**Subject:** Tecumseh Transit Service (TTS)  
Canada Healthy Communities Initiative  
Pilot Program of On-Demand Transit for Tecumseh Transit Service  
OUR FILE: T03 TTS

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### Recommendations

It is recommended:

**That** PBS-2021-07 – Canada Healthy Communities Initiative - Pilot Program of On-Demand Transit for Tecumseh Transit Service Report, **be received**;

**And that** a one-year pilot project for an on-demand transit service **be endorsed** as a candidate project for funding through the Canada Healthy Communities Initiative;

**And further that** the Treasurer **be authorized** to sign any required documents necessary to complete the application to the Canada Healthy Communities Initiative.

### Executive Summary

The Canada Healthy Communities Initiative (CHCI) is a \$31 million Government of Canada application-based grant program intended to support communities in adapting spaces and services to respond to immediate and ongoing needs arising from COVID-19 over the next two years. Improving mobility options by way of public transit system adjustments is one of the project streams being funded up to \$250,000. Administration is recommending a one-year



pilot project for an on-demand transit service be endorsed by Council as a candidate project for funding through the CHCI. Applications are due March 9, 2021.

## **Background**

### **Canada Healthy Communities Initiative**

The CHCI is a \$31 million investment from the Government of Canada to support communities to establish new ways to adapt spaces and services to respond to immediate and ongoing needs arising from COVID-19 over the next two years. This initiative will provide maximum funding of \$250,000 to a broad range of organizations, including local governments, for projects, programming and services that help communities:

- create safe and vibrant public spaces;
- improve mobility options; and
- provide innovative digital solutions to connect people and improve health.

Improving mobility options includes projects that permit physical distancing through permanent or temporary changes that make it easier for people to get around in their communities, whether walking, biking, accessing public and private transit or other modes of transportation.

Administration believes that this funding opportunity aligns well with the Town's desire to explore the use of on-demand technology as an alternative delivery model for the Tecumseh Transit Service (TTS). The objectives of improved mobility options and the provision of innovative digital solutions to connect people would be achieved through the implementation of an on-demand transit service.

In order to qualify for the funding, an application must be filed by March 9, 2021 that includes a Council resolution supporting the associated project.

### **On-Demand Transit**

The TTS is currently categorized as a "fixed-service" system in that it operates on a fixed route with permanent stops in accordance with a fixed schedule. This route is adhered to for 12 hours per day, Monday to Saturday, regardless of the demand for a particular stop/destination. For this reason, the bus is often running with few to no passengers throughout the day during off-peak times.

On-demand transit service uses computer algorithms in response to service requests to develop instantaneous routing. As a result, in times and areas with lower demand for transit, stops can be served more efficiently as the bus goes directly to where and when people are waiting, instead of following a pre-planned route and schedule. The requests for service are made through an app on a smartphone and handled almost instantaneously. It should be

noted that while it is estimated that 90 percent of the population owns a smartphone, the on-demand service can include a call-in option to book trips for those who don't.

On-demand service can also provide a transit provider with considerable feedback and flexibility in service planning. For example, transit providers can get instantaneous reports about their service use and quality, both by measuring trip lengths and wait times and through a rating system that allows the customer to provide feedback on individual trips.

The on-demand service is also an adjustable service. Variables such as vehicle capacity, minimum ridership thresholds and maximum trip length can be established. These variables are then used to inform algorithms running thousands of routing options to achieve solutions that don't keep passengers on board for too long and guarantee a seat once a trip is reserved.

This feedback loop has become especially useful during the COVID-19 pandemic. The on-demand system is flexible to demand and can dynamically adjust the capacity of vehicles. This has allowed transit providers to adapt more cost-effectively to the decrease in transit demand brought about by the pandemic and remove a lot of the uncertainty surrounding crowding and capacity enforcement from the day-to-day operations. By adjusting vehicle capacities, passengers have certainty that they will have physically distanced room on the bus when it arrives, and drivers will not have to enforce physical distancing by refusing pickups.

On-demand transit is best suited for low-demand areas and times where the goal is to provide coverage to many stops at a lower cost. More specifically, on-demand service works best for the following scenarios:

- **First-and-last mile** - in most places, high-frequency transit isn't within walking distance of where most people live and work. On-demand service connects people to the regional buses (i.e. Transit Windsor hub at Tecumseh Mall) that will then connect them to everything else.
- **Transit deserts** – most smaller towns lack the population density necessary for efficient fixed-route buses or trains. On-demand service creates a more convenient and accessible service for riders in these areas. This may enable the Town to provide transit service to these types of areas, such as south of County Road 22, including Tecumseh Vista School.
- **Equity and accessibility** - public transit is often a critical lifeline for seniors and people with disabilities. On-demand optimizes typically inefficient paratransit options, creating real-time bookings, higher quality service and reducing trip costs with more efficient and equitable shared rides.
- **COVID-19 safety** - as both supply and demand shift with regulated social distancing measures, transit can respond in real-time. On-demand technology allows fixed routes such as the TTS to morph into dynamic lines, managing peak travel times, pre-booking seats and accommodating evolving safety practices.

## Comments

### Potential On-Demand Pilot Program

As noted earlier in this report, the TTS operates on a fixed route 12 hours per day, six days a week. This route is based on a one-hour headway covering 30 kilometres and 43 stops. The Town owns the two fully accessible buses used in the service but the delivery of the service is contracted out to First Student Canada. Council recently extended the contract with First Student to the end of 2022.

Some of the most common requests received during the various public consultation initiatives over the years are for the bus to run more frequently and on time. In response, some improvements and tweaking to the TTS have been made in an attempt to optimize the service. Despite these improvements, it appears that ridership has peaked in the range of 25,000 to 30,000 annual trips.

Administration believes that an on-demand approach to the existing fixed route network has the potential to yield increased ridership due to enhanced service levels and reliability. In addition, it may offer the flexibility to extend the service area into the Amy Croft area of Lakeshore, which has been the subject of frequent requests by users. Discussions to date suggest that the Municipality of Lakeshore would be agreeable to such a service extension on a trial basis. An on-demand service also has the potential to decrease the amount of fuel used and, in turn, decrease Green House Gas as there may be periods of the day when the bus will not be running as demand does not warrant it.

Administration recently met with a representative of an on-demand service provider who has reviewed the Town's system at a high level and believes it would significantly benefit from on-demand technology. The representative noted the following value proposition associated with this type of service:

- Increased cost recovery ratio;
- Improved service;
- Increased ridership;
- Maximized coverage though increased fleet utilization;
- Improved reliability and trip transparency;
- Shorter commute from route optimization;
- Flexible transit schedule built around ridership needs.

To further illustrate the effectiveness of on-demand service, the representative used the case study of Laval, Quebec. When on-demand service was introduced to this city, revenues increased by 34 percent, expenses decreased by 26 percent and average trip length was reduced by 11 percent.

To test the applications of this technology with the TTS, Administration believes the Town would benefit from undertaking a one-year pilot project. The process for a pilot project as described by this particular service provider would involve the following steps:

Step 1 – Analyze and Simulate (4 weeks)

- On-demand simulations
- Network data analysis
- Corridor selection, operating parameter selection
- Approval of the pilot project

Step 2 – Plan Pilot Project (6 to 8 weeks)

- Set-up and software implementation
- Training of First Student drivers and other staff
- Installation of tablets on buses
- Pre-launch tests with drivers

Step 3 – Launch Pilot Project (12 months)

- Limited operating zones
- Marketing and PR push

Step 4 – Permanent Implementation (if successful)

The total duration of the project (Steps 1-3) is estimated to be 15 months, after which Administration will evaluate the on-demand pilot project and report the findings to Council.

Administration believes that the aforementioned pilot project could qualify for the Healthy Communities Initiative funding as it improves mobility options for Town and area residents and it provides an innovative digital solution to connect people. In addition, the use of on-demand technology would enable the Town to establish ridership capacity limits on the bus based on the COVID-19 protocols in effect over the period of the pilot project.

Finally, at the time Council authorized the two-year contract extension with First Student Canada through adoption of PBS-2020-38, the report noted that Administration was investigating the feasibility of various transit delivery models, including:

- Status quo;
- Contract existing service (or variation thereof) to Transit Windsor;
- Transit on-demand;
- Service partnership with Lakeshore; or
- Some combination of the above options.

The introduction of an on-demand pilot project would provide the Town with an opportunity to fully appreciate the potential for such a service model by way of direct experience and evaluate it against our current service delivery model and those other models that continue to be

available. It should be noted that First Student Canada is amenable to participating in such a pilot project with the Town.

In summary, the introduction of a one-year pilot project for an on-demand transit service appears to be consistent with the criteria established for the CHCI and therefore Administration recommends that Council support the submission of an application to seek funding for this initiative.

## Consultations

Financial Services  
First Student Canada

## Financial Implications

There are no financial implications for filing the application.

With respect to the on-demand pilot program and for grant application purposes, the estimated cost of the pilot program is in the range of \$25,000 to \$49,000 as detailed in the following table.

Expenditure type	Lower Range	Upper Range	Grant Application
Software set-up	\$2,000	\$15,000	\$10,000
Software service fee	\$12,000	\$18,000	\$15,000
Advertising	\$3,000	\$6,000	\$5,000
Driver training	\$1,000	\$2,000	\$2,000
Call center	\$2,000	\$3,000	\$3,000
Contingency	\$5,000	\$5,000	\$5,000
Total	\$25,000	\$49,000	\$40,000

The expenditure estimates are based on limited information available at this time. Estimates will be refined should our application be successful. Administration recommends submitting an application for \$40,000.

Potential transit service cost savings, based on limited data available for on-demand transit, as provided by the software supplier and detailed within this report, suggest that annual bus fare revenue could increase by \$8,000.

Anticipated expenditure savings would likely come from reduced fuel consumption and vehicle maintenance. These costs are currently contained within our service agreement with First Student and would have to be negotiated. A rough estimate of operating cost savings for illustrative purposes would be approximately \$10,000 (fuel and regular maintenance costs). There would be no expected savings to labour costs for the pilot program.

Based on the above assumptions, the one-year pilot program costs would be between \$25,000 to \$49,000 with potential to offset this cost by up to \$18,000 (increase in bus fare revenue and decrease to fuel and maintenance) for a net cost of between \$7,000 to \$31,000. It is believed that these costs would be the same if the Lakeshore Amy Croft area were to be included in the service area.

Excluding one-time software set-up and training costs, the net operating impact would be between \$(5,000) - \$19,000.

These figures are based on very limited data and actual results may vary significantly.

Notwithstanding the likelihood that this delivery model may cost a little more than the existing fixed model, Administration recommends proceeding with the application as there are other anticipated benefits with respect to improved rider experience, enhanced rider COVID-19 safety, reduced pollution and GHG emissions and extended useful life of the Town's fleet.

### 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 checked="" 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 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:

Chad Jeffery, MA, MCIP, RPP  
Manager Planning Services

Reviewed by:

Tom Kitsos, CPA, CMA, BComm  
Director Financial Services & Chief Financial Officer

Reviewed by:

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

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
None	.





## The Corporation of the Town of Tecumseh

Public Works & Environmental Services

**To:** Mayor and Members of Council

**From:** Phil Bartnik, Director Public Works & Environmental Services

**Date to Council:** February 23, 2021

**Report Number:** PWES-2021-10

**Subject:** Drinking Water Quality Management System Operational Plan Version 11

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### Recommendations

It is recommended:

**That** Tecumseh Town Council **endorse and commit to** the Drinking Water Quality Management System, Operational Plan Version 11.

### Background

As recommended by Justice Dennis O'Connor, in Part 2 of the Walkerton Inquiry, the government of Ontario has implemented a licensing program for municipal drinking water systems. The program requires owners and operators of drinking water systems to incorporate the concepts of quality management into system operation and maintenance. In response to this recommendation, the Ministry of the Environment, Conservation and Parks developed the Drinking Water Quality Management Standard, which sets out the framework for the development of a Quality Management System. Owners and Operating Authorities of a drinking water system are mandated to implement a Quality Management System by the provincial government through the *Safe Drinking Water Act, 2002*.

The Town's Drinking Water Quality Management System (DWQMS) Operational Plan was first endorsed and committed to by Council in 2008. The Operational Plan provides an understanding of the drinking water system, the roles and responsibilities of the owner and operational staff, procedures to operate and maintain the drinking water system, and a commitment and endorsement by the owner to provide safe drinking water to consumers.

As legislatively required by the province, the Town's Water Division reviews and updates its Operational Plan on an annual basis.

In order for the Owner to continue to show support of its drinking water system and DWQMS, it is required that they provide their endorsement of and commitment to the updated Operational Plan.

## **Comments**

Updates to the Operational Plan were submitted to and approved by the Management Review Committee at their meeting held on February 8, 2021. The minutes of this meeting are appended to this report as Attachment 1. The revisions to the Operational Plan include, but are not limited to, the following:

- The approved 2021 Public Works & Environmental Services Capital Works Plan.
- An up to date Essential Services contact list.
- The current watermain material and length in the Town's water distribution system.
- Staffing and operational changes.

Version 11 of the Operational Plan is appended to this report as Attachment 2.

The above-noted changes were incorporated into Version 11 due to:

- Legislative and regulatory changes;
- The Town's administrative and/or policy changes;
- Management Review Committee recommendations.

Updates to the Operational Plan are necessary for continuous improvement of the Town's Quality Management System.

## **Consultations**

Chief Administrative Officer  
Ministry of the Environment, Conservation and Parks

## **Financial Implications**

There are no financial implications arising from this report.

## Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input 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 checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" 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 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:

Cheryl Curran, BES  
Project Technician

Reviewed by:

Brad Dupuis, C. Tech.  
Manager Water & Wastewater Services, O.R.O.

Reviewed by:

Phil Bartnik, P.Eng.  
Director Public Works & Environmental Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Management Review Committee Meeting Minutes, February 8, 2021
2	Drinking Water Quality Management System Operational Plan Version 11

# Meeting Minutes / Report

(Attachment 5)

Last Revised: 2021-02-09  
Prepared By: Brad Dupuis

Meeting Minutes				
<b>Meeting Type:</b>	Management Review Meeting – DWQMS			
<b>Date:</b>	February 8, 2021			
<b>Called by:</b>	Town of Tecumseh			
<b>Attendees:</b>	<b>Margaret Misek-Evans</b> - Chief Administration Officer (CAO) <b>Phil Bartnik</b> - Director, Public Works & Environmental Services <b>Brad Dupuis</b> - Manager, Water & Wastewater O.R.O. <b>Nicole Bradley</b> - DWQMS Representative/Water Operator			
<b>Location:</b>	Various locations – via Zoom			
<b>Agenda/Minutes:</b> <i>Item Code: AI=Action Item, DM=Decision Made, IS=Information Sharing, MRC=Management Review Committee</i>				
Item	Item Description	Notes	Item Code	Timing/Status
A	Meeting Agenda			
	Attendance	The sign-in sheet is appended to these minutes as Attachment No. 1.	IS	No Action Required
	General	All reports mentioned are available on the shared drive for the Town of Tecumseh.	IS	No Action Required
1	Previous Management Review Meeting-DWQMS Action Items	In the previous Management Review Meeting-DWQMS there were <b>05</b> Action Items (AI-01 to AI-05).  Previous Management Review Meeting-DWQMS minutes for October 27, 2020 are appended to these minutes as Attachment No. 2.	IS	No Action Required
		<b>AI-01</b> <b><i>The upcoming Internal Audit shall be completed in the calendar year of 2021</i></b> Findings will be discussed in further detail under Item 3 of this report.	IS	No Action Required

# Meeting Minutes / Report

(Attachment 5)

Last Revised: 2021-02-09  
Prepared By: Brad Dupuis

		<b>AI-02</b> <i>Brad and Nicole to contact accredited third party to complete the 2020 external audit.</i> Findings will be discussed in further detail under Item 4 of this report.	IS	No Action Required
		<b>AI-03</b> <i>Complete FC300 Itron reading system implementation and training.</i> Findings will be discussed in further detail under Item 8 of this report.	IS	No Action Required
		<b>AI-04</b> <i>Brad and Nicole will email version 15 of the Town of Tecumseh's Water Standards to suppliers once completed.</i> Findings will be discussed in further detail under item 9 of this report.	IS	No Action Required
		<b>AI-05</b> <i>Brad and Shaun Fuerth (ICS Department) working together towards the completion of the Water &amp; Wastewater division SCADA upgrades.</i> Findings will be discussed in further detail under item 12 of this report.	IS	No Action Required
2	Incidents of Adverse Drinking Water Tests	There have been <b>(0)</b> Adverse Drinking Water Results since the last Managers Review Meeting-DWQMS (October 27, 2020).	IS	No Action Required
3	Results of Internal Audits	The upcoming Internal Audit shall be completed within the 2021 calendar year.	AI	Brad and Nicole to complete internal audit
		The previous 2020 Internal Audit was reviewed and communicated in the October 27, 2020 Managers Review Meeting-DWQMS.	IS	No Action Required

# Meeting Minutes / Report

(Attachment 5)

Last Revised: 2021-02-09  
Prepared By: Brad Dupuis

4	Results of External Audits	<p>The results of the NSF Audit (November 6 &amp; 7, 2020) were: <b>(0) Non-Conformances (NC) and (1) Opportunity for Improvement (OFI).</b></p> <p><b>(OFI-01):</b> <i>Whereas Best Practices are addressed in the Operational Plan, adding this as an Agenda item for Management Review could ensure that it remains a focus for the Organization.</i></p> <p>“Best Practices” has been added to this Agenda as item 20 and will be discussed as its own topic.</p> <p>The 2020 NSF Audit Report and Corrective Action Report for OFI-01 are appended to these minutes as Attachment No.3.</p>	IS	No Action Required
		Review 2020 External Audit Report with Water Division operators. Training is documented.	IS	No Action Required
		<p>Annually a desktop DWQMS Verification Audit is to be completed by an accredited third party.</p> <p>Every 3 years, an On-Site DWQMS Verification Audit must be completed by an accredited third party.</p> <p>On-Site Verification Audit was completed on November 5 &amp; 6, 2020 by NSF. Due to Covid-19 restrictions it was completed remotely.</p>	AI	Nicole and Brad to schedule date to complete audit
		Annual desktop DWQMS Verification Audit to be completed within the 2021 calendar year by accredited third party.		
5	Results of MECP Inspection	<p>The Results of the 2020 MECP Inspection (December 7, 2020) were: <b>(0) Non-Compliances and (0) Best Practice Issues.</b> A Final Inspection Rating of 100% was received.</p>	IS	No Action Required

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(Attachment 5)

Last Revised: 2021-02-09  
Prepared By: Brad Dupuis

		The 2020 MECP Inspection Report is appended to these minutes as Attachment No.4.		
		Review 2020 MECP Inspection Report with Water Division operators.	AI	Nicole to schedule training date to review document
		Council to be presented with Report Number PWES-2021-08 on February 9, 2021 for acceptance.	AI	Brad to present MECP Inspection Report results to Council Feb.9, 2021
6	Incidents of Non-Compliance with Applicable Regulations	There has been <b>(0)</b> Non-Compliance issues since the last Managers Review Meeting-DWQMS (October 27, 2020).	IS	No Action Required
7	Consumer Feedback	<p><b>(2)</b> Consumer complaints regarding water quality were made to the Town of Tecumseh since the last Managers Review Meeting-DWQMS (October 27, 2020).</p> <p><b>(1)</b> Dec 2, 2020 (374 Woodbridge)</p> <ul style="list-style-type: none"> <li><b>Aesthetics</b> – consumer stated that they had cloudy water and that their water pressure was not consistent. Operator responded to the consumer complaint regarding the cloudy water and pressure concerns. Operator found that there was air present in the consumers’ water lines. Operator flushed the lines until the air in the lines seemed to dissipate. Operator took a chlorine residual of 1.03ppm. (Acceptable MECP range 0.05-4.0ppm)</li> </ul> <p><b>(2)</b> Jan 7, 2021 (12859 County Rd#42)</p> <ul style="list-style-type: none"> <li><b>Health Concern/Aesthetics</b> – consumers’ family member had recently been diagnosed with Legionnaires Disease.</li> </ul>	IS	No Action Required



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		<p>Consumer was concerned about the quality of water to the residence of his family member. Operator obtained a chlorine residual of 1.31ppm and advised the consumer to have the hot water tank checked for temperature and condition. (Acceptable MECP range 0.05-4.0ppm)</p> <p>Please note all actions mentioned above were following Town policy in dealing with Covid-19. Clerks division would perform standard Covid-19 screening prior to making appointment along with the operator following the same screening process upon arrival.</p>		
		<p>Manager, Water &amp; Wastewater / ORO has reviewed the Survey Monkey results from past Managers Review Meeting-DWQMS (October 27, 2020 to February 2, 2021).</p> <p>Survey Monkey Data to be reviewed twice per year to ensure that possible issues are not missed when reported.</p> <p>(0) Questionnaires were completed for <i>Water Services Customer Survey</i> stating any issue or concern.</p> <p>Results are shown below for <i>Water Services Customer Survey</i>.</p>	IS	No Action Required
		1) Billing Concern- 0 Individuals	IS	No Action Required
		2) Request for Locate- 0 Individuals	IS	No Action Required
		3) Water Leak- 0 Individuals	IS	No Action Required
		4) Water Quality- 0 Individuals	IS	No Action Required

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		5) Water Meter Issue- 0 Individuals	IS	No Action Required
		6) Connection / Disconnection of Water Service- 0 Individuals	IS	No Action Required
		7) Other (Please specify)- 0 Individuals	IS	No Action Required
8	Operational Performance	The <i>hydrant flushing program</i> is scheduled to begin early spring 2021. Every hydrant in Tecumseh will be inspected and operated.  Documentation stored in Town's shared hard drives.	IS	No Action Required
		The <i>hydrant winterizing program</i> was completed for the 2020 calendar year. Completed on November 6, 2020 and finalized spreadsheet is saved to the Town's shared hard drives. Three different checks will be completed.  Documentation stored in Town's shared hard drives.	IS	No Action Required
		The <i>valve turning program</i> for 2020 was put on hold due to Covid-19 work restrictions.	IS	No Action Required
		Current FC300 Itron reading system is being replaced by MC3Lite. Brad has been working with Shaun Fuerth (ICS Department), Wolseley, Itron and Essex Power for the implementation and training of new software. It is in final stages of completion.	IS	No Action Required
		Due to Covid-19 training was put on hold. As outside suppliers need to be onsite and 2 operators need to be in a vehicle for long durations.	AI	Brad to schedule completion once Covid-19 restrictions

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				are lifted
		<p>We have a total of 35 sample stations.</p> <p>2020- (10) units have been ordered Due to Covid-19 supplies were limited. 3 units were delivered.</p> <p>3 units were replaced in 2020. <a href="#">10 units plus the remaining 7 units from 2020 for a total of 17 units to be replaced during the 2021 calendar year.</a></p>	IS	No Action Required
		<p>Due to life cycle, service truck W6- 11 is scheduled to be replaced.</p> <p>Report number PWES-2019-07 (2019 supply of various vehicles) was approved by council March 26, 2019.</p> <p>Cavalcade Ford from Bracebridge Ontario was the awarded tender. Along with GWA for the service body.</p> <p><a href="#">Town received truck on February 5, 2021.</a></p>	IS	No Action Required
		<p>Due to life cycle, Backhoe , W7- 12 and service truck W4-12 are scheduled to be replaced.</p> <p>Report PWES-2021-07 will be brought to Council on February 9, 2021 by the Manager of Roads &amp; Fleet.</p>	IS	No Action Required

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		<p><i>Winter Lead Testing</i> to be completed March 8, 2021.</p> <p><i>Summer Lead Testing</i> to be completed October 4, 2021.</p> <p>All (8) samples shall be taken within the Tecumseh distribution system.</p>		
		Results to be communicated in the 2021 fall Management Review Meeting-DWQMS.	AI	Nicole to include sample results as part of fall meeting
9	Changes to Services, Activities, Regulations, etc. that could affect DWQMS	<p>There have been changes in the services and/or activities performed by the Town of Tecumseh since the last Management Review Meeting-DWQMS.</p> <p><b>Due to Covid-19:</b></p> <ul style="list-style-type: none"> <li>- Extra monitoring was implemented in areas such as schools, Town Hall, Arenas and other Town facilities.</li> <li>-Operator training was slowly transitioned to on-line from hands-on.</li> <li>-Town policies implemented: 1 person per vehicle unless barriers are present.</li> <li>-Covid-19 Screening of residents by Town operators prior to entry on property.</li> <li>-Public access to Town facilities restricted.</li> <li>-Daily Covid-19 screening of Water Division Operators.</li> </ul>	IS	No Action Required
		<p>Town's Current Schedule to Water Rates 2021 are found in By-Law No.2020-75.</p> <p>In comparison to 2020 rates, base charges increase by \$0.96 per month. Water rates increased by \$0.01 per cubic meter.</p>	IS	No Action Required

# Meeting Minutes / Report

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		Report Number PWES-2020-36 <i>Water and Wastewater Rates</i> was brought to Council December 8, 2020.		
		Report Number FS-2020-18 reflects Administration Fees and Charges.		
		Town of Tecumseh water standards Version 15 is in the final stages. Shaun Fuerth (ICS Department) is working on diagrams to reference within the document. Once completed, Version 15 will be put on the website and emailed to all suppliers.  <a href="#">Staff shortages and work restrictions due to Covid-19 have created delays.</a>	AI	Brad and Nicole will email version 15 to suppliers once completed
		A capital works plan is created each year and is submitted to Council for approval. Report Number PWES-2020-33 2021 <i>Public Works &amp; Environmental Services Capital Works Projects</i> was endorsed by Council (December 08, 2020). <a href="#">Current capital works for 2021 are underway.</a>	IS	No Action Required
		A revised version of the <i>Watermain Disinfection Procedure-August 1, 2020</i> was released by the MECP. Full implementation of this revised document is to be completed by February 2021. <a href="#">Document has been reviewed and all required changes to in-house documents and procedures have been made and are in use.</a>	IS	No Action Required
10	Infrastructure Review Results	Currently <b>(2)</b> major infrastructure jobs are underway.	IS	No Action Required
		<b>(1)</b> Contractor, Shea Rock Highway No.3 / Walker Road watermain replacement. <a href="#">Due to Covid-19 delays, this project had started on November 9, 2020 and is currently on-going. Weather permitting this</a>	IS	No Action Required

# Meeting Minutes / Report

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		<p>project is set to be completed by March 2021.</p> <p>Project consists of replacing the existing 200mm Ductile watermain with a 300mm PVC.</p> <p>The N/E corner will now have improved water quality through the removal of the existing dead-end watermain.</p> <p>Operators completed locates for entire project and ensured operation for all valves in scope of project.</p>		
		<p><b>(2)</b> County of Essex is installing a roundabout at the intersection of Walker Rd and South Talbot Rd.</p> <p>Previous valve placement aligned in the centre of new constructed roadway creating dangerous conditions for operators to maintain and operate.</p> <p>Water Division staff completed valve relocation on May 25-26, 2020.</p>	IS	No Action Required
		<p>There have been a total of (5) broken watermain repairs through October 27, 2020 to February 1, 2021:</p> <p>(3) in former Tecumseh Hamlet area (1) in former St. Clair Beach area (1) in former Sandwich South area</p>	IS	No Action Required
11	Currency of Operational Plan	<p>Review of Operational Plan version 10 completed and revisions were implemented into the current Operational Plan version 11.</p>	IS	No Action Required
		<p>Operational Plan version 11 will be brought to Council on February 23, 2021 for endorsement.</p>	AI	Brad to bring Oper. Plan ver.11 to Council for endorsement

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		Revisions and updates to the Operational Plan to be reviewed with the operators. Attendance will be documented.	AI	Nicole to schedule training date to review documents
		The necessary changes to address the Opportunity for Improvement identified in the NSF Audit were reviewed during the meeting.	IS	No Action Required
12	Deviations from CCP Limits	<p>The SCADA system has been configured to have a low alarm and a high alarm. The low alarm is considered an initial warning while the high alarm is considered to be the Critical Control Point (CCP).</p> <p>Documentation of these alarms can be found on the Town's SCADA system.</p> <p>ONYX Engineering was the awarded contractor and is currently working with ICS and the Water &amp; Wastewater division to implement the upgrades.</p>	AI	Brad and Shaun Fuerth (ICS Department) working together towards completion
13	Effectiveness of Risk Assessment Process	<p>Every three years a full comprehensive review shall be completed.</p> <p>Full Comprehensive review was completed on January 24, 2019.</p>		
		Risk Assessment Annual Review shall be completed with all operators during the review for the Operational Plan version 11.	AI	Nicole to schedule training date to review document
14	Emergency Preparedness	Emergency Response Plan version 12 will be reviewed and revised to version 13. Emergency Response Plan version 13 to be scheduled for review with operators along with 2 mock exercises within the 2021 calendar year.	AI	Nicole to schedule training date to review document

# Meeting Minutes / Report

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15	Trends in Quality of Raw Water & Drinking-Water Supply	<p>The Town of Tecumseh receives an Annual Report from the Windsor Utilities Commission in regard to the water that is supplied to the town.</p> <p>The Town of Tecumseh receives an Annual Report from the Town of Lakeshore in regard to the water that is supplied to the town.</p> <p>The Town of Tecumseh is connected to the Town of LaSalle through Meter Chamber 12 (MCT-12). The valve remains off until an agreement has been made between Windsor and LaSalle. As part of the construction of the Herb Gray Parkway, the supply watermain to the Howard Avenue metering facility (MCT-12) was re-routed through the Town of LaSalle. Subsequent to the re-routing of the supply watermain, the connection has been closed and the supply of potable water to the Town of Tecumseh through MCT-12 is currently not utilized.</p> <p>Annual Reports received from neighbouring Municipalities are kept on the Town's shared hard drive.</p> <p>The Town of Tecumseh 2020 Annual Report and The Town of Tecumseh 2020 Summary Report will be communicated to Council through PWES-2021-09 on February 09, 2021.</p> <p>The Town of Tecumseh 2020 Annual and Summary Reports are appended to these minutes as Attachment No.5.</p>	IS	No Action Required
16	Resources needed for DWQMS Maintenance	Nothing is needed at this time.	IS	No Action Required
17	Town of Tecumseh website	Brad Dupuis reviewed the town website, ensuring the water information is current.	IS	No Action Required
18	Retention Table	Brad Dupuis and Nicole Bradley have reviewed the retention table along with the documents	IS	No Action



# Meeting Minutes / Report

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		pertaining to it.		Required
19	Comments / Suggestions made by Personnel	No suggestions or feedback was given.	IS	No Action Required
20	Review of Best Practices	Review of related and appropriate industry material, memberships in water industry organizations such as Ontario Municipal Water Association and Municipal Water, Wastewater Regulatory Committee and continued networking with neighbouring Municipalities allow for the continuous review of current Best Practices.	IS	No Action Required
		Discussion of relevant Best Practice items with Water Division Operators is on-going during the daily tailgate meetings.	IS	No Action Required

Attachment No. 1



WATER DIVISION  
DWQMS – MANAGEMENT REVIEW

SIGN-IN SHEET

PURPOSE: TOWN OF TECUMSEH DWQMS MANAGEMENT REVIEW MEETING

DATE: FEBRUARY 8, 2021

NAME (PRINT)	POSITION	SIGNATURE
MARGARET MISEK-EVANS	CHIEF ADMINISTRATIVE OFFICER	<i>Marg Misek-Evans</i>
PHIL BARTNIK	DIRECTOR, PUBLIC WORKS & ENVIRONMENTAL SERVICES	<i>Phil Bartnik</i>
BRAD DUPUIS	MANAGER, WATER & WASTEWATER / ORO	<i>Bradley Dupuis</i>
NICOLE BRADLEY	WATER OPERATOR/DWQMS REPRESENTATIVE	<i>Nicole Bradley</i>

**Management Review Commitment and Endorsement Statement**

This statement is intended to capture the commitment and endorsement of top management through the management review committee. Below are the definitions of commitment and endorsement represented within the context of the management review minutes referenced within this statement.

**Commitment**


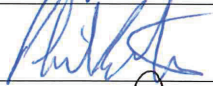


- 1) To represent that the committee has been given access to participated and/or reviewed the inputs covered within the minutes.
- 2) That the content of the minutes meets the input requirements of the Town of Tecumseh DWQMS management review meeting.
- 3) That the committee is aware of actions assigned to appropriate resources as a results of the management review meeting.
- 4) To provide objective evidence of top management's participation and commitment to the management review program.

**Endorsement**

- 1) That the management review committee endorses the commitments made within the associated management review minutes including:
  - a) Resources allocated to the items.
  - b) Within the timelines committed to in the meeting.
- 2) Approval to empower the DWQMS represented to ensure that commitments are followed through with the authority of the management review committee.
- 3) Where timelines cannot be met or where previous actions have not been verified by the management review committee as complete, a corrective action will be required.

Commitment and Endorsement Record

Minutes Referenced: **October 27, 2020**

Name / Delegate Name	Title	Signature	Date
Margaret Misek-Evans	Chief Administrative Officer (CAO)		2021-02-08
Phil Bartnik	Director of Public Works & Environmental Services		2021-02-08
Brad Dupuis	Manager , Water & Wastewater		2021-02-08
Nicole Bradley	DWQMS Representative		2021-02-08

# Meeting Minutes / Report

(Attachment 3)

Last Revised: 2020-10-27

Prepared By: Brad Dupuis

## Meeting Minutes

<b>Meeting Type:</b>	<i>Management Review Meeting – DWQMS</i>
<b>Date:</b>	<i>October 27, 2020</i>
<b>Called by:</b>	Town of Tecumseh
<b>Attendees:</b>	<b>Margaret Misek-Evans</b> - Chief Administration Officer (CAO) <b>Phil Bartnik</b> - Director, Public Works & Environmental Services <b>Brad Dupuis</b> - Manager, Water & Wastewater O.R.O. <b>Nicole Bradley</b> - DWQMS Representative/Water Operator
<b>Location:</b>	<i>Various locations – via Zoom</i>

**Agenda/Minutes:**

*Item Code: AI=Action Item, DM=Decision Made, IS=Information Sharing, MRC=Management Review Committee*

Item	Item Description	Notes	Who Responsible / Code	Timing / Status
A	Meeting Agenda			
	Attendance	<p>The sign-in sheet is appended to these minutes as Attachment No. 1.</p> <p>Shawn Laporte was DWQMS Rep for the period covering January 13, 2020 to June 12, 2020. June 13, 2020 he returned to the water operator position.</p> <p>Beginning, August 19, 2020 to present, Nicole Bradley assumed the role of DWQMS Rep.</p>	IS	No Action Required
1	Previous Management Review Meeting Action Items	<p>In the previous Management Review Meeting there were 09 Action Items (AI-01 to AI-09).</p>	IS	No Action Required
		<p><b>AI-01</b></p> <p><b>Brad and Shawn to complete the internal audit towards the end of the summer / early fall.</b></p> <p>Internal Audit completed on October 8 &amp; 9, 2020 by Acclaims Environmental. Final Audit Report is available on the shared drive.</p> <p>Findings will be discussed in further detail under Item 3 of this report.</p>	IS	No Action Required

# Meeting Minutes / Report

(Attachment 3)

Last Revised: 2020-10-27  
Prepared By: Brad Dupuis

		<b>AI-02</b> <i>Brad and Shawn to contact accredited third party to complete the external audit mid-fall.</i> Findings will be discussed in further detail under Item 4 of this report.	IS	No Action Required
		<b>AI-03</b> <i>Brad to present MECP Inspection results to Council Feb 25, 2020.</i> Report Number PWES-2020-13 was presented to Council February 25, 2020.	IS	No Action Required
		<b>AI-04</b> <i>Complete Annual hydrant flushing program in the Spring.</i> Hydrant flushing completed. Details will be discussed under item 8 of this report.	IS	No Action Required
		<b>AI-05</b> <i>Brad and Shawn will email version 15 of the Town of Tecumseh's Water Standards to suppliers once completed.</i> Details will be discussed under item 9 of this report.	IS	No Action Required
		<b>AI-06</b> <i>Brad present Operational Plan Version 10 to council for endorsement Feb 25, 2020.</i> Report Number PWES-2020-13 was presented to council February 25, 2020.  <i>Brad and Shawn to review operational plan and risk assessment with operators once endorsed.</i> Operators reviewed Operational Plan and Risk Assessment on October 1 & 2, 2020 with Brad & Nicole. Proof of attendance is documented.	IS	No Action Required

# Meeting Minutes / Report

(Attachment 3)

Last Revised: 2020-10-27  
Prepared By: Brad Dupuis

		<b>AI-07</b> <i>Brad and Shaun Fuerth (IT department) working together towards the completion of the Water &amp; Wastewater division SCADA upgrades.</i> <a href="#">Details to be discussed further under item 12 of this report.</a>	IS	No Action Required
		<b>AI-08</b> <i>Brad and Shawn to complete and review Water Division Emergency Response Plan Version 12 with operators along with two mock exercises.</i> <a href="#">Water Division Emergency Response Plan Version 12 reviewed with operators by Brad &amp; Nicole. Mock scenarios completed on October 1 &amp; 2, 2020. Proof of attendance is documented. Discussed in further detail under item 14 of this report.</a>	IS	No Action Required
		<b>AI-09</b> <i>Brad to present annual summary report to council February 25, 2020.</i> <a href="#">The Town of Tecumseh Annual Summary Report (PWES-2020-12) was presented to Council February 25, 2020.</a> <a href="#">Reports saved to the Town's shared drive and posted on Town's website.</a>	IS	No Action Required
2	Incidents of Adverse Drinking Water Tests	There have been <b>(0)</b> Adverse Drinking Water Results since the last managers meeting (February 11, 2020).	IS	No Action Required
3	Results of Internal Audits	<p>The 2020 internal audit was completed on October 8 &amp; 9, 2020. The Final Internal Audit Report listed <b>(0) Non-Conformances and (2) Opportunity for Improvements.</b></p> <p><b>(OFI-1)</b> Consider addressing the existing staff shortage issue (supporting Element 11).</p> <p><a href="#">During Management Review, general discussions relating to the issues with staff shortages took place.</a></p>	IS	Record notes regarding staffing to fulfill requirements of 2020 Internal Audit

# Meeting Minutes / Report

(Attachment 3)

Last Revised: 2020-10-27  
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		Current job posting for Water Operator posted on October 26, 2020.		
		<p><b>(OFI-2)</b> Consider updating the existing Corrective Action Report / Opportunity for Improvement form to include reference to preventative actions throughout (supporting Element 21 PLAN c).</p> <p>Forms were revised to show the audit recommendations, saved and reviewed.</p>	IS	No Action Required
		<p>Internal Audit Report is appended to these minutes as Attachment No.3.</p> <p>Positive findings in <i>commitment, culture of improvement, risk-based thinking and competencies</i> were noted throughout the audit process. The level of communication and the working relationship between the operating authority and the system owners was commended by the auditor.</p>	IS	No Action Required
		The upcoming Internal Audit shall be completed in the calendar year of 2021.	AI	Brad and Nicole to complete the 2021 internal audit
		<p>Through the Internal Audit process Best Management Practices were reviewed and implemented when required.</p> <p>All reports mentioned above are available on the shared drive for the Town of Tecumseh.</p>	IS	No Action Required
4	Results of External Audits	<p>Every three years, an <i>On-Site</i> DWQMS Verification Audit must be completed by an accredited third party.</p> <p>Brad &amp; Nicole have been in contact with NSF (accredited third party) to schedule the 2020 on-site Verification Audit. Waiting on correspondence relating to date.</p>	AI	Brad and Nicole to contact accredited third party to complete the external audit



# Meeting Minutes / Report

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		<p>Annually a desktop DWQMS Verification Audit is to be completed by an accredited third party.</p> <p>Through the External Audit process Best Management Practices were reviewed and implemented when required.</p>	IS	No Action Required
5	Results of MECP Inspection	Details of the 2019 MECP inspection were discussed at previous Management Review (February 11, 2020).	IS	No Action Required
		All reports mentioned above are available on the shared drive for the Town of Tecumseh.	IS	No Action Required
6	Incidents of Non-Compliance with Applicable Regulations	There are currently no Non-Compliance issues.	IS	No Action Required
7	Consumer Feedback	<p>(6) Consumer complaints regarding water quality were made to the Town of Tecumseh since the last Manager's Review Meeting held in 2019 (2020-02-11) and (2) between (2019-10-09 to 2020-02-11).</p> <p>(1) Jan 20, 2020 (13156 Meadowland)-</p> <ul style="list-style-type: none"> <li><b>Black Flakes</b> – consumer stated that intermittently there were black flakes present in water. Operator responded to the consumer complaint regarding the black flakes. Operator found nothing at the time of investigation, however, it is noted that there is PVC main at road and Copper service at house. Operator took a chlorine residual of 1.27ppm. (Acceptable MECP range 0.05-4.0ppm)</li> </ul> <p>(2) Jan 20, 2020 (2369 Docherty)-</p> <ul style="list-style-type: none"> <li><b>Aesthetics</b> – consumer stated they had</li> </ul>	IS	No Action Required



# Meeting Minutes / Report

(Attachment 3)

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Prepared By: Brad Dupuis

		<p>cloudy water. Operator found that when the line was flushed there was air present creating air bubbles. Obtained a chlorine residual of 1.53ppm. (Acceptable MECP range 0.05-4.0ppm)</p> <p><b>(3) March 9, 2020 (13025 St. Thomas)-</b></p> <ul style="list-style-type: none"> <li>• <b>Colour</b> – consumer stated discolored water coming from taps. Richardson Fire performing flow tests in the area. Operator attended consumers’ residence and instructed consumer to flush their lines until visually clear. Obtained a chlorine residual of 1.44ppm in residence house. (Acceptable MECP range 0.05-4.0ppm)</li> </ul> <p><b>(4) May 23, 2020 (104 Cove)-</b></p> <ul style="list-style-type: none"> <li>• <b>Colour</b> – consumer stated discoloured water coming from taps. Operator investigated and discovered that consumers’ water softener failed, plugging the lines. Consumer arranging for plumber to repair softener and blow out lines. Operator was able to flush downstairs bathroom tap and obtain a chlorine residual of 0.84ppm. (Acceptable MECP range 0.05-4.0ppm)</li> </ul> <p><b>(5) May 27, 2020 (2264 St. Alphonse)-</b></p> <ul style="list-style-type: none"> <li>• <b>High pressure-</b> Consumer reporting an increase in water pressure in the home. Operator found that the new hot water tank was building pressure until it could be released from the taps. Consumer was advised by plumber and water operator to install an expansion tank.</li> </ul> <p><b>(6) June 16, 2020 (216 Cada)-</b></p>		
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# Meeting Minutes / Report

(Attachment 3)

Last Revised: 2020-10-27  
Prepared By: Brad Dupuis

		<ul style="list-style-type: none"> <li>• <b>Colour</b> – consumer reported discoloured water coming from taps throughout the home. Operator investigated and did not find any relevant issues or concerns at time of visit. Possible spike in line pressure could have loosened sediment causing discolouration. Operator flushed sinks in the home and the water cleared quickly. Operator took a chlorine residual of 1.16ppm. (Acceptable MECP range 0.05-4.0ppm)</li> </ul> <p>(7) July 15, 2020 (13580 Tecumseh Rd)-</p> <ul style="list-style-type: none"> <li>• <b>Aesthetics</b> – consumer stated concern with air pockets in cold water. Operator flushed hydrant at back of property and found no air in it. Advised consumer to talk to building maintenance. Operator took a chlorine residual of 1.17ppm. (Acceptable MECP range 0.05-4.0ppm)</li> </ul> <p>(8) Oct 19, 2020 (319 St. Marks)-</p> <ul style="list-style-type: none"> <li>• <b>Sediment</b>- Consumer stated toilet has a black sediment in it. Operator flushed lines and noted no sediment in sinks. Operator checked toilet tank and noted there was sediment in tank. Consumer was advised to clean toilet tank and bowl and monitor. Operator took a chlorine residual of 1.40ppm. (Acceptable MECP range 0.05-4.0ppm)</li> </ul> <p>Please note all actions mentioned above were following Town policy in dealing with Covid-19. Clerks division would perform standard Covid-19 screening prior to making appointment along with the operator following the same screening process upon arrival.</p>		
		Manager, Water & Wastewater / ORO has reviewed the Survey Monkey results from past	IS	No Action Required

# Meeting Minutes / Report

(Attachment 3)

Last Revised: 2020-10-27  
Prepared By: Brad Dupuis

		<p>managers meeting (February 11, 2020 to October 23, 2020).</p> <p>Survey Monkey Data to be reviewed twice per year to ensure that possible issues are not missed when reported.</p> <p>(0) Questionnaires were completed for <i>Water Services Customer Survey</i> stating any issue or concern.</p> <p>Results are shown below for <i>Water Services Customer Survey</i>.</p>		
		1) Billing Concern- 0 Individuals	IS	No Action Required
		2) Request for Locate- 0 Individuals	IS	No Action Required
		3) Water Leak- 0 Individuals	IS	No Action Required
		4) Water Quality- 0 Individuals	IS	No Action Required
		5) Water Meter Issue- 0 Individuals	IS	No Action Required
		6) Connection / Disconnection of Water Service- 0 Individuals	IS	No Action Required
		7) Other (Please specify)- 0 Individuals	IS	No Action Required
8	Operational Performance	<p>Nicole Bradley is now the current DWQMS Rep. (August 19, 2020 to present)</p> <p>Brad Dupuis is the alternate.</p> <p>Shawn Laporte was DWQMS Rep for the period covering January 13, 2020 to June 12, 2020. June 13, 2020 he returned to the water operator position)</p>	IS	No Action Required

# Meeting Minutes / Report

(Attachment 3)

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		<p>The <i>hydrant flushing program</i> is scheduled to begin early spring 2020. Every hydrant in Tecumseh will be inspected and operated</p> <p>Flushing program for Tecumseh was completed in early July 2020.</p> <p>A new program was created with the GIS division allowing operators to have access to required information 'live' on their truck mounted computers.</p> <p>Documentation stored in shared hard drives.</p>	IS	No Action Required
		<p>The first check of the <i>hydrant winterizing program</i> is currently underway for the winter season of 2020.</p> <p>Three different checks will be completed.</p> <p>Documentation stored in shared hard drives.</p>	IS	No Action Required
		<p>The <i>valve turning program</i> is underway for 2020. Program beginning in the north end of town, working west to east.</p> <p>There are 2524 valves in the system.</p> <p>105 valves were exercised in 2019 using the new valve turning unit.</p>	IS	No Action Required
		<p>Current FC300 Itron reading system is being replaced by MC3Lite. Brad has been working with Shaun Fuerth (IT department), Wolseley, Itron and Essex Power for the implementation and training of new software.</p>	IS	No Action Required

# Meeting Minutes / Report

(Attachment 3)

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		It is in final stages of completion <i>Due to Covid-19 training was put on hold. As outside suppliers need to be onsite and 2 operators need to be in a vehicle for long durations.</i>	AI	Brad to schedule completion once COVID restrictions are lifted
		We have a total of 34 sample stations.  2020- (10) units have been ordered <i>Due to Covid-19 supplies were limited. 3 units were ordered. 3 units have been replaced</i>	IS	No Action Required
		Due to life cycle, service truck W6- 11 is scheduled to be replaced.  Report number PWES-2019-07 (2019 supply of various vehicles) was approved by council March 26, 2019.  Cavalcade Ford from Bracebridge Ontario was the awarded tender. Along with GWA for the service body.  <i>Due to Covid-19 delays, new approximate delivery is end of 2020</i>	IS	No Action Required
		Due to life cycle, service truck W4- 12 is scheduled to be replaced.  A report will be brought to Council by the Manager of Roads & Fleet for the 2020 supply of various vehicles. <i>Only one quote was received at \$23,000 over budget. As per Fleet Manager &amp; Purchasing Officer, this will be re-tendered early 2021</i>	IS	No Action Required
		<i>Winter Lead Testing</i> was completed January 23,	IS	No Action

# Meeting Minutes / Report

(Attachment 3)

Last Revised: 2020-10-27  
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		<p>2020.</p> <p>All (4) samples taken in the distribution system found to be well below the threshold.</p> <p><i>Summer Lead Testing was completed on October 5, 2020.</i></p> <p>Results for all (4) samples taken throughout the distribution system were well below the allowable threshold.</p>		Required
9	Changes to Services, Activities, Regulations, etc. that could affect DWQMS	<p>There have been changes in the services and/or activities performed by the Town of Tecumseh since the last management review meeting.</p> <p><i>Due to Covid-19:</i></p> <ul style="list-style-type: none"> <li>- Extra monitoring was implemented in areas such as schools, Town Hall, Arenas and other Town facilities.</li> <li>-Operator training was slowly transitioned to on-line from hands-on.</li> <li>-Town policies implemented: 1 person per vehicle unless barriers are present.</li> <li>-Covid-19 Screening of residents by Town operators prior to entry on property.</li> <li>-Public access to Town facilities restricted.</li> <li>-Daily Covid-19 screening of Water Division Operators.</li> <li>-Water billing interest for delinquent accounts put on hold until September 30, 2020 as per Council reports: FS-2020-13COVID-19 and CAO-2020-01.</li> </ul>	IS	No Action Required
		<p>Town's Current Schedule to Water Rates By-Law No.2019-81 has changed, whereas base charges increase by \$0.90 per month. Water rates increased by \$0.03 per cubic meter.</p> <p>Report Number PWES-2019-53 <i>Water and Wastewater Rates</i> was brought to Council December 10, 2019.</p>	IS	No Action Required

# Meeting Minutes / Report

(Attachment 3)

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		Report Number FS-2019-14 reflects Administration Fees and Charges. <a href="#">2021 rates are currently being discussed through budget processes.</a>		
		Town of Tecumseh water standards Version 15 is in the final stages. Shaun Fuerth (IT department) is working on diagrams to reference within the document. Once completed, Version 15 will be put on the website, and emailed to all suppliers. <a href="#">Staff shortages and work restrictions due to Covid-19 have created delays.</a>	AI	Brad and Nicole will email version 15 to suppliers once completed
		A capital works plan is created each year and is submitted to Council for approval. Report Number PWES-2019-49 <i>Public Works &amp; Environmental Services Five Year Capital Works Plan</i> was endorsed by Council (December 10, 2019). <a href="#">Current capital works for 2021 is underway.</a>	IS	No Action Required
		<a href="#">All reports mentioned above are available on the shared drive for the Town of Tecumseh.</a>	IS	No Action Required
10	Infrastructure Review Results	Currently <b>(2)</b> major infrastructure jobs are underway.	IS	No Action Required
		<b>(1)</b> Contractor, Shea Rock Highway No.3 / Walker Road watermain replacement. <a href="#">Due to Covid-19 delays, this project is set to now start on November 9, 2020.</a>  Project consists of replacing the existing 200mm Ductile watermain with a 300mm PVC.  As well as increasing water quality by removal of existing dead-end watermain	IS	No Action Required

# Meeting Minutes / Report

(Attachment 3)

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		<p>found on the N/E corner.</p> <p>Operators completed locates for entire project and ensured operation for all valves in scope of project.</p>		
		<p><b>(2)</b> County of Essex is installing a roundabout at the intersection of Walker Rd and South Talbot Rd.</p> <p>Construction of roundabout delayed due to Covid-19.</p> <p>Previous valve placement aligned in the centre of new constructed roadway creating dangerous conditions for operators to maintain and operate.</p> <p>Water Division staff completed valve relocation on May 25-26, 2020</p> <p>Watermain needs to be lowered in one location to ensure proper cover for the relocation of box culvert.</p>	IS	No Action Required
		<p>There have been a total of (7) broken watermain repairs in 2020</p> <p>(3) in former Tecumseh Hamlet area (3) in former St. Clair Beach area (1) in former Sandwich South area</p>	IS	No Action Required
11	Currency of Operational Plan	<p>The necessary changes to address the Non-conformances identified in the NSF Audit as well as the Internal Audit were reviewed during the meeting.</p> <p>Additional changes made to the operational plan to address changes to business processes were also reviewed.</p>	IS	No Action Required



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		<p>Revisions were made to the operational plan to address changes in business processes, these were reviewed with operators.</p> <p>The results of risk assessment have been added to the operational plan (version 10).</p> <p>Revisions and updates to the Operational Plan and the Risk Assessment were completed with the operators on October 1 &amp; 2, 2020.</p> <p>Attendance is documented.</p> <p>Operational Plan brought to Council on February 25, 2020 and endorsed.</p>		
		All reports mentioned above are available on the shared drive for the Town of Tecumseh.	IS	No Action Required
12	Deviations from CCP Limits	<p>The SCADA system has been configured to have a low alarm and a high alarm. The low alarm is considered an initial warning while the high alarm is considered to be the Critical Control Point (CCP).</p> <p>Documentation of these alarms can be found on the Town's SCADA system.</p> <p>RFQ (request for quote) has been completed for SCADA system upgrades.</p> <p>ONYX Engineering was the awarded contractor and is currently working with IT and the Water &amp; Wastewater division to implement the upgrades.</p>	AI	Brad and Shaun Fuerth (IT department) working together towards completion
13	Effectiveness of Risk Assessment Process	<p>Every three years a full comprehensive review shall be completed.</p> <p>Full Comprehensive review was completed on January 24, 2019.</p> <p>Risk Assessment shall be completed with all</p>	IS	No Action Required

# Meeting Minutes / Report

(Attachment 3)

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		<p>operators during the review for the Operational Plan Version 10</p> <p>On October 2, 2020 Risk Assessment was reviewed with all operators as part of the Operational Plan review. Proof of attendance is documented.</p>		
14	Emergency Preparedness	<p>Emergency Response Plan Version 12 to be created and scheduled for review with operators along with 2 mock exercises prior to coming spring.</p> <p>Water Division Emergency Response Plan version 12 reviewed with operators on October 2, 2020.</p> <p>Two desktop scenarios were also completed by the operators.</p> <p>Scenarios covered the topics:</p> <p>a) Watermain break in the Distribution System</p> <p>b) Biological Contamination</p> <p>Proof of attendance is documented.</p>	IS	No Action Required
		<p>All reports mentioned above are available on the shared drive for the Town of Tecumseh.</p>	IS	No Action Required
15	Trends in Quality of Raw Water & Drinking-Water Supply	<p>The Town of Tecumseh receives an annual report from the Windsor Utilities Commission in regard to the water that is supplied to the town.</p> <p>The Town of Tecumseh receives an annual report from the Town of Lakeshore in regard to the water that is supplied to the town.</p> <p>The Town of Tecumseh is connected to the Town of LaSalle through Meter Chamber 12 (MC-12). The valve remains off until an agreement has been made between Windsor and LaSalle. As part of the construction of the Herb Gray Parkway, the supply watermain to the Howard</p>	IS	No Action Required

# Meeting Minutes / Report

(Attachment 3)

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		<p>Avenue metering facility (MCT-12) was re-routed through the Town of LaSalle. Subsequent to the re-routing of the supply watermain, the connection has been closed and the supply of potable water to the Town of Tecumseh through MCT-12 is currently not utilized.</p> <p>Every annual report is kept on the town's shared drive.</p> <p>The Town of Tecumseh Annual Summary Report (PWES-2020-12).</p> <p><a href="#">Report delivered to council on February 25, 2020</a></p>		
		<p><a href="#">All reports mentioned above are available on the shared drive for the Town of Tecumseh.</a></p>	IS	No Action Required
16	Resources needed for DWQMS Maintenance	Nothing is needed at this time.	IS	No Action Required
17	Town of Tecumseh website	Brad reviewed the town website, insuring the water information is current.	IS	No Action Required
18	Retention Table	Brad Dupuis and Nicole Bradley have reviewed the retention table along with the documents pertaining to it.	IS	No Action Required
19	Comments / Suggestions made by Personnel	No suggestions or feedback was given.	IS	No Action Required



## NSF International Strategic Registrations Audit Report

### **The Corporation Of The Town Of Tecumseh**

917 Lesperance Rd.

Tecumseh, Ontario N8N 1W9 CAN

**C0122080**

#### **Audit Type**

Verification Audit

#### **Auditor**

Robert Howarth

#### **Standard**

Ontario's Drinking Water Quality Management Standard Version 2  
(Exp Date: 22-OCT-2020)

#### **Audit Date(s):**

11/06/2020 - 11/07/2020

#### **Recommendation**

Ontario's Drinking Water Quality Management Standard Version 2 : Continue Certification, NO  
CARs



### Executive Summary

Ontario's Drinking Water Quality Management Standard Version 2	<p>This Organization has effectively implemented a very detailed and thorough DWQMS. The effectiveness is evidenced through no incidents of reporting issues required throughout the testing process, no incidents of regulatory noncompliance, no incidents of adverse drinking-water tests and no deviations from critical control point limits combined with the continued investment in infrastructure and personnel.</p> <p>This was a remote Audit due to Covid-19, It was noted in the Internal Audit Report that staff was very knowledgeable with respect to the requirements of the DWQMS Standard.</p>
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### Opportunities

Ontario's Drinking Water Quality Management Standard Version 2	Whereas Best Practices are addressed in the Operational Plan, adding this as an Agenda item for Management Review could ensure that it remains a focus for the Organization.
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### Corrective Action Requests

There is NO Corrective Action Request in this audit.

### Site Information

The audit was based on a sampling of the company's management system.

### Industry Codes

NACE:E 41

### Scope of Registration

Ontario's Drinking Water Quality Management Standard Version 2 : Tecumseh Distribution System, 040-OA1, Entire Full Scope Accreditation





## Opportunities for Improvements

### Ontario's Drinking Water Quality Management Standard Version 2

Opportunity	Observations / Auditor Notes
Opportunities for Improvements (DWQMS)-01	<b>Location of OFI</b> Tecumseh, Ont.; <b>Discussed With</b> Brad Dupuis; <b>Description</b> Whereas Best Practices are addressed in the Operational Plan, adding this as an Agenda item for Management Review could ensure that it remains a focus for the Organization.;

## General Information

Operating Authority: Legal Name & Address	The Corporation Of The Town Of Tecumseh 917 Lesperance Rd. Tecumseh, Ont. N8N 1W9
Language Preference: Correspondence	English
Language Preference: Audit	English
Owner: Legal Name and Address	The Corporation Of The Town Of Tecumseh 917 Lesperance Rd. Tecumseh, Ont. N8N 1W9
Owner Language Preference: Correspondence	English
Owner Language Preference: Audit	English
Applicant Representative Information; Include Name, Title, Phone, Fax, Email & Website	Brad Dupuis Manager, Water and Waste Water Services Phone: 519-735-4225 X141 Fax: 519-735-1895 E mail: bdupuis@tecumseh.ca Website: http://www.tecumseh.ca/
Accreditation Option	Full Scope - Entire DWQMS
Date of Previous Systems Audit:	October 25, 2019
Date of Previous On-Site Verification Audit:	September 25-26/, 2017

## Processes

### Ontario's Drinking Water Quality Management Standard Version 2

Process Name	Observations / Auditor Notes
DWQMS Element 10 – Competencies	<b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b> This process is effectively controlled Operational Plan - Element-10; Version 10; Operational Plan defines Title/Function and Required Competencies and Desired Competencies for Municipal Ownes/Operating Authorities Director of Public Works & Environmental Services Manager of Water and Wastewater Services/ORO



Process Name	Observations / Auditor Notes
	<p>Water/Wastewater Supervisor  New Operators (OIT)  Operator-3  Operator-2  Operator-1  Additionally defines Methods to assess, develop and maintain competencies</p>
DWQMS Element 11 – Personnel Coverage	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b>  This process is effectively controlled  Operational Plan - Element-11; Version 10 ; Procedure adequately defines the necessary personnel requirements to ensure the operation of the Distribution System.  This is supported by a Distribution Operator on call at all times outside of regular business hours  List of available Operators available and posted  Contacted through Answering Service  Available 24 Hours a day - 7 Days a week  Also includes coverage for Pandemic, strikes or lockouts.</p>
DWQMS Element 12 - Communications	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b>  This process is effectively controlled  Operational Plan - Element -12; Version 10 ; Process defines Communication requirements including Communication with:  Owner:  Annual Report forwarded to the Mayor and Council defining the suitability and effectiveness of the DWQMS and as defined in Section 11(1) of Ont Reg. 170/03   Personnel  Through Town Network Drive and daily Tailgate meetings.  Minutes not retained.   Suppliers  Purchase Orders   Consumers/Public  Through Operations Centre and The Corporation of the Town of Tecumseh Web Site</p>
DWQMS Element 13 – Essential Supplies and Services	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b>  This process is effectively controlled  Operational Plan - Element-13 Version 10  Operational Plan - Appendix 5 Version 10; All supplies and services must meet AWWA and NSF/ANSI standards  List of Primary and secondary suppliers broken down into  Treated Drinking Water Supplies  Laboratories  Instrumentation Calibration/Maintenance  Contractors  and 10 Other  All purchases must be in accordance with the Town of Tecumseh By-Law 2017-63, a bylaw to govern procurement and procedures.</p>
DWQMS Element 14 – Review and Provision of Infrastructure	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b>  This process is effectively controlled  Operational Plan - Element-14; Version 10  Operational Plan - Appendix 6 Version 10; A report detailing the maintenance programs, any requirements for infrastructure, rehabilitation and renewal is prepared annually by the Director, Public Works &amp; Environmental Services and Director, Financial Services/Treasurer.  Includes requirement to consider Risk Assessment Outcomes.</p>





Process Name	Observations / Auditor Notes
	<p>The capital requirements are then submitted to Top Management and Municipal Owner/Operating Authority for budgetary approval.</p> <p>Appendix 6 - 2019-2023 Public Works and Environmental Services Capital Works Plan dated December 10, 2019</p>
DWQMS Element 15 – Infrastructure, Maintenance, Rehabilitation and Renewal	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b></p> <p>This process is effectively controlled</p> <p>Operational Plan - Element -15; Version 10; Process broken down into 2 Subsections</p> <p>Planned Maintenance - Controlled through Daily Work Orders</p> <p>Work Orders retained electronically in Database sorted by Date and Address</p> <p>Unplanned Maintenance- resulting from emergency repairs or breakdown</p> <p>Watermain Break Report</p> <p>Infrastructure Rehabilitation - Monitored for effectiveness</p> <p>Infrastructure Renewal - Monitored for effectiveness</p> <p>Capital Upgrades - Planned and Approved by Owner</p>
DWQMS Element 16 – Sampling, Testing and Monitoring	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b></p> <p>This process is effectively controlled</p> <p>Operational Plan - Element-16; Version 10; SOP-1 Water Sampling for Chlorine, BacT and HPC</p> <p>SOP-5 Community Lead Testing Program; All sampling and testing is defined in Sampling, Testing &amp; Monitoring procedure SOP-1 and meets all requirements as defined by the Ministry of Environment.</p> <p>Chlorine Testings:</p> <p>22 Samples per week based on rotating basis from 54 sites.</p> <p>Cycle repeated every four weeks with identified areas done every week</p> <p>Chlorine Testing done by technician on site - Limits defined</p> <p>No Results outside defined limits</p> <p>Microbiological Testing - (Total Coliform, E.coli and HPD)</p> <p>10 Samples per week based on rotating basis done by Caduceon Environmental Laboratory - Accredited</p> <p>Lead Sampling:</p> <p>Frequency as defined by Regulatory Requirement</p> <p>Currently only 4 Distribution samples twice per year.</p> <p>Testing done by Caduceon Environmental Laboratory.</p> <p>Results of sampling, testing, and monitoring activities are documented in a Summary Report and included in the Ontario Regulation 170/03 Drinking Water Systems Annual Report.</p> <p>The Summary Report is submitted to Council.</p> <p>If sampling, testing, and monitoring activities indicate that results exceed acceptable limits, Town of Tecumseh will follow established reactive plans to address the situation as defined in Emergency Response Plan.</p> <p>The Town of Tecumseh will ensure that its actions comply with requirements and guidelines put forth by the Ministry of the Environment (MOE).</p>
DWQMS Element 17 – Measurement and Recording Equipment Calibration and Maintenance	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b></p> <p>This process is effectively controlled</p> <p>Operational Plan - Element-17; Version 10; Pocket ; Colorimeter utilized and calibrated.</p> <p>6 in Use (One in each Truck)</p> <p>Calibrated November 13/19 - Requirement Annual</p> <p>Calibration Report submitted by Flowmetrics.</p> <p>Report dated Nov 13, 2019</p> <p>Includes Laboratory Accreditation,</p>





Process Name	Observations / Auditor Notes
DWQMS Element 18 - Emergency Management	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b></p> <p>This process is effectively controlled  Operational Plan - Element-18 Version 10; Emergency Response Plan Dated February 2020, Version 12  Very detailed plan covering 20 different emergency situations and guidelines for response.  Evidence of training on Version 12 - Sign off by Operators  Annual Training exercise.  Watermain Break - October 2, 2020  Biological Contamination - October 2, 2020  Signed off by all employees and all employees evaluated for performance after training.</p>
DWQMS Element 19 - Internal Audits	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b></p> <p>This process is effectively controlled  Operational Plan - Element-19 Version 10; Third Party Internal Audit undertaken October 8-9, 2020 by Acclams Environmental  Very thorough Audit  Checklist utilized  Audit Report - Dated October 19, 2020  No Minor nonconformances identified  2 Opportunities for improvement identified.</p>
DWQMS Element 20 - Management Review	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b></p> <p>This process is effectively controlled  Operational Plan - Element- 20 Version 10; Management Review held February 11, 2020 and October 27, 2020  Minutes available  Senior Management involved  Chief Administrative Office  Director of Public Works and Environmental Services  Manager Water and Wastewater  DWQMS Representative</p> <p>Topics addressed</p> <ul style="list-style-type: none"> <li>a) incidents of regulatory non-compliance,</li> <li>b) incidents of adverse drinking-water tests,</li> <li>c) deviations from critical control point limits and response actions,</li> <li>d) the efficacy of the risk assessment process,</li> <li>e) internal and third-party audit results,</li> <li>f) results of emergency response testing,</li> <li>g) operational performance,</li> <li>h) raw water supply and drinking water quality trends,</li> <li>i) follow-up on action items from previous management reviews,</li> <li>j) the status of management action items identified between reviews,</li> <li>k) changes that could affect the Quality Management System,</li> <li>l) consumer feedback,</li> <li>m) the resources needed to maintain the Quality Management System,</li> <li>n) the results of the infrastructure review,</li> <li>o) Operational Plan currency, content and updates, and</li> <li>p) staff suggestions.</li> </ul> <p>Very detailed meeting and supporting minutes</p>
DWQMS Element 21 - Continual Improvement	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b></p> <p>This process is effectively controlled  Operational Plan - Element- 21 Version 9 ; ; No Corrective Actions identified in past 12 months  No incidents of regulatory noncompliance,</p>



Process Name	Observations / Auditor Notes
	<p>No incidents of adverse drinking-water tests,  No deviations from critical control point limits and response actions  No significant customer complaints  Procedure updated to include the consideration of Best Practices.</p>
DWQMS Element 3 - Commitment and Endorsement Statement	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b>  This process is effectively controlled  Operational Plan - Element-3; Version 10; Commitment and Endorsement Statement available  Approved by CAO and Director of Public Works &amp; Environmental Service dated February 27, 2018(Top Management)</p> <p>Council Identified as Owners  Sent to council and approved February 25 ,2020  The Drinking Water Quality Management System Operational Plan Version 10 be endorsed and committed to.  Approved at meeting by Council.  Evidenced in Meeting Minutes</p>
DWQMS Element 5 - Document and Records Control	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b>  This process is effectively controlled  Operational Plan - Element-5; Version 10 ; Procedures adequately defined controls required  for control of Documents and Records  No uncontrolled documents evidenced during Audit  Records suitably provided to complete the Audit.</p>
DWQMS Element 6 – Drinking-Water System	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b>  This process is effectively controlled  Operational Plan - Element-6; Version 10 and Appendix 2; The Drinking Water System Descriptions as defined in the Operational Plan adequately and effectively address the requirements as required by the DWQMS Standard including Description, Ownership, Flow Charts Maps, and Specific Descriptions.</p> <p>Note: The City of Windsor has the responsibility for treating the water and providing safe drinking water to the town.  The Town of Tecumseh only distributes the water.</p>
DWQMS Element 7 Risk Assessment and DWQMS Element 8 Risk Assessment Outcomes	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b>  This process is effectively controlled  Operational Plan - Element-7; Version 10  Operational Plan - Element-8; Version 10  Operational Plan - Appendix 3; Version 10- Defines criteria and methodology for ascertaining risk.  Appendix 4 - Risk Assessment Outcomes.; The Information in the Risk Assessment is reviewed Annually for validity and currency  Last comprehensive review January 20, 2019 by 4 Operators, DWQMS Representative and Manager  Water.  Operational Plan states The entire Risk Assessment process will be conducted at least once every three years to ensure that the information used remains current and the assumptions remain valid.  Operational Plan states the Risk Assessment Team shall meet once a calendar year to review the validity of the assumptions and the currency of the information used in the risk assessment. - January 20, 2019.</p> <p>Appendix 3 identifies the criteria for assessing Risk broken into Likelihood, Severity and Detectability with ranks of 1-5</p>





Process Name	Observations / Auditor Notes
	<p>Risk assessment is based on adding the scores for Likelihood, Severity and Detectability to determine a Critical Control Point</p> <p>According to Procedure Appendix 3 a Ranking of greater than 8 is considered critical.</p> <p>6 Hazards identified</p> <p>Risk Assessment and Critical Control Point work Sheets available and up to date for all identified risks</p> <p>Where CCP of greater than 8 identified Emergency Response Plan procedures</p> <p>Very detailed and thorough</p> <p>All items as identified in SWQMS Standard Version 2 included,</p>
DWQMS Element 9 – Organizational Roles, Responsibilities & Authorities	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b></p> <p>This process is effectively controlled</p> <p>Operational Plan - Element-9; Version 10; Responsibilities and Authorities defined for System Owner</p> <p>Top Management</p> <p>Chief Administrative Officer</p> <p>Director of Public Works and Environmental Services</p> <p>Manager of Water/Wastewater</p> <p>DWQMS Management Representative</p> <p>Certified Water Operators (Leaders)</p> <p>Certified Water Operators</p> <p>Clerical Staff</p>
DWQMS-1 Quality Management System, DWQMS-2 Quality Management System Policy & DWQMS-4 QMS Representative	<p><b>Describe whether the process is effective or not (effectiveness should be supported with specific data/records/results). Include strengths &amp; weaknesses of process:</b></p> <p>These processes are effectively controlled</p> <p>Operational Plan - Element-1; Version 10</p> <p>Operational Plan - Element-2; Version 10</p> <p>Operational Plan - Element-4; Version 10; Operational Plan available covering all elements as defined in Standard; Policy meets all defined requirements</p> <p>Quality Management System Representative -</p> <p>The QMS Representative, currently the DWQMS Representative (Brad Dupuis) and has been appointed as the QMS Representative for The Town of Tecumseh by Top Management.</p> <p>The Representative is authorized and responsible for administering all processes associated with the operation and performance of the QMS.</p>



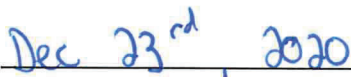
Summary of Findings	
Requirement	Finding
1. Quality Management System	C
2. Quality Management System Policy	C
3. Commitment and Endorsement	C
4. Quality Management System Representative	C
5. Document and Record Control	C
6. Drinking-Water System	C
7. Risk Assessment	C
8. Risk Assessment Outcomes	C
9. Organizational Structure, Roles, Responsibilities, and Authorities	C
10. Competencies	C
11. Personnel Coverage	C
12. Communications	C
13. Essential Supplies and Services	C
14. Review and Provision of Infrastructure	C
15. Infrastructure Maintenance, Rehabilitation & Renewal	C
16. Sampling, Testing & Monitoring	C
17. Measurement & Recording Equipment, Calibration & Maintenance	C
18. Emergency Management	C
19. Internal Audits	C
20. Management Review	C
21. Continual Improvement	C
<b>Mj</b>	Major Non-Conformity. The auditor has determined one of the following: (a) a required element of the DWQMS has not been incorporated into a QMS; (b) a systemic problem with a QMS is evidenced by two or more minor conformities; or (c) a minor non-conformity identified in a corrective action request has not been remedied.
<b>Mn</b>	Minor Non-Conformity. In the opinion of the auditor, part of a required element of the DWQMS has not been incorporated satisfactorily into a QMS.
<b>OFI</b>	Opportunity for Improvement. Conforms to requirement, but there is opportunity for improvement.
<b>C</b>	Conforms to requirement.
	Not Applicable to this audit
<b>*</b>	Additional Comment added by auditor in the body of the report.



STAGE 1 - REQUEST FOR CORRECTIVE ACTION			
<b>Date</b>	December 1, 2020	<b>Initiator</b>	Robert Howarth
<b>CA #</b>	EA20 OFI-01		
<b>Element/ Topic</b>	Element 21 – Continual Improvement		
<b>Manager Responsible</b>	Manager of Water & Wastewater, ORO		
<b>ACTION TYPE</b>	Opportunity for Improvement – (OFI)		
<b>Statement of Recommendation :</b> <i>Whereas Best Practices are addressed in the Operational Plan, adding this as an Agenda item for Management Review could ensure that it remains a focus for the Organization.</i>			
STAGE 2 – CORRECTIVE / PREVENTIVE ACTIONS ASSIGNED			
<b>Action Description</b>	<b>Responsibility</b>	<b>Date</b>	
"Best Practices" will be added to the Management Review Agenda as its own topic for discussion.	DWQMS Rep / Operator	December 31, 2020	
<b>APPROVAL DATE</b>	December 15, 2020		
STAGE 3 – CONTROLS FOR CORRECTIVE / PREVENTIVE ACTION			
<b>Describe Controls to Prevent Repeat Occurrences</b>	<b>Approved By</b>	<b>Date</b>	
N/A	N/A	N/A	
STAGE 4 - VERIFICATION OF CORRECTIVE / PREVENTIVE ACTION (if required)			
<b>Verification</b>	<b>Assigned To</b>	<b>Verified</b>	
Verification will be made at the first Management Review meeting of 2021.	DWQMS Rep / Operator	Y / N	
<b>CAR Closed By</b>	Nicole Bradley	<b>CAR Close Date</b>	Jan. 4, 2021 NB

Proof of Acceptance

  
Manager, Water & Wastewater/ORO

  
Date





Ministry of the Environment,  
Conservation and Parks

Ministère de l'Environnement, de la  
Protection de la nature et des Parcs

Southwestern Region

Direction régionale du Sud-Ouest

620 – 4510 Rhodes Drive  
Windsor ON N8W 5K5

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TTY: 416 456-1234

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File# SI-ES-TE-540

January 14, 2021

Town of Tecumseh  
917 Lesperance Road  
Tecumseh, ON  
N8N 1W9

Attention: Margaret Misk-Evans, CAO  
[mevans@tecumseh.ca](mailto:mevans@tecumseh.ca)

Dear Ms. Misk-Evans;

Re: Tecumseh Water Distribution System  
Inspection Report

---

Please find enclosed the Drinking Water System Inspection Report for the Tecumseh Distribution System (DWS#260004969). This year's unannounced inspection was conducted remotely and the telephone interview/questionnaire was held on December 7, 2020. There was no physical inspection conducted at your drinking water system this year.

Section 19 of the Safe Drinking Water Act (Standard of Care) creates a number of obligations for individuals who exercise decision-making authority over municipal drinking water systems. Please be aware that the Ministry has encouraged such individuals, particularly municipal councillors, to take steps to be better informed about the drinking water systems over which they have decision-making authority. These steps could include asking for a copy of this inspection report and a review of its findings. Further information about Section 19 can be found in *"Taking Care of Your Drinking Water: A guide for members of municipal council"* found on the Drinking Water Ontario website at [www.ontario.ca/drinkingwater](http://www.ontario.ca/drinkingwater).

In order to measure individual inspection results, the Ministry has established an inspection compliance risk framework based on the principles of the Inspection, Investigation & Enforcement (II&E) Secretariat and advice of internal/external risk experts. The Inspection Summary Rating Record (IRR), included as Appendix B of the inspection report, provides the Ministry, the system



owner and the local Public Health Units with a summarized quantitative measure of the drinking water system's annual inspection and regulated water quality testing performance.

IRR ratings are published (for the previous inspection year) in the Ministry's Chief Drinking Water Inspectors' Annual Report. If you have any questions or concerns regarding the rating, please contact Marc Bechard, Water Compliance Supervisor, at (519) 490-0761.

Likewise, if you have any questions or concerns regarding this report, please call me at (226) 280-1556.

Yours truly,



Neil Gilbert, P.Eng.  
Provincial Officer – Water Inspector  
Southwestern Region  
Ministry of the Environment, Conservation and Parks  
Sarnia District – Windsor Area Office

Encl.

cc: Dr. Wajid Ahmed, Medical Officer of Health, Windsor-Essex County HU, [wahmed@wechu.org](mailto:wahmed@wechu.org)  
Theresa Marentette, CEO and Chief Nursing Officer, Windsor-Essex County HU, [tmarentette@wechu.org](mailto:tmarentette@wechu.org)  
Kristy McBeth, Director of Health Protection, Windsor-Essex County HU, [kmcbeth@wechu.org](mailto:kmcbeth@wechu.org)  
Phil Wong, Manager, Environmental Health, Windsor-Essex County HU, [pwong@wechu.org](mailto:pwong@wechu.org)  
Victoria Peczulis, Manager, Environmental Health, Windsor-Essex County HU, [vpeczulis@wechu.org](mailto:vpeczulis@wechu.org)  
Phil Bartnik, Director of Public Works & Env. Services, Town of Tecumseh, [pbartnik@tecumseh.ca](mailto:pbartnik@tecumseh.ca)  
Brad Dupuis, Water & Wastewater Manager, Town of Tecumseh, [bdupuis@tecumseh.ca](mailto:bdupuis@tecumseh.ca)  
Marc Bechard, Water Compliance Supervisor, MECP Sarnia District, [marc.bechard@ontario.ca](mailto:marc.bechard@ontario.ca)



**Ministry of the Environment, Conservation and Parks**

**TECUMSEH DISTRIBUTION SYSTEM**  
**Inspection Report**

<b>Site Number:</b>	260004969
<b>Inspection Number:</b>	1-NX84L
<b>Date of Inspection:</b>	Dec 07, 2020
<b>Inspected By:</b>	Neil Gilbert

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Appendix A: Stakeholder Appendix

Appendix B: Inspection Rating Record

## OWNER INFORMATION:

<b>Company Name:</b>	TECUMSEH, THE CORPORATION OF THE TOWN OF		
<b>Street Number:</b>	917	<b>Unit Identifier:</b>	
<b>Street Name:</b>	LESPERANCE Rd		
<b>City:</b>	TECUMSEH		
<b>Province:</b>	ON	<b>Postal Code:</b>	N8N 1W9

## CONTACT INFORMATION

<b>Type:</b>	Main Contact	<b>Name:</b>	Brad Dupuis
<b>Phone:</b>	(519) 735-2184 x145	<b>Fax:</b>	(519) 735-1895
<b>Email:</b>	bdupuis@tecumseh.ca		
<b>Title:</b>	Water & Wastewater Manager		

## INSPECTION DETAILS:

<b>Site Name:</b>	TECUMSEH DISTRIBUTION SYSTEM
<b>Site Address:</b>	TECUMSEH
<b>County/District:</b>	TECUMSEH
<b>MECP District/Area Office:</b>	Windsor Area Office
<b>Health Unit:</b>	WINDSOR-ESSEX COUNTY HEALTH UNIT
<b>Conservation Authority:</b>	Essex Region Conservation Authority
<b>MNR Office:</b>	Chatham Regional Office
<b>Category:</b>	Large Municipal Residential
<b>Site Number:</b>	260004969
<b>Inspection Type:</b>	Special Unannounced
<b>Inspection Number:</b>	1-NX84L
<b>Date of Inspection:</b>	Dec 07, 2020
<b>Date of Previous Inspection:</b>	Jan 16, 2020

## COMPONENTS DESCRIPTION

**Site (Name):** Distribution System

**Type:** **Sub Type:**

**Comments:**

The Tecumseh Distribution System is a standalone distribution system which supplies water to the area of the Town of Tecumseh in two discrete service zones. The zone north of Highway 401 is bounded by the Tecumseh municipal boundaries, south to Baseline Road. The zone south of Highway 401 is bounded by the Tecumseh municipal boundaries generally south of Essex County Road 46. Source water is from the City of Windsor water supply via the Windsor municipal distribution system. One currently unused connection from Windsor is through a short section of transmission main within the Lasalle municipal distribution system. The City of Windsor water supply draws its source water from the Detroit River in the vicinity of Belle Isle. According to the drinking water system profile, a population of approximately 24,000 residents is served by the Tecumseh Distribution System. It therefore falls into the "large municipal residential" category under O. Regulation 170/03.

Water mains take treated water from the City of Windsor to the service area through 10 of 12 currently used boundary metered connections points with Tecumseh. The water tower in the Town of Tecumseh maintains distribution system

pressure and is controlled by the Town. The water tower is monitored by the Windsor Utilities Commission (WUC) and the Town through SCADA. Secondary disinfection is provided by the A.H. Weeks water treatment plant in Windsor.

The Tecumseh Distribution System 2018 annual report, prepared by the Town of Tecumseh, states that:

- Town of Tecumseh, City of Windsor and Windsor Utilities Commission (WUC) entered into a 50-year service agreement in November 2004 (By-law 2004-71). The service agreement was implemented on March 31, 2006.
- Prior to August 1, 2008, WUC provided water to 2400 residents in the former Township of Sandwich South, south of Highway 401 ("South Water Area"). The Town of Tecumseh assumed the responsibility for the operations and maintenance of the water distribution system from WUC in this South Water Area effective August 1, 2008.

## INSPECTION SUMMARY:

### Introduction

- The primary focus of this inspection is to confirm compliance with Ministry of the Environment, Conservation and Parks (MECP) legislation as well as evaluating conformance with ministry drinking water policies and guidelines during the inspection period.

This drinking water system is subject to the legislative requirements of the Safe Drinking Water Act, 2002 (SDWA) and regulations made therein, including Ontario Regulation 170/03, "Drinking Water Systems" (O. Reg. 170/03). This inspection has been conducted pursuant to Section 81 of the SDWA.

This report is based on an inspection of a "stand alone connected distribution system" and was conducted remotely. This type of system receives treated water from a separately owned "donor" system. This report contains elements required to assess key compliance and conformance issues associated with a "receiver" system. This report does not contain items associated with the inspection of the donor system, such as source waters, intakes/wells and treatment facilities.

This inspection report does not suggest that all applicable legislation and regulations were evaluated. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.

The Tecumseh Distribution System (DWS#260004969) is owned by the Corporation of the Town of Tecumseh. It is a standalone distribution system that receives treated surface water from the City of Windsor water supply via the Windsor municipal distribution system. The City of Windsor water supply draws its source water from the Detroit River in the vicinity of Belle Isle.

According to Tecumseh's drinking water system profile, a population of approximately 24,000 residents are served by the Tecumseh Distribution System. It therefore falls into the "large municipal residential" category under O.Reg. 170/03.

The water tower in the Town of Tecumseh maintains distribution system pressure and secondary disinfection is provided by the A.H. Weeks water treatment plant in Windsor.

This inspection was conducted remotely and the inspection review period was January 1, 2020 to November 30, 2020.

### Treatment Processes

- The owner/operating authority was in compliance with the requirement to prepare Form 2 documents as required by their Drinking Water Works Permit during the inspection period.
- Where an activity has occurred that could introduce contamination, all parts of the drinking water system were disinfected in accordance with Schedule B, Condition 2.3 of the Drinking Water Works Permit.

The system's representative was made aware that the updated Ontario Watermain Disinfection Procedure was issued on August 1, 2020. The representative was advised that the municipality is required to modify its watermain repair/commissioning procedures and forms to meet the updated procedure's documentation requirements by the date required in its DWWP.
- The owner had evidence indicating that all chemicals and materials that come in contact with water within the drinking water system met the AWWA and ANSI standards in accordance with the Municipal Drinking Water Licence and Drinking Water Works Permit issued under Part V of the SDWA.

### Treatment Process Monitoring

- The secondary disinfectant residual was measured as required for the distribution system.

As per O.Reg. 170/03 s 7-2 (3), the owner/operating authority of a system that provides secondary disinfection shall

### Treatment Process Monitoring

ensure that at least seven distribution samples are taken each week and are tested immediately for, (a) free chlorine residual, if the system provides chlorination and does not provide chloramination; or (b) combined chlorine residual, if the system provides chloramination.

The following rules apply to the distribution samples referred above unless at least one sample is taken on each day of the week: At least four of the samples must be taken on one day of the week, at least 48 hours after the last sample was taken in the previous week. Then, at least three of the samples must be taken on a second day of the week, at least 48 hours after the last sample was taken on the first day of the sampling week. When more than one sample is taken on the same day of the week then each sample must be taken from a different location.

During the inspection review period (January 1, 2020 to November 30, 2020) at least seven distribution samples were collected each week using the 4/3 rule and tested for free chlorine residuals.

- **Samples for chlorine residual analysis were tested using an acceptable portable device.**

### Distribution System

- **The owner had up-to-date documents describing the distribution components as required.**
- **There is a backflow prevention program, policy and/or bylaw in place.**  
The Town of Tecumseh's By-law #2001-68 is a by-law which regulates backflow prevention. In addition, Tecumseh's Standard Operating Procedure #017 (SOP-017) is a procedure for the annual inspection and testing of backflow preventers.
- **The owner had a program or maintained a schedule for routine cleanout, inspection and maintenance of reservoirs and elevated storage tanks within the distribution system.**
- **The owner had implemented a program for the flushing of watermain as per industry standards.**
- **Records confirmed that disinfectant residuals were routinely checked at the extremities and "dead ends" of the distribution system.**
- **A program was in place for inspecting and exercising valves.**
- **There was a program in place for inspecting and operating hydrants.**
- **There was a by-law or policy in place limiting access to hydrants.**  
The Town of Tecumseh's Water-Use By-law #2003-99 (Parts 7.3 and 11) contain conditions with respect to the use and restriction of hydrants.
- **The owner was able to maintain proper pressures in the distribution system and pressure was monitored to alert the operator of conditions which may lead to loss of pressure below the value under which the system is designed to operate.**
- **The donor had provided an Annual Report to the receiver drinking water system.**

### Operations Manuals

- **Operators and maintenance personnel had ready access to operations and maintenance manuals.**

### Operations Manuals

- The operations and maintenance manuals contained plans, drawings and process descriptions sufficient for the safe and efficient operation of the system.
- The operations and maintenance manuals met the requirements of the Drinking Water Works Permit and Municipal Drinking Water Licence issued under Part V of the SDWA.

Condition 16.2 under Schedule B of Tecumseh's Drinking Water Licence (#040-101, Issue #4 dated May 24, 2019) notes that the operations and maintenance manuals shall include (at a minimum) the following:

- 16.2.1 The requirements of this licence and associated procedures;
  - 16.2.2 The requirements of the drinking water works permit for the drinking water system;
  - 16.2.3 A description of the processes used to achieve secondary disinfection within the drinking water system;
  - 16.2.4 Procedures for monitoring and recording the in-process parameters necessary for the control of any treatment subsystem and for assessing the performance of the drinking water system;
  - 16.2.5 Procedures for the operation and maintenance of monitoring equipment;
  - 16.2.6 Contingency plans and procedures for the provision of adequate equipment and material to deal with emergencies, upset conditions and equipment breakdown;
  - 16.2.7 Procedures for dealing with complaints related to the drinking water system, including the recording of the nature of the complaint and any investigation and corrective action taken in respect of the complaint.
- A review of Tecumseh's operating manual and standard operating procedures suggests that these conditions appear to be satisfied. All secondary disinfection is provided by the City of Windsor's A.H. Weeks Water Treatment Plant and Tecumseh does not maintain or operate a re-chlorination system.

### Logbooks

- Records or other record keeping mechanisms confirmed that operational testing not performed by continuous monitoring equipment was being done by a certified operator, water quality analyst, or person who suffices the requirements of O. Reg. 170/03 7-5.
- For every required operational test and every required sample, a record was made of the date, time, location, name of the person conducting the test and result of the test.
- Logs or other record keeping mechanisms were available for at least five (5) years.

### Contingency/Emergency Planning

- Standby power generators were tested under normal load conditions.

The standby natural gas powered generator at the Public Works building is tested once a month.

### Security

- All storage facilities were completely covered and secure.
- Air vents and overflows associated with reservoirs and elevated storage structures were equipped with screens.
- The owner had provided security measures to protect components of the drinking water system.

### Consumer Relations

- The owner and/or operating authority undertook efforts to promote water conservation and reduce water



### Consumer Relations

#### **losses in their system.**

The Owner/Operating Authority has taken various water conservation efforts including, public education/water conservation promotion, water line replacement, and fully metering customers.

The Town of Tecumseh's By-Law #2003-99 is a by-law which regulates the use of water within the Town.

### Certification and Training

- **The overall responsible operator had been designated for each subsystem.**
- **Operators-in-charge had been designated for all subsystems which comprised the drinking water system.**
- **All operators possessed the required certification.**
- **An adequately licenced operator was designated to act in place of the overall responsible operator when the overall responsible operator was unable to act**

### Water Quality Monitoring

- **All microbiological water quality monitoring requirements for distribution samples were being met.**

As per O.Reg. 170/03 s10-2, the owner/operating authority for the system shall ensure that if a system serves 100,000 people or less, at least eight distribution samples, plus one additional sample for every 1,000 people served, are taken every month, with at least one sample being taken each week. Each of the distribution samples collected must be tested for E. coli and total coliforms and at least 25 percent of these samples must be tested for general bacteria population expressed as colony counts on a heterotrophic plate count (HPC).

During the inspection review period (January 1, 2020 to November 30, 2020) all microbiological water monitoring requirements for distribution water samples were performed.

- **All haloacetic acid water quality monitoring requirements prescribed by legislation are being conducted within the required frequency and at the required location.**

As per O.Reg 170/03 s13-6.1, the owner/operating authority shall ensure that a minimum of one sample is collected and tested for haloacetic acid (HAA) per calendar quarter.

On January 1, 2020, the O.Reg. 169/03 standard for HAA (80ug/L) came into effect and is expressed as a RAA, where RAA is defined as "the running annual average of quarterly results" for HAA for a drinking water system. During the inspection review period (January 1, 2020 to November 30, 2020), these HAA samples were collected on Jan. 6, 2020 (HAA result = 13.9ug/L), Apr. 6, 2020 (HAA result = 16.5ug/L), July 7, 2020 (HAA result = 26.1ug/L) and Oct. 5, 2020 (HAA result = 26.3ug/L). All of these HAA results were below 80ug/L and the average for the inspection review period was 20.7ug/L.

- **All trihalomethane water quality monitoring requirements prescribed by legislation were conducted within the required frequency and at the required location.**

As per O.Reg. 170/03 s13-6, the owner/operating authority of a system that provides chlorination or chloramination shall ensure that at least one distribution sample is taken in each calendar quarter, from a point in the distribution system that is likely to have an elevated potential for the formation of trihalomethanes (THMs), and have the sample tested for THMs.

During the inspection review period (January 1, 2020 to November 30, 2020), these THM quarterly samples were collected on Jan. 6, 2020 (at 3 locations with a THM average = 15ug/L), Apr. 6, 2020 (at 4 locations with a THM average = 16.8ug/L), July 7, 2020 (at 3 locations with a THM average = 34.7ug/L) and Oct. 5, 2020 (at 3 locations with a THM average = 40ug/L).

The Ontario Drinking Water Quality Standard (ODWQS) for THM is 100 ug/L (expressed as a running annual

### Water Quality Monitoring

average of quarterly results). All of the THM results were below 100ug/L and the average for the inspection review period was 26.6ug/L.

- **The owner ensured that water samples were taken at the prescribed location.**
- **All sampling requirements for lead prescribed by schedule 15.1 of O. Reg. 170/03 were being met.**

This drinking water system is exempt from plumbing lead sampling as per the exemption in O.Reg. 170/03 Schedule 15.1. Under this exemption and as per subsection 15.1-5 (10), the owner/operating authority are required to test for pH and alkalinity during each of the two periods described in subsection 15.1-5 (5) (i.e. Dec. 15 to Apr. 15 and June 15 to Oct. 15) in every 12-month period and to test for lead during each of the two periods described in subsection 15.1-5 (5) in every third 12-month period. In accordance with the "Reduced Sampling Table" (found in O.Reg. 170/03 Schedule 15.1) and based on the population served by the Tecumseh Distribution System, at least four sampling points must be tested in the distribution system per period (i.e. Dec. 15 to Apr. 15 and June 15 to Oct. 15).

During the inspection review period (Jan. 1, 2020 to Nov. 30, 2020), water samples were collected from four locations within the distribution system on Jan. 23, 2020 and Oct. 5, 2020 and tested for lead, alkalinity and pH.

- **Records confirmed that chlorine residual tests were being conducted at the same time and at the same location that microbiological samples were obtained.**
- **The owner indicated that the required records are kept and will be kept for the required time period.**

### Water Quality Assessment

- **Records showed that all water sample results taken during the inspection review period did not exceed the values of tables 1, 2 and 3 of the Ontario Drinking Water Quality Standards (O.Reg. 169/03).**

### Reporting & Corrective Actions

- **Summary Reports for municipal council were completed on time, included the required content, and were distributed in accordance with the regulatory requirements.**

**NON-COMPLIANCE WITH REGULATORY REQUIREMENTS AND ACTIONS REQUIRED**

This section provides a summary of all non-compliance with regulatory requirements identified during the inspection period, as well as actions required to address these issues. Further details pertaining to these items can be found in the body of the inspection report.

**Not Applicable**

## SUMMARY OF RECOMMENDATIONS AND BEST PRACTICE ISSUES

This section provides a summary of all recommendations and best practice issues identified during the inspection period. Details pertaining to these items can be found in the body of the inspection report. In the interest of continuous improvement in the interim, it is recommended that owners and operators develop an awareness of the following issues and consider measures to address them.

Not Applicable

**SIGNATURES**

Inspected By:

Neil Gilbert

Signature: (Provincial Officer)

Reviewed &amp; Approved By:

Marc Bechard

Signature: (Supervisor)

Review &amp; Approval Date:

Note: This inspection does not in any way suggest that there is or has been compliance with applicable legislation and regulations as they apply or may apply to this facility. It is, and remains, the responsibility of the owner and/or operating authority to ensure compliance with all applicable legislative and regulatory requirements.

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**Stakeholder Appendix**

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# Key Reference and Guidance Material for Municipal Residential Drinking Water Systems

Many useful materials are available to help you operate your drinking water system. Below is a list of key materials owners and operators of municipal residential drinking water systems frequently use.

To access these materials online click on their titles in the table below or use your web browser to search for their titles. Contact the Ministry if you need assistance or have questions at 1-866-793-2588 or [waterforms@ontario.ca](mailto:waterforms@ontario.ca).

For more information on Ontario's drinking water visit [www.ontario.ca/drinkingwater](http://www.ontario.ca/drinkingwater)



PUBLICATION TITLE	PUBLICATION NUMBER
<b>FORMS:</b> Drinking Water System Profile Information Laboratory Services Notification Adverse Test Result Notification	012-2149E 012-2148E 012-4444E
Taking Care of Your Drinking Water: A Guide for Members of Municipal Councils	Website
Procedure for Disinfection of Drinking Water in Ontario	Website
Strategies for Minimizing the Disinfection Products Trihalomethanes and Haloacetic Acids	Website
Filtration Processes Technical Bulletin	Website
Ultraviolet Disinfection Technical Bulletin	Website
Guide for Applying for Drinking Water Works Permit Amendments, & License Amendments	Website
Certification Guide for Operators and Water Quality Analysts	Website
Guide to Drinking Water Operator Training Requirements	9802E
Community Sampling and Testing for Lead: Standard and Reduced Sampling and Eligibility for Exemption	Website
Drinking Water System Contact List	7128E01
Ontario's Drinking Water Quality Management Standard - Pocket Guide	Website
Watermain Disinfection Procedure	Website
List of Licensed Laboratories	Website

# Principaux guides et documents de référence sur les réseaux résidentiels municipaux d'eau potable

De nombreux documents utiles peuvent vous aider à exploiter votre réseau d'eau potable. Vous trouverez ci-après une liste de documents que les propriétaires et exploitants de réseaux résidentiels municipaux d'eau potable utilisent fréquemment. Pour accéder à ces documents en ligne, cliquez sur leur titre dans le tableau ci-dessous ou faites une recherche à l'aide de votre navigateur Web. Communiquez avec le ministère au 1-866-793-2588, ou encore à [waterforms@ontario.ca](mailto:waterforms@ontario.ca) si vous avez des questions ou besoin d'aide.



Pour plus de renseignements sur l'eau potable en Ontario, consultez le site [www.ontario.ca/eaupotable](http://www.ontario.ca/eaupotable)

TITRE DE LA PUBLICATION	NUMÉRO DE PUBLICATION
Renseignements sur le profil du réseau d'eau potable	012-2149F
Avis de demande de services de laboratoire	012-2148F
Avis de résultats d'analyse insatisfaisants et de règlement des problèmes	012-4444F
Prendre soin de votre eau potable - Un guide destiné aux membres des conseils municipaux	Site Web
Marche à suivre pour désinfecter l'eau potable en Ontario	Site Web
Stratégies pour minimiser les trihalométhanes et les acides haloacétiques de sous-produits de désinfection	Site Web
Filtration Processes Technical Bulletin (en anglais seulement)	Site Web
Ultraviolet Disinfection Technical Bulletin (en anglais seulement)	Site Web
Guide de présentation d'une demande de modification du permis d'aménagement de station de production d'eau potable	Site Web
Guide sur l'accréditation des exploitants de réseaux d'eau potable et des analystes de la qualité de l'eau de réseaux d'eau potable	Site Web
Guide sur les exigences relatives à la formation des exploitants de réseaux d'eau potable	9802F
Échantillonnage et analyse du plomb dans les collectivités : échantillonnage normalisé ou réduit et admissibilité à l'exemption	Site Web
Liste des personnes-ressources du réseau d'eau potable	Site Web
L'eau potable en Ontario - Norme de gestion de la qualité - Guide de poche	Site Web
Procédure de désinfection des conduites principales	Site Web
Laboratoires autorisés	Site Web



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**Inspection Rating Record**

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Ministry of the Environment - Inspection Summary Rating Record (Reporting Year - 2020-2021)

**DWS Name:** TECUMSEH DISTRIBUTION SYSTEM  
**DWS Number:** 260004969  
**DWS Owner:** Tecumseh, The Corporation Of The Town Of  
**Municipal Location:** Tecumseh

**Regulation:** O.REG 170/03  
**Category:** Large Municipal Residential System  
**Type Of Inspection:** Standalone  
**Inspection Date:** December 7, 2020  
**Ministry Office:** Windsor Area Office

**Maximum Question Rating:** 240

Inspection Module	Non-Compliance Rating
Treatment Processes	0 / 33
Distribution System	0 / 4
Operations Manuals	0 / 42
Logbooks	0 / 22
Certification and Training	0 / 35
Water Quality Monitoring	0 / 71
Reporting & Corrective Actions	0 / 4
Treatment Process Monitoring	0 / 29
<b>TOTAL</b>	<b>0 / 240</b>

**Inspection Risk Rating** 0.00%

**FINAL INSPECTION RATING:** 100.00%

Ministry of the Environment - Detailed Inspection Rating Record (Reporting Year - 2020-2021)

**DWS Name:** TECUMSEH DISTRIBUTION SYSTEM  
**DWS Number:** 260004969  
**DWS Owner:** Tecumseh, The Corporation Of The Town Of  
**Municipal Location:** Tecumseh

**Regulation:** O.REG 170/03

**Category:** Large Municipal Residential System

**Type Of Inspection:** Standalone

**Inspection Date:** December 7, 2020

**Ministry Office:** Windsor Area Office

**Maximum Question Rating:** 240

<b>Inspection Risk Rating</b>	<b>0.00%</b>
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<b>FINAL INSPECTION RATING:</b>	<b>100.00%</b>
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**OPTIONAL ANNUAL REPORT TEMPLATE**

<b>Drinking-Water System Number:</b>	260004969
<b>Drinking-Water System Name:</b>	Town of Tecumseh Distribution System
<b>Drinking-Water System Owner:</b>	The Corporation of The Town of Tecumseh
<b>Drinking-Water System Category:</b>	Large Municipal Residential
<b>Period being reported:</b>	01- January -2020 to 31- December – 2020

**Complete if your Category is Large Municipal Residential or Small Municipal Residential**

Does your Drinking-Water System serve more than 10,000 people? Yes [ x ] No [ ]

Is your annual report available to the public at no charge on a web site on the Internet? Yes [ x ] No [ ]

Location where Summary Report required under O. Reg. 170/03 Schedule 22 will be available for inspection.

Town of Tecumseh Municipal Office  
917 Lesperance Road  
Tecumseh, Ontario  
N8N 1W9

**Complete for all other Categories.**

Number of Designated Facilities served:

N/A

Did you provide a copy of your annual report to all Designated Facilities you serve?

Yes [ X ] No [ ]

Number of Interested Authorities you report to:

2

Did you provide a copy of your annual report to all Interested Authorities you report to for each Designated Facility?

Yes [ x ] No [ ]

**Note: For the following tables below, additional rows or columns may be added or an appendix may be attached to the report**

List all Drinking-Water Systems (if any), which receive all of their drinking water from your system:

Drinking Water System Name	Drinking Water System Number
Lakeshore Dist. System	260004982

Did you provide a copy of your annual report to all Drinking-Water System owners that are connected to you and to whom you provide all of its drinking water?

Yes [ x ] No [ ]



Indicate how you notified system users that your annual report is available, and is free of charge.

- ☒ Public access/notice via the web  
☐ Public access/notice via Government Office  
☐ Public access/notice via a newspaper  
☒ Public access/notice via Public Request  
☐ Public access/notice via a Public Library  
☐ Public access/notice via other method \_\_\_\_\_

**Describe your Drinking-Water System**

**Water Distribution System**

The Town of Tecumseh, City of Windsor and the Windsor Utilities Commission (WUC) entered into a 50-year Service Agreement in November 2004. The Service Agreement was implemented on March 31, 2006 when four boundary metering chambers were installed and maintained by the Town of Tecumseh. Tecumseh's drinking water system also includes a water tower located on Tecumseh Road, with no re-chlorination stations within the distribution system

Prior to August 1, 2008, WUC provided water to 2,400 residents in the former Township of Sandwich South, south of Highway 401 ("South Water Area"). The Town installed eight additional boundary meter chambers and assumed the responsibility for the operations and maintenance of the water distribution system from WUC in this South Water Area effective August 1, 2008.

The Town of Tecumseh and the Town of Lakeshore entered into an agreement on May 13, 2003 whereby the Tecumseh distribution system supplies drinking water to the Lakeshore distribution system. This agreement expired on December 31, 2007 and is currently being renegotiated; the status quo is maintained until a new agreement is signed.

**List all water treatment chemicals used over this reporting period**

N/A

**Were any significant expenses incurred to?**

- No ☒ Yes ☐ Install required equipment  
No ☒ Yes ☐ Repair required equipment  
No ☐ Yes ☒ Replace required equipment- Public Works Report No.2020-10

**Please provide a brief description and a breakdown of monetary expenses incurred**

This project involves the replacement of the existing 150mm and 200mm diameter ductile iron watermain at the Highway 3/County Road 11 intersection from Oldcastle Road westerly to approximately 450m west of County Road 11 (Walker Road) and along County Road 11 from McCord Lane southerly to just south of Highway 3 with new 200mm and 300mm diameter watermain. Total cost of projects was \$1,390,658, excluding HST.

**Provide details on the notices submitted in accordance with subsection 18(1) of the Safe Drinking-Water Act or section 16-4 of Schedule 16 of O.Reg.170/03 and reported to Spills Action Centre**

Incident Date	Parameter	Result	Unit of Measure	Corrective Action	Corrective Action Date
None					

**Microbiological testing done under the Schedule 10, 11 or 12 of Regulation 170/03, during this reporting period.**

	Number of Samples	Range of E.Coli Or Fecal Results (min #)-(max #)	Range of Total Coliform Results (min #)-(max #)	Number of HPC Samples	Range of HPC Results (min #)-(max #)
Raw	N/A				
Treated	N/A				
Distribution	520	0 to 0	0 to 0	157	0 to 10

**Operational testing done under Schedule 7, 8 or 9 of Regulation 170/03 during the period covered by this Annual Report.**

	Number of Grab Samples	Range of Results (min #)-(max #)
Turbidity	N/A	
Chlorine <i>Tecumseh Water Tower</i>	8760	Max 1.64 mg/L Min 0.70 mg/L
Chlorine <i>Distribution Free Chlorine Residuals</i>	1568	Max 1.82 mg/L Min 0.32 mg/L
Fluoride (If the DWS provides fluoridation)	N/A	

*NOTE: For continuous monitors use 8760 as the number of samples.*

*NOTE: Record the unit of measure if it is **not** milligrams per litre.*





Summary of additional testing and sampling carried out in accordance with the requirement of an approval, order or other legal instrument.

Date of legal instrument issued	Parameter	Date Sampled	Result	Unit of Measure
N/A				

Summary of Inorganic parameters tested during this reporting period or the most recent sample results

Parameter	Sample Date	Result Value	Unit of Measure	Exceedance
Antimony				
Arsenic				
Barium				
Boron				
Cadmium				
Chromium				
*Lead				
Mercury				
Selenium				
Sodium				
Uranium				
Fluoride				
Nitrite				
Nitrate				

\*only for drinking water systems testing under Schedule 15.2; this includes large municipal non-residential systems, small municipal non-residential systems, non-municipal seasonal residential systems, large non-municipal non-residential systems, and small non-municipal non-residential systems

Summary of lead testing under Schedule 15.1 during this reporting period

(applicable to the following drinking water systems; large municipal residential systems, small municipal residential systems, and non-municipal year-round residential systems)

Location Type Distribution	Number of Samples	Alkalinity Result (range 30-500)	Lead Result (range 0-0.01)	Unit of Measure	Field pH (range 0-14)	Number of Exceedances
<b>Winter Session – Collection Date: January 23, 2020</b>						
305 Burdick	1	85	0.00002	Mg/L	7.1	None
241 Edgewater	1	85	0.00002	Mg/L	7.2	
2060 St Anne	1	86	0.00002	Mg/L	7.1	
12117 Evergreen	1	85	0.00004	Mg/L	7.1	



Location Type Distribution	Number of Samples	Alkalinity Result (range 30-500)	Lead Result (range 0-0.01)	Unit of Measure	Field pH (range 0-14)	Number of Exceedances
<b>Summer Session – Collection Date: October 5, 2020</b>						
278 St Marks	1	78	0.00005	Mg/L	6.70	None
225 Fairway	1	79	0.00004	Mg/L	6.70	
12167 Cedarwood Dr.	1	78	0.00002	Mg/L	6.80	
12325 Meconi Dr.	1	77	0.00003	Mg/L	6.70	

## Summary of Organic parameters sampled during this reporting period or the most recent sample results

Parameter	Sample Date	Result Value	Unit of Measure	Exceedance
Alachlor				
Aldicarb				
Aldrin + Dieldrin				
Atrazine + N-dealkylated metabolites				
Azinphos-methyl				
Bendiocarb				
Benzene				
Benzo(a)pyrene				
Bromoxynil				
Carbaryl				
Carbofuran				
Carbon Tetrachloride				
Chlordane (Total)				
Chlorpyrifos				
Cyanazine				
Diazinon				
Dicamba				
1,2-Dichlorobenzene				
1,4-Dichlorobenzene				
Dichlorodiphenyltrichloroethane (DDT) + metabolites				
1,2-Dichloroethane				
1,1-Dichloroethylene (vinylidene chloride)				
Dichloromethane				
2,4 Dichlorophenol				
2,4-Dichlorophenoxy acetic acid (2,4-D)				
Diclofop-methyl				
Dimethoate				



Dinoseb				
Diquat				
Diuron				
Glyphosate				
Haloacetic Acids (HAAs) (NOTE: show latest annual average)	quarterly	20.7	µg/L	None
Heptachlor + Heptachlor Epoxide				
Lindane (Total)				
Malathion				
Methoxychlor				
Metolachlor				
Metribuzin				
Monochlorobenzene				
Paraquat				
Parathion				
Pentachlorophenol				
Phorate				
Picloram				
Polychlorinated Biphenyls(PCB)				
Prometryne				
Simazine				
THM (NOTE: show latest annual average)	quarterly	26.6	µg/L	None
Temephos				
Terbufos				
Tetrachloroethylene				
2,3,4,6-Tetrachlorophenol				
Triallate				
Trichloroethylene				
2,4,6-Trichlorophenol				
2,4,5-Trichlorophenoxy acetic acid (2,4,5-T)				
Trifluralin				
Vinyl Chloride				

Summary table for Running Annual Averages of Organic Parameters sampled during this reporting period.

Parameter	Sample Date	Result	Running Annual Average	Unit of Measure	Number of Exceedances
HAA	Jan.6, 2020	13.9	20.7	µg/L	None
	Apr.6, 2020	16.5		µg/L	
	July 7, 2020	26.1		µg/L	
	Oct.5, 2020	26.3		µg/L	



Parameter	Sample Date	Average Result	Running Annual Average	Unit of Measure	Number of Exceedances
THM	Jan.6, 2020	15.0	26.6	µg/L	None
	Apr.6, 2020	16.8		µg/L	
	July 7, 2020	34.7		µg/L	
	Oct.5, 2020	40.0		µg/L	

List any Inorganic or Organic parameter(s) that exceeded half the standard prescribed in Schedule 2 of Ontario Drinking Water Quality Standards.

Parameter	Result Value	Unit of Measure	Date of Sample
N/A			



Summary Report  
For the  
Tecumseh Distribution System  
(260004969)  
For the year  
2020

Prepared for the Town of Tecumseh  
By Brad Dupuis, C.Tech.  
Manager Water & Wastewater Division O.R.O.

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## Section 1: Overview

This report has been prepared and submitted in accordance with Schedule 22 of O. Reg. 170/03 under the *Safe Drinking Water Act*. Schedule 22 requires:

The owner of a drinking-water system shall ensure that, not later than March 31 of each year after 2003, a report is prepared in accordance with subsections (1) and (2) for the preceding calendar year and is given to the members of the municipal council.

Schedule 22 also states that:

- 1) The report must:
  - a) list the requirements of the *Act*, the regulations, the system's approval and any order that the system failed to meet at any time during the period covered by the report and specify the duration of the failure; and
  - b) for each failure referred to in clause (a), describe the measures that were taken to correct the failure.
- 2) The report must also include the following information for the purpose of enabling the owner of the system to assess the capability of the system to meet existing and planned uses of the system. A summary of the quantities of the water supplied during the period covered by the report, including monthly flows.

In June 2003, the provincial *Safe Drinking Water Act* came into effect. The Drinking Water Systems Regulation (O.Reg. 170/03) defines how various drinking water systems are to be operated.

According to this Regulation, the Tecumseh Distribution System is classified as a Large Municipal Residential System (LMR).

## Section 2: Non-Compliance Issues

During the year of 2020 there was zero (0) reportable issue.

## Section 3: System Capability – 2020 Water Consumption

In accordance with the Agreement between the Town of Tecumseh and the City of Windsor for the provision of water services to the Town of Tecumseh, executed under By-Law No. 2004-71, the Maximum Daily Flow shall not exceed **87 Million Litres** (87 MLD) or 87,000 cubic meters.

The **Maximum Daily Flow** for 2020 was **17,371,000 Litres** (17,371 Cubic Meters) on July 06, 2020.

Monthly average and daily flows for 2020 are attached for reference.

A summary of the **monthly** total volume supplied by the City of Windsor to the Town of Tecumseh in the year 2020 is provided below:

Month	Total Volume (cubic meters)
January	205,499
February	185,850
March	203,244
April	202,201
May	261,947
June	379,234
July	424,549
August	400,946
September	364,352
October	291,363
November	255,254
December	237,754
<b>Total</b>	<b>3,174,439</b>



# DRINKING WATER QUALITY MANAGEMENT SYSTEM WATER DIVISION OPERATIONAL PLAN

Version 11

## Quality Management Systems

A QMS is a system to establish policy and objectives and achieve those objectives, and direct and control an organization with regard to quality.

Quality management for Ontario's municipal drinking water systems will occur through the development and implementation of a QMS for each system based upon the DWQMS.





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## 1. Quality Management System

This Operational Plan documents the Drinking Water Quality Management System for The Corporation of Town of Tecumseh Water Distribution System. The Corporation of the Town of Tecumseh Water Distribution System is owned and operated by The Corporation of the Town of Tecumseh. The Drinking Water Quality Management System (DWQMS) for The Corporation of the Town of Tecumseh covers the transmission and distribution of potable drinking water to consumers within the Town of Tecumseh.

Under the terms and conditions of the 2004 Water Agreement executed among the Windsor Utilities Commission (WUC), City of Windsor and The Corporation of the Town of Tecumseh, the Tecumseh water distribution system (formerly north and south Tecumseh water distribution systems) is currently supplied by the Windsor Water System.

Treated potable drinking water is purchased from the Windsor Utilities Treatment Plant, which is owned by the Windsor Utilities Commission (WUC) and is a separately held entity managed by ENWIN Utilities, which operates and manages the production and distribution of potable water.

The potable water enters The Corporation of the Town of Tecumseh Water Distribution System through 12 locations bordering the City of Windsor, Town of LaSalle and the Town of Tecumseh. Each location is metered and monitored using a Supervisory Control and Data Acquisition system (SCADA). Storage for equalization and peak hour flow of water for Tecumseh is the responsibility of the Windsor Utilities Commission (WUC).

The Corporation of the Town of Tecumseh, in turn, supplies potable drinking water to the Town of Lakeshore at 4 locations all bordering Manning Road: Scott Side Rd; County Rd. 42; Little Baseline; and Amy Croft.

The Corporation of the Town of Lakeshore owns and operates the production and distribution facilities of potable water within their boundary. The Corporation of the Town of Lakeshore is a fully owned local government and is represented by elected officials of the Town of Lakeshore.

The Corporation of the Town of Tecumseh is connected with the Town of LaSalle at one location bordering Howard Avenue. The Corporation of the Town of LaSalle owns and operates the distribution facilities of potable water within their boundary. Town of LaSalle's treated potable drinking water is purchased from the Windsor Utilities Treatment Plant, which is owned by the Windsor Utilities Commission (WUC) and is a separately held entity managed by ENWIN

Utilities, which operates and manages the production and distribution of potable water. The Corporation of the Town of LaSalle is a fully owned local government and is represented by elected officials of the Town of LaSalle.

Additional details about the Town of Tecumseh Water Distribution System are included in section 6.

## 2. Quality Management System Policy

The Corporation of the Town of Tecumseh is committed to supplying a safe, consistent, drinking water supply while maintaining strict adherence to all applicable legislative and regulatory requirements. The Corporation of the Town of Tecumseh will strive to achieve these goals through the implementation of a management system and staff competency to our consumers.

The municipal owners, management and the employees of The Corporation of the Town of Tecumseh who are directly involved in the supply of drinking water, share in the responsibilities of implementing, maintaining, and contributing to the continual improvement of the Drinking Water Quality Management System (DWQMS).

The Quality Management System Policy is available on the Town's website at <https://www.tecumseh.ca/en/living-here/water-quality.aspx>.

## 3. Commitments and Endorsement

This Operational Plan has been reviewed and approved by The Corporation of the Town of Tecumseh. The purpose of this document is for the planning, operation, and maintenance of The Corporation of the Town of Tecumseh Water Distribution System.

This document will be reviewed and approved by:

- **Municipal Owner/Operating Authority:** Mayor and Council
- **Top Management:** Chief Administrative Officer, Director of Public Works and Environmental Services and the Manager, Water & Wastewater/ORO (*Overall Responsible Operator*)

Top Management and Owner endorsement includes the following commitments:

- a) ensuring that a Quality Management System is in place that meets the requirements of the Drinking Water Quality Management Standard,
- b) ensuring that the Operating Authority is aware of all applicable legislative and regulatory requirements,
- c) communicating the Quality Management System according to the procedure for communications, and
- d) determining, obtaining or providing the resources needed to maintain and continually improve the Quality Management System.

The DWQMS Representative will keep the DWQMS document up-to-date and promote continual improvement. All recommended changes are to be approved by Municipal Owner/Operating Authority resolution (**See Appendix 1- Commitments and Endorsement**).

#### **4. Drinking Water Quality Management System (DWQMS) Representative**

The Corporation of the Town of Tecumseh has designated a DWQMS Representative and an alternate DWQMS Representative:

**DWQMS Representative:**

**Name:** Nicole Bradley

**Position:** DWQMS Representative / Water Operator

**Alternate DWQMS Representative:**

**Name:** Brad Dupuis

**Position:** Manager, Water & Wastewater/O.R.O.

**The DWQMS Representative is responsible for the following:**

- Ensures that processes and procedures needed for the DWQMS are established and maintained,
- Reports to Top Management on the performance of the DWQMS and any need for improvement, as needed, or during the Management Review meetings,
- Ensures that current versions of documents required by the QMS are being used at all times, and reviews DWQMS documentation and record control,
- With members of top management, ensures that personnel are aware of all applicable legislative and regulatory requirements that pertain to their duties for the operation of the drinking water system, and
- Promotes awareness of the DWQMS throughout the Water Division and The Corporation of the Town of Tecumseh.

## 5. Document and Records Control

This procedure is applicable to the following DWQMS documents:

- Operational Plan and associated procedures
- DWQMS Forms
- Equipment Manuals
- As Built Drawings
- Applicable drinking water regulations (e.g. O. Reg. 170/03 and O. Reg. 128/04)

### Creating New or Updating Existing Documents

The need for document changes or for new documents may be identified through audits, Management Reviews, DWQMS Committee or staff. The DWQMS Representative will delegate the task of creating the new documents to be approved (if necessary) by the Manager Water and Wastewater/ORO Top Management and/or Municipal Owner/Operating Authority if necessary.

Any employee of the Water Division may request a change to an existing DWQMS document. The request must be made in writing, dated and submitted to the DWQMS Representative.

The request must include the following information:

- Reason for the new or changed document (one of the following needs to apply):
  - Is it required by the DWQMS?
  - Will it enhance process control?
  - Can it reduce risk?
  - Will it support regulatory requirements?
  - Will it improve operational efficiency?
- A proposed document change or new document content when applicable to the Water Division or the Operational Plan.

### Proposed Document Change or New Document Content

The requester shall develop the new/changed document and submit it to the DWQMS Representative for review.

The DWQMS Committee shall review the document, make any changes as required, and approve changes if applicable.

## Approving Documents

- DWQMS-related documents may be approved by Municipal Owner; Operating Authority's Top Management: CAO, Director of Public Works & Environmental Services, Manager of Water & Wastewater / ORO; or the DWQMS Representative.
- DWQMS documentation shall be stored at the Water Division office or electronically on The Corporation of the Town of Tecumseh network servers.
- Water Division staff has read-only access to the electronic version of the documentation. The Manager, Water & Wastewater/ORO, DWQMS Representative and Clerical Staff have access rights to manage and/or edit the electronic version of DWQMS-related documents
- The DWQMS Representative is responsible to ensure that new or changed documents are communicated and /or distributed to the appropriate staff members
- Documents shall be collected, archived, stored, and disposed of as per legislation under the Safe Drinking Water Act 2002 and The Corporation of the Town of Tecumseh municipal by-law.

## Reviewing Documents

The Operational Plan and procedures shall be reviewed by the DWQMS Committee for applicability and relevance.

## Document Availability

- The current copy of the Operational Plan, procedures and associated documents are retained electronically on The Corporation of the Town of Tecumseh network servers and at the Water Division office.
- Original sets of equipment manuals / specifications and drinking water regulations are kept at the Water Division office.
- Copies of As-Built are stored at the Water Division office and electronically on The Corporation of the Town of Tecumseh network servers.

## DWQMS Records Control

This procedure is applicable to all records and documents that demonstrate conformance to the DWQMS and compliance to legislative requirements:

**DWQMS records and documents** include (and are not limited to) Council Resolutions (for Operational Plan endorsement); risk assessment outcomes, training information, evidence of communications, procurement-related (e.g. specifications for essential supplies and services),



evidence of infrastructure reviews, evidence of equipment maintenance and calibration, emergency preparedness, results of internal and external audits, and management review meetings.

**Compliance records and documents** demonstrate compliance with legislative requirements and include (and are not limited to) the records required by the Safe Drinking Water Act and related regulations (e.g. O. Reg. 170/03, O. Reg. 128/04, O. Reg. 169/03, etc.), the Municipal Drinking Water Licence (and its parts, including: Drinking Water Works Permit, approved Financial Plan, Accreditation) and all related records (e.g. annual reports, Operator certification, sampling and testing, forms documenting changes to the distribution system, etc.).

**Records are stored** in such a manner as to prevent their deterioration. All records are filed and/or archived (as per retention table) at the Water Division office and The Corporation of the Town of Tecumseh network servers.

## **Records Management**

Records are stored and protected to ensure that they are kept legible, readily identifiable, and are retrievable when they are required by personnel of the Town of Tecumseh Drinking Water System.

Paper records are maintained on-site in file folders, filing cabinets, binders, or by other means deemed acceptable by individual responsible for the records. Electronic records are stored on the organization's network, and within the Town of Tecumseh's Management System Software. Regularly scheduled back-ups help protect electronic information from damage or loss.

All employees have access to the files appropriate to their roles and responsibilities. The Management System Software is also used to facilitate access to and retrieval of the required information.

Minimum record retention periods are determined according to appropriate legislative and regulatory requirements. Retention periods for records not governed by standards or legislation are established through the by-laws of the Town of Tecumseh. Records specific to the Town of Tecumseh Water Distribution System have been documented on a Record Retention Table. The records will be disposed of by either recycling, shredding, or in the case of electronic documentation archival and deletion.

## 6. Drinking Water System

### System Overview

Section 1 of this Operational Plan provides a general overview of the Town of Tecumseh's Water Distribution System and its connections to other area municipalities' water systems with different Owners and Operating Authorities (**See Appendix 2- The overall service area is identified on Map 1**).

The Town is responsible for its own distribution system within the boundaries of Tecumseh and is responsible for any new storage works that may be required to supply its fire flow of water. The Town of Tecumseh also has a 4,546m<sup>3</sup> water tower, located in the North end of Tecumseh. This water tower is monitored by Windsor Utilities Commission (WUC) and the Town of Tecumseh through SCADA (Supervisory Control and Data Acquisition system).

The north Tecumseh water service area (north of Highway 401) includes the urban settlement areas of Tecumseh, St. Clair Beach and Tecumseh Hamlet, and rural areas north of Highway 401; and is supplied from the Windsor Water System through metering facilities at the Town boundary on Dillon Drive, McNorton Street, Tecumseh Road, County Road 22, County Road 42, Baseline Road and, in the future, on Intersection Road.

The south Tecumseh water service area (south of Highway 401) includes urban settlement areas of Oldcastle Hamlet, and Maidstone Hamlet, and rural areas south of Highway 401; and is supplied from the Windsor Water System through existing supply connections at the Town boundary on, and at the Town boundary in Oldcastle Hamlet on the 8th Concession Road, County Road 46, Walker Road, North Talbot Road and Howard Avenue.

### Service Areas and Water Distribution System Components

#### North Tecumseh Water Service Area

The distribution system in the north Tecumseh water service area is operated by The Corporation of the Town of Tecumseh and consisting of watermains ranging in size from 100 mm (4") to 600 mm (24") in diameter (**See Appendix 2- The north service area boundary is identified on Map 2**).

The feeder mains on Dillon Drive, McNorton Street and Tecumseh Road extend from the Town boundary through the centre of Tecumseh (Planning Area) to the elevated water tank on Tecumseh Road, and are interconnected through a new 300 mm feeder main on Lesperance Road and the existing 400 mm trunk watermain on Lacasse Boulevard. The 600 mm diameter

feedermain on County Road 22 extends from the Town boundary to Manning Road (County Road 19) and is connected to the 400 mm diameter feedermain on Tecumseh Road. The 600 mm diameter feedermain on County Road 42 extends from the Town Boundary to Lesperance Road and is connected to the 300 mm diameter distribution mains on St. Alphonse Avenue and on Lesperance Road.

### **South Tecumseh Water Service Area**

The distribution system in the south Tecumseh water service area is operated by The Corporation of the Town of Tecumseh consisting of watermains ranging in size from 100 mm (4") to 600 mm (24") in diameter (**See Appendix 2 -The south service area boundary is identified on Map 3**).

The feeder mains on 8th Concession Road and County Road 46 supply the north east end of Oldcastle Hamlet. The 300 mm diameter feedermain on Walker Road and North Talbot Street connect to the 300 mm diameter trunk watermain on Talbot Road (Highway 3) which supplies Oldcastle Hamlet, the rural areas south of Highway 401, and Maidstone Hamlet.

### **Consolidated Water Distribution System**

The existing water distribution system will be operated as a single distribution system with connections through the Windsor Supply System. In the future, the Town intends to extend trunk watermains from County Road 42 to connect to the south service area to improve system performance. A copy of the approved Water and Wastewater Master Plan can be viewed at the Water Division office (**See Appendix 2 – Table 1 Watermain Material Type and Length in Tecumseh Water Distribution System**).

### **Procedures in place to maintain disinfectant residuals within the distribution system**

Tecumseh Water Distribution System staff sample and monitor disinfectant residuals on a regular basis through regulatory sampling programs and during response activities related to consumer water quality calls.

Staff also carry-out work to improve disinfectant residuals within the distribution system through:

- regular maintenance programs (e.g. flushing);
- the practice of cycling water in the water tower (reducing water age);
- optimizing distribution system flows (e.g. close-looping and eliminating system dead ends); and

- by responding in a timely manner to watermain breaks (and carrying out proper disinfection in accordance with the province's Watermain Disinfection Procedure).

## 7. Risk Assessment

### Risk Assessment Team

The Risk Assessment Team shall be no less than a three-member forum and will be made up of the Manager, Water & Wastewater/ORO in conjunction with the Lead Water Operator and one other Water Operator.

The Risk Assessment Team shall meet once a calendar year to review the validity of the assumptions and the currency of the information used in the risk assessment. A comprehensive risk assessment will be redone every thirty-six months unless changing conditions indicate that it should be done more frequently. In each of the risk assessment update activities, the risk assessment outcomes are presented to Top Management at Management Review for their official review and approval.

The Risk Assessment Team considers the Ministry's "Potential Hazardous Events for Municipal Drinking Water Systems" (dated February 2017) in the risk assessment process and is to identify and assess:

- Potential hazardous events and associated hazards as listed in the Ministry's document, and any additional potential hazardous events,
- The risks with the occurrence of potential hazardous events which could affect the water system,
- The ranking of hazardous events according to the associated risk,
- The control measures to address the potential hazards and hazardous events,
- The Critical Control Points and their respective Critical Control Limits,
- The associated procedures and/or processes to monitor Critical Control Limits,
- The procedures to respond to deviations from the Critical Control Limits,
- The procedures for reporting and recording deviations from the Critical Control Limits, and
- Consideration of the reliability and redundancy of equipment.

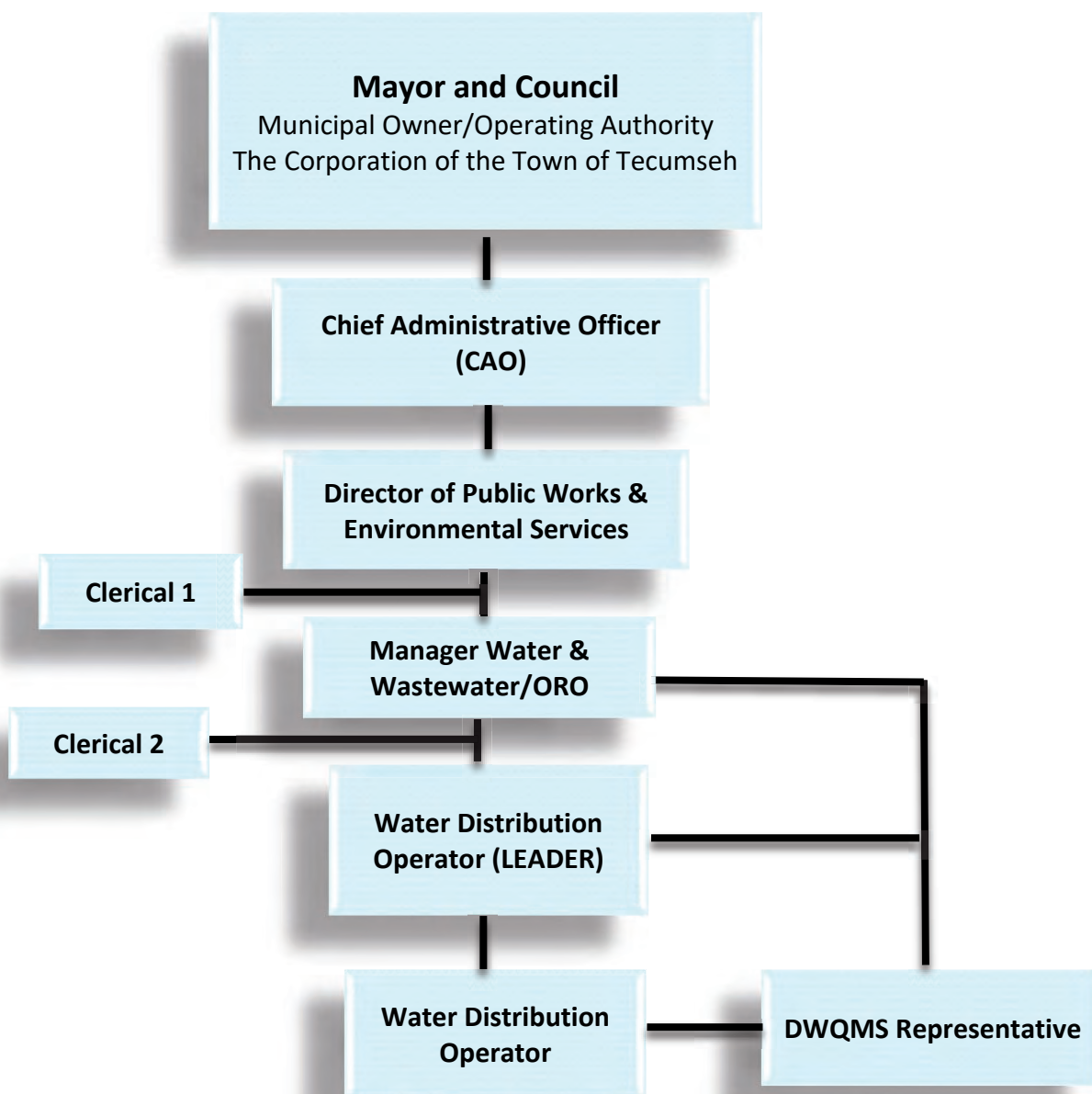
## **8. Risk Assessment Outcomes**

The risk assessment will be facilitated by developing and completing Risk Assessment Tables. As the Risk Assessment Team conducts this assessment, it will document the results of each step of the risk assessment procedure. The risk assessment process is an ongoing activity.

The DWQMS Representative shall ensure that relevant information is circulated to all members of the Risk Assessment Team; and update the outcomes of each risk assessment activity (whether it is for the calendar year or thirty-six-month update).

- **(See Appendix 3 – Risk Assessment)**
- **(See Appendix 4 - Risk Assessment Outcomes)**

## 9. Organizational Structure, Roles, Responsibilities and Authorities



**The Corporation of the Town of Tecumseh**  
Water Division - Organizational Chart

## **Operational Roles, Responsibilities and Authorities**

### **Municipal Owner/Operating Authority (Mayor and Council)**

#### **Responsibilities**

In addition to ensuring the provision of safe and reliable municipal water supply to the serviced areas of The Corporation of the Town of Tecumseh Council is also responsible for:

- Complete legal oversight of The Corporation of The Town of Tecumseh Water Distribution System and the DWQMS,
- Ultimate responsibility for the provision of safe potable drinking water under the Safe Drinking Water Act 2002,
- Ensures compliance with applicable legislation and regulations,
- Participating in Council meetings and Council committee meetings and meetings of other bodies to which they are appointed by the Council,
- Obtaining and giving due consideration to information about the operation or administration of the municipality from the Chief Administrative Officer, (CAO) and from other appropriate Town staff,
- Evaluating the policies and programs of the municipality such as bylaw enforcement, taxation, property permits and inspections, planning, public works (roads, water, and sewer), parks and recreation, fire services, police services, and
- Endorsing the DWQMS and providing a representative to participate on the DWQMS Management Review Committee.

#### **Authorities**

On behalf of the electorate of The Corporation of the Town of Tecumseh, and in accordance with the Municipal Act, Council is authorized to:

- Implement Drinking water system and DWQMS improvements or changes,
- Authorize resources to improve or change the drinking water system and DWQMS,
- Approve and review policies for the management and operation of Town assets,
- Review, revise, and approve proposed and existing bylaws, expenditures, user fees, taxation rates,
- Hire, evaluate, discipline, or terminate Town Management Staff and contracted service providers, and
- Provide financial, administrative authority related to the distribution of safe drinking water.

## **Top Management**

Top Management is comprised of the following: Chief Administrative Officer; Director, Public Works & Environmental Services; and Manager, Water & Wastewater/Overall Responsible Operator (ORO).

### **Chief Administrative Officer (CAO)**

#### **Responsibilities**

As the senior Town staff person reporting to Council, the Chief Administrative Officer (CAO) responsibilities include:

- Oversight of the operation and management of all Town departments,
- Ensuring that the policies and direction from Council are effectively communicated to senior department managers,
- Ensuring that policies and direction from Council is carried out by the appropriate Town departments,
- Direct supervision of senior department directors and managers, and
- Endorsing the ongoing development of the DWQMS and participating on the DWQMS Management Review Committee.

#### **Authorities**

Authorities of the Chief Administrative Officer (CAO) include:

- Communicate information from senior managers directly to Council,
- Request expenditure approval from Council and implement approved expenditures,
- To convey and mandate council policy and direction to the department senior managers,
- To hire, evaluate, discipline, or terminate utility management staff, and
- Staffing (within the guidelines of The Corporation of the Town of Tecumseh and any collective agreements).



## **Director, Public Works & Environmental Services**

### **Responsibilities**

Reporting to the Chief Administrative Officer (CAO), the responsibilities of the Director of Environmental Services and Public Works responsibilities include:

- Ensuring the safe, reliable, and compliant management and operation of all of the Towns physical infrastructure as well as Water Distribution System,
- Direct supervision of Environmental Services and Public Works department supervisors and administrative staff,
- Coordinating budget preparation,
- Preparation and presentation of Environmental Services Department Reports to Council,
- Administration of the Collective Bargaining Agreement for department personnel,
- Ensuring adequate and competent staffing,
- Ensuring appropriate staff training,
- Investigating and responding to public complaints and inquiries, and
- Participate and represent the Municipal Owner/Operating Authority (Mayor and Council) on the DWQMS Committee and Management Review Committee.

### **Authorities**

The Director of Environmental Services and Public Works is authorized to:

- Evaluate and prioritize long-term department needs,
- Prepare, review, and approve design specifications,
- Select contractors, and equipment,
- Develop and implement departmental administrative and technical policy,
- Recruit, hire, evaluate, discipline, or terminate Environmental Services Department staff in accordance with Town policies,
- Within the scope of the Environmental Services Department and Public Works, communicate directly with regulatory agencies and the public on behalf of the Town Municipal Owner/Operating Authority,
- When necessary, will appoint a temporary Overall Responsible Operator (ORO) position, in absence of the designated ORO.

## **Manager, Water & Wastewater/Overall Responsible Operator (ORO)**

### **Responsibilities**

Reporting to the Director of Environmental Services and Public Works, the responsibilities include:

- Ensuring the efficient, safe and compliant operation of the Towns Water Distribution System,
- Providing supervision, technical direction and training to water distribution staff,
- Maintaining provincial operator certification,
- Assisting the Director of Environmental Services and Public Works with the water distribution budget preparation and long-term planning,
- Communicating with regulatory authorities to ensure compliance with applicable legislation,
- Preparing and presenting Municipal distribution information to Council, Town staff, managers and the public, and
- Serving as an alternate DWQMS Representative and participating on the DWQMS Committee and Management Review Committee.

### **Authorities**

The Manager Water & Wastewater /ORO, Water System is authorized to:

- Act and is the Overall Responsible Operator (ORO) and therefore must be available to be contacted 24/7. The ORO will make arrangements with the Director of Environmental Services for a designated ORO in the event he/she is not available and cannot be contacted,
- Develop, approve and implement operations, maintenance and safety policies and procedures related to water distribution,
- Supervise and inspect the work of contractors,
- Evaluate and prioritize the long-term rehabilitation and upgrade to the Town's infrastructure(s),
- Participate in hiring, evaluation and discipline of unionized and non-unionized staff in accordance with Town Policies,
- Communicate with Regulatory Agencies,
- Order/purchase necessary supplies and services, and
- Apply various Town By-laws.

## **DWQMS Representative**

### **Responsibilities**

Reporting to the Town Municipal Owner/Operating Authority and Top Management, the responsibilities include:

- Promotes awareness of the DWQMS,
- Reports DWQMS results to staff,
- Ensures DWQMS documentation is prepared and maintained, as needed,
- Provides all staff with technical and administrative consultation related to DWQMS document preparation and implementation, as needed,
- Reviews and may approve DWQMS documentation,
- Implements and oversees document control procedure,
- Coordinates internal auditing acts as the external audit liaison,
- Communicates DWQMS information to staff and facilitates training when needed,
- May report DWQMS results to Municipal Owner/Operating Authority and Top Management, and any needs for improvement, and
- Assist Municipal Owner/Operating Authority and Top Management, that personnel who directly impact drinking water for The Corporation of the Town of Tecumseh are aware of all applicable legislative and regulatory requirements that pertain to their duties if reference to the DWQMS.

### **Authorities**

The DWQMS Representative is authorized to:

- The overall managing role, responsible for overseeing the development and implementation of the DWQMS.

### **Designated DWQMS Representative Alternate**

- Performs all roles of Designated DWQMS Representative.

## **Water Distribution Certified Operator (Leader)**

### **Responsibilities**

Reporting to the Water & Wastewater/Overall Responsible Operator (ORO), the responsibilities include:

- Oversees day-to-day activities relating to maintenance of the water distribution system,
- Communicates and liaises with the Manager, Water & Wastewater/ORO, Water Operators and Clerical Staff,
- Works with the Manager, Water & Wastewater/ORO in completing the Water Operators' performance assessments,
- Assists with developing procedures and processes for assuring water quality, and
- Has input into the development of procedures and processes for assuring water quality.

### **Authorities**

The Water Distribution Certified Operator (Leader) is authorized to:

- Directs Operators in day-to-day operations of water distribution system,
- Orders day-to-day supplies as needed,
- Respond to public complaints as relayed from Manager, Water & Wastewater/ORO, Clerical Staff and/or after-hours answering service.

## **Water Distribution Certified Operator**

### **Responsibilities**

Reporting to the Water & Wastewater/Overall Responsible Operator/ORO and the Water Distribution Certified Operator (Leader), the responsibilities include:

- Performs weekly testing of drinking water,
- Performs regular maintenance of the water distribution system,
- Reports any incidents of non-compliance, and
- Responds to repairs.

### **Authorities**

The Water Distribution Certified Operator is authorized to:

- Monitors process and equipment of day-to-day operations of the water distribution system,
- Respond to public complaints as relayed from Manager, Water & Wastewater/ORO, Clerical Staff, Water Operator Leader and/or after-hours answering service.

## **Clerical Staff**

### **Responsibilities**

Reporting to the Director of Environmental Services and Public Works Water & Wastewater/Overall Responsible Operator/ORO, the responsibilities include:

- Communicates/liases with the following: Director, Public Works & Environmental Services; Manager, Water & Wastewater/ORO; Water Operator (Leader); and Water Operators,
- Responds to and documents public complaints. Example- drinking water quality complaints, broken watermain, hydrant hit by car etc.,
- Inputs lab results,
- Prepares reports as required by regulations and circulates to management,
- Assists with DWQMS documentation and record control, and
- Assists with communication during emergency situations.

### **Authorities**

The Clerical Staff is authorized to:

- Updates and implements document changes as directed by applicable administration identified in the Water Division Organizational Chart.

## **10. Competencies**

The MECP classified The Corporation of the Town of Tecumseh a “Water Distribution Subsystem Class II”. The following identifies the competencies required of staff whose performance may have a direct impact on drinking water quality.

### **Municipal Owners / Operating Authorities**

Municipal Owners/Operating Authorities who have complete legal oversight of The Corporation of The Town of Tecumseh Water Distribution System and the DWQMS are briefed on operating conditions and are provided updates by senior management to ensure that personnel are aware of the relevance of their duties and how they affect safe drinking water, and shall maintain records of these activities. They may also attend relevant drinking water training courses, conferences, and seminars to assist in their overall knowledge pertaining to regulatory and legislative requirements.

## **Director of Public Works & Environmental Services**

The Director shall possess advanced theoretical and working knowledge of administrative skills expected of a senior level manager. In addition, the Director shall possess an intermediate theoretical and working knowledge of the Safe Drinking Water Act and applicable regulations and legislations, and The Corporation of the Town of Tecumseh drinking water distribution system. When necessary, will appoint a temporary Over All Responsible Operator (ORO) position, in absence of the designated ORO.

## **Manager, Water & Wastewater and Overall Responsible Operator (ORO)**

Shall possess advanced theoretical and working knowledge of administrative skills. The Manager, Water and Wastewater and ORO shall also possess advanced theoretical and working knowledge of the Safe Drinking Water Act and applicable regulations and legislation. The Manager, Water and Wastewater and ORO should also have a good working knowledge of The Corporation of the Town of Tecumseh drinking water distribution system and its components. Is the Overall Responsible Operator (ORO) and therefore must be available to be contacted 24/7. The ORO will make arrangements with the Director of Environmental Services for a designated ORO in the event he/she is not available and cannot be contacted.

## **New Operators (OIT's)**

Must complete the OIT Water Distribution Prep Course and OIT exam as per MECP (MECP) O.Reg.128/04 requirements.

## **Class I Water Distribution Operators**

The operator must successfully complete the Class I Water Distribution Exam to become a Class I Water Distribution Operator as per MECP O.Reg.128/04 requirements.

## **Class II Water Distribution Operators**

Class I level, the operator can advance to a Class II Water Distribution operator by successfully completing the Class II Water Distribution Exam as per MECP O.Reg.128/04 requirements.

## **Class III Water Distribution Operators**

Class II level, the operator can advance to a Class III Water Distribution operator by successfully completing the Class III Water Distribution Exam as per MECP O.Reg.128/04 requirements.

### **Water Operator Competencies**

- Water Operators Shall possess an OIT or Class 1 Operating Certificate as per Ontario Regulation 128/04 requirements
- The ORO shall have a minimum Class II Water Distribution Certificate as per Ontario Regulation 128/04 requirements

### **Water Operator Skills and Knowledge**

- The Water Operator performs a variety of skilled and semi-skilled tasks including: operates equipment used in the construction, repair and maintenance of the water distribution system and various public buildings and facilities; utilizes private contractors as authorized; oversees the contractors' work; and performs other related duties as required.
- The Water Operator will work with Town's Water Operators, other Town employees and / or contractors and provide direction to contractors as needed.
- The Water Operator will work with minimum supervision and shall comply with all safety rules and regulations and will work unsupervised if required.

### **Methods to Develop, Assess and Maintain Competencies**

The following methods develop, assess and maintain the required competencies for personnel performing duties directly affecting drinking water quality:

#### **Identify Training Requirements**

The Manager, Water & Wastewater/ORO and Water Operators must meet the training requirements as per MECP O.Reg.128/04 requirements.

The required competencies include, but are not limited to the following:

- Class 1 Water Distribution Operator Certificate
- Understanding the Quality Management System
- Familiarity with the Town's water distribution system
- Knowledge of regulations and identifying, reporting and responding to adverse drinking water conditions as required by regulations.

### **Assess Competencies**

The Corporation of the Town of Tecumseh may administer certain tests, conduct interviews, verify references and/or request specific documentation as part of the hiring process in order to verify skills, experience and knowledge.

In order to meet the ongoing changes to technology, software, the requirements of O. Reg. 128/04 and the Water Division processes, Water Operators shall receive training as required by O. Reg. 128/04, at a minimum. The training may be provided on or off site by qualified employees or contracted subject matter experts. Training effectiveness is evaluated when appropriate through testing, or a demonstration of knowledge gained.

Training records are maintained by the Manager, Water & Wastewater/ORO and/or the DWQMS Representative, stored in document control software and filed in hard copy in the Water Division office as proof that the required training has been successfully completed. The Manager, Water & Wastewater/ORO is responsible for ensuring that all identified training is completed.

### **Maintain Competencies**

The Manager, Water & Wastewater/ORO will ensure that the Standard Operating Procedures and Quality Management System are reviewed every calendar year. These duties are included in the Annual Schedule of Duties maintained and tracked by the ORO. Furthermore, the Water Operators will meet or exceed the training hours required by MECP O.Reg.128/04 to maintain Water Distribution Water Distribution Operator Certificates. Training hours and courses completed by the Water Distribution Operators are logged and tracked by the Manager, Water & Wastewater/ORO and/or the DWQMS Representative and are documented in document control software.

## **11. Personnel Coverage**

Water Division is staffed as per the Collective Agreement between the Corporation of the Town of Tecumseh and the Outside Bargaining workers represented by CUPE Local 702.1. The Manager, Water & Wastewater is the designated ORO. After hours calls are managed by the Water Operator (Leader) using an emergency call-out service with the staff seniority list for overtime as set out by the Collective Agreement.

### **Regular Hours Coverage**

- All work orders are generated through the Water Division office during regular working hours
- Created work orders will have date and time of the call, location of the problem, details of the problem, name and contact information of person initiating service call.



- Work orders are distributed through the Manager, Water & Wastewater/ORO and the Water Operator (Leader)

### **After Hours Coverage**

- The Water Operator (Leader) receives a call from the answering service, assesses information and provides direction
- If the Lead Water Operator cannot be contacted, the call will bump to the next Water Operator according to seniority
- When necessary, staff is called in to do repairs, and or deal with public complaints
- All reports and forms are authorized by the Manager, Water & Wastewater/ORO
- Reports, forms and or work orders, will have date and time of the call, location of the problem, details of the problem, name and contact information of person initiating service call.
- If required, sub-contractors are approved by the Manager, Water & Wastewater/ORO and are used in digression of the Water Operator

### **Pandemic, Strikes and/or Lockouts**

- The provisions for personnel coverage during situations where staff may not be available to work include the following:

#### **Pandemic**

- Should a pandemic occur the Town will request from surrounding municipalities with qualified licensed operators as well as private contractors for assistance.
- If needed the Town will also contact the MECP to request advice or assistance should an emergency of this nature arise.

#### **Strikes and/or Lockouts**

- The Manager, Water & Wastewater is designated as the Overall Responsible Operator (ORO) for the distribution system and has the appropriate Water Distribution Operators License. In the event of a union strike and/or lockout, the ORO is qualified to maintain the water distribution system.
- In the event the ORO is not available or if additional staff is required to maintain the distribution system, Town will request from surrounding municipalities with qualified licensed operators as well as private contractors for assistance.
- If needed the Town will also contact the MECP to request advice or assistance should an emergency of this nature arise.

## 12. Communications

The DWQMS Representative shall ensure the Municipal Owner/Operating Authority and Top Management is provided with a current copy of the Operational Plan. The DWQMS Representative shall keep the Municipal Owner/Operating Authority and Top Management informed of any changes to the DWQMS as a result of Management Review and other DWQMS issues when necessary.

A current version of the Operational Plan is available to staff at the Water Division office. A hard copy of the DWQMS Operational Plan will be kept at the Water Division office and an electronic copy can be obtained using the document control software. Personnel will be informed of DWQMS changes or updates through regular staff meetings with the DWQMS Representative or the Manager, Water & Wastewater/ORO.

Any suggested revisions or recommendations to the DWQMS Operational Plan submitted by staff will be documented and provided to the DWQMS Representative.

The DWQMS Committee will meet to review and update the Operational Plan and review any staff recommendations.

Town of Tecumseh Water Division will utilize a web-based survey/questionnaire to allow the public and essential suppliers to have input and communication with all levels of the Town's Water Division and Management. The Manager, Water and Wastewater/ORO will collect and analyze all data communicated to the town. The Manager, Water and Wastewater/ORO will then make changes if necessary/ or may make recommendations to the Municipal Owners/ Operating Authority any changes or improvements identified.

Essential suppliers and service providers receive relevant DWQMS information regarding product or service requirements from the purchaser in the form of quality / quantity specifications and timeframes, as required by regulations, the Municipal Drinking Water Licence and Drinking Water Works Permit.

Notification is provided to The Corporation of the Town of Tecumseh suppliers and service providers that a copy of the current Water Distribution System Standards and Material Specifications is available on the Town's website or in hardcopy from the Water Division.

The DWQMS Policy is available to the consumers of The Corporation of the Town of Tecumseh water distribution system at the Water Division office, Town Hall and can be viewed on the Town's website <https://www.tecumseh.ca/en/living-here/water-quality.aspx>.

### **13. Essential Supplies and Services**

Where applicable, supplies must meet AWWA and NSF/ANSI standards. Supplies are verified against the order requisition when received (**See Appendix 5 - Essential Supplies and Service List**).

### **14. Review and Provision of Infrastructure**

Infrastructure for The Corporation of the Town of Tecumseh consists of a water distribution system, water tower and monitoring equipment at the boundary meters. The Corporation of the Town of Tecumseh has in place a Water & Wastewater Master Plan, which has been accepted and adopted by the Municipal Owners/Operating Authority.

Rehabilitation and renewal of the water distribution system is performed on a needs schedule in association with the Water & Wastewater Master Plan. Capital and operational money is allocated each calendar year for improvements to the system.

The Director, Public Works & Environmental Services, under the advisement of the Manager, Water & Wastewater/ORO and Manager, Engineering Services, will identify areas needed for rehabilitation and renewal in accordance with risk assessment.

A report detailing the maintenance programs, any requirements for infrastructure, rehabilitation and renewal is prepared annually by the Director, Public Works & Environmental Services and Director, Financial Services/Treasurer. The capital requirements are then submitted to Top Management and Municipal Owner/Operating Authority for budgetary approval.

### **15. Infrastructure Maintenance, Rehabilitation and Renewal**

The Manager, Water and Wastewater/ORO will annually review the planned and unplanned maintenance reports and programs. A summary will be prepared and communicated to the Director, Public Works & Environmental Services under advisement of the Manager, Engineering Services and will identify areas that may need rehabilitation and renewal planning (**See Appendix 6: Public Works & Environmental Services Capital Works Plan**).

## **Planned Maintenance**

All planned maintenance is scheduled and communicated to staff by the Manager, Water & Wastewater/ORO. All records are retained at the Water Division office.

- Annual valve exercising programs
- Annual flushing programs
- Annual hydrant inspection, maintenance and painting

Planned maintenance is scheduled on an electronic spreadsheet stored on the central office computer server. Server files are backed up daily. The long-term forecast of major infrastructure maintenance, rehabilitation and renewal activities is kept current by reviewing planned rehabilitation and renewal programs on an annual basis as capital works are planned for each calendar year by the Manager, Water & Wastewater/ORO with the following: Director, Public Works & Environmental Services; Director, Financial Services/Treasurer; Manager, Engineering Services; and Manager, Roads & Fleet.

Scheduled tasks are typically defined by manufacturer's literature when available and revised as needed according to operator experience/observations. Planned maintenance tasks are communicated to the person responsible by issuance of work orders from the Manager, Water & Wastewater/ORO or the Water Operator (Leader). Completed work orders are reviewed and signed by the Manager, Water & Wastewater/ORO or DWQMS Representative.

If feasible, rehabilitation or replacement of water distribution piping is coordinated with the Town's scheduled wastewater and road resurfacing projects.

## **Unplanned Maintenance**

Unplanned maintenance is conducted as required. All unplanned maintenance activities are authorized by the Manager, Water & Wastewater/ORO.

- Service leaks
- Meter repairs
- Emergency hydrant repairs
- Water quality complaints
- General customers inquiries

## **16. Sampling, Testing and Monitoring**

Sampling, testing and monitoring of the treated water produced at the Windsor Utilities Commission (WUC) Water Treatment Plant is conducted by Windsor Utilities Commission Water Operators as required by Ontario Regulation 170/03.

A competent certified Water Operator for the Town performs all in house sampling. Results are recorded on a weekly log sheet and monitored by Water Operators. Detailed procedures for all tests performed on-site are provided in Standard Operating Procedures (SOP's).

The operators ensure that the water supplied to The Corporation of the Town of Tecumseh Water Distribution System meets the Safe Drinking Water Act, 2002. Sampling and testing for The Corporation of the Town of Tecumseh Water Distribution System is limited to the distribution system only as required by Ontario Regulation 170/03.

The results at all boundary meters and the water tower are displayed and recorded on the SCADA system and monitored by the Manager, Water & Wastewater/ORO and Water Operators.

Free chlorine will be done in-house. All other regulatory testing is contracted out and performed by an accredited lab chosen by The Corporation of the Town of Tecumseh. Records and logs are kept at the Water Division office.

Sampling and monitoring Standard Operating Procedures (SOP) are established for operating the water distribution system. Provisions have been made when sampling and monitoring under abnormal circumstances.

### **Adverse Water Quality Sample**

- If the accredited laboratory discovers adverse water quality in a sample, they are obligated to notify Water Division within 24 hours. All adverse water results prescribed by Schedule 16 of O.Reg.170/03 must be immediately reported by Water Division to the Medical Officer of Health, Spill Action Centre and the MECP.
- During adverse water quality incidents, maps and drawings are provided to the local health authority whereby direction is given to the Town as to the locations of sampling and monitoring upstream and downstream of the location from which the adverse sample was found.

## **Power/Communication Loss**

- Water Division staff is alerted via telephone in the event of a power/communication loss that affects the SCADA system (refer to Element 11 for call-out procedure during working hours and after working hours).
- The SCADA system is programmed to continue calling the emergency contact list until the alarm is acknowledged.

## **Inclement Weather**

- Additional staff and/or equipment will be provided for as needed.

## **17. Measurement and Recording Equipment Calibration and Maintenance**

The portable chlorine analyzers and flow meters are calibrated by contractors according to the manufacturers' specifications or as mandated by legislation. All calibrations are recorded and filed at the Water Division office.

Contractors that are used for performing calibrations are identified in the "Essential Supplies and Services List" (**See appendix 5 - Essential Supplies and Services List**).

## **18. Emergency Management**

The Corporation of the Town of Tecumseh's Water Operators have emergency training and are aware of the location of written procedures to deal with emergencies in the water distribution system. Specific instructions for responding to emergencies, including emergency situations that have the potential to result in acute drinking water health risks, are included in hardcopy in the Water Division office and electronically in the document control software. Once a year, a training exercise will be conducted to test selected emergency procedures. If present methods should change, or if new employees are brought into the system, semi-annual training will occur on dealing with emergencies. Senior employees or direct supervisors would provide this training. All training is documented and placed in employee training files.

Water Operators are on twenty-four hour call to ensure that a qualified staff member will attend and assess any water emergency.

## **Emergencies**

- Adverse Water Quality

- Water distribution cannot supply fire protection or safe drinking water
- Situations in the water distribution system that have the potential to result in acute drinking water health risks

In the event of an identified emergency the Manager, Water & Wastewater/ORO shall be contacted immediately. The Manager, Water & Wastewater/ORO is designated to be responsible for overall management, decision-making, and communications at the entail level of emergency.

In the event the Manager, Water & Wastewater/ORO is unavailable, the Director of Public Works and Environmental Services shall be contacted and will appoint a temporary ORO.

The Manager, Water & Wastewater/ORO will then report all incidents and corrective actions to the Director, Public Works and Environmental Services or designate.

The Director, Public Works and Environmental Services, in collaboration with the Manager, Water & Wastewater/ORO, will advise the Municipal Owners/Operating Authorities of the system.

The Mayor and CAO of The Corporation of the Town of Tecumseh shall only be notified in the event that water cannot be supplied to the Town in sufficient amounts for fire protection, or that water quality poses an acute health risk to consumers and a boil water advisory or drinking water advisory must be issued.

The Water Division Emergency Response Plan is an emergency plan consisting of a set of guidelines assembled to assist water staff in emergency response procedures and is intended to facilitate a systematic and coordinated response to a variety of water emergencies or major incidents. The Water Division Emergency Response Plan has been formulated to assign emergency response roles and responsibilities, and to guide immediate and long-term response to incidents adversely affecting the water operations.

In the event of a problem occurring greater than a water emergency the Corporation of the Town of Tecumseh Emergency Response Plan will be implemented. A hardcopy is stored in the Water Division office and electronically in the document control software.

An extensive emergency contact list is provided within the Water Division Emergency Response Plan. There is a procedure in place to review and update the Water Division Emergency Response Plan on an annual basis.

## **19. Internal Audits**

Internal audits will be performed in entirety at least once every calendar year as legislated, to ensure the DWQMS conforms to the requirements of the DWQMS Operational Plan. These requirements include ensuring that the DWQMS has been effectively implemented and properly maintained.

The Corporation of the Town of Tecumseh will conduct internal audits by trained auditors internally or by a contracted trained auditor chosen by The Corporation of the Town of Tecumseh.

### **Internal Audits Conducted by Town of Tecumseh Auditors**

- The assignment of auditor's and schedules will be the responsibility of the DWQMS Representative
- Internal audits will be conducted by a person who has successfully completed a recognized Internal Auditor workshop
- Internal audits will be scheduled based on the availability and schedules of the participants.
- DWQMS will be audited as per the legislative requirements
- The auditor shall review all related DWQMS documentation
- The auditor shall observe activities, review records, review previous internal and external audit results, and interview personnel as necessary to ensure that the status of the audited Elements of the DWQMS has been effectively covered
- The auditor shall submit completed reports to the DWQMS Representative and the Manager, Water & Wastewater/ORO
- The report shall include any corrective actions requests required to address discrepancies
- Responses to corrective action request shall be designated to the responsible individual by the DWQMS Management Review Committee

## **20. Management Review**

Management Review (Also referred to as the DWQMS Committee) ensures and evaluates the continuing suitability, adequacy and effectiveness of the DWQMS. This process reviews the effectiveness of the DWQMS by the Management Review Committee



## **Review Participants**

Management Reviews shall be conducted during a meeting of the Management Review Committee that is comprised of the following:

- Chief Administrative Officer (CAO)
- The Director of Public Works & Environmental Services
- The Manager, Water and Wastewater /ORO
- The meeting is chaired by DWQMS Representative

The DWQMS Rep will communicate the meeting minutes to all management Review Committee members.

## **Review Frequency**

Management Reviews shall be conducted after the internal audit has been completed and submitted to the DWQMS Representative by the Internal Auditor. The Management Review shall be conducted at least once a calendar year unless additional meetings are required as per the DWQMS Committee.

## **Review Input**

The DWQMS Representative and/or Manager, Water & Wastewater/ORO shall provide information and data concerning the following categories for the review if requested:

- Incidents of regulatory non-compliance
- Incidents of adverse drinking water tests
- Deviations from Critical Control Point limits and response actions
- The effectiveness of the risk assessment process
- Results of internal and 3rd party audits
- Results of relevant emergency response testing
- Operational performance and water quality trends
- Follow-up on action items from previous Management Reviews
- Status of management action items (if any) identified between reviews
- Changes in resource requirements, infrastructure, process, personnel, the DWQMS or regulations that could affect the DWQMS
- Consumer feedback
- The resources needed to maintain the DWQMS
- The results of the infrastructure review

- Operational Plan, content, updates and staff suggestions

## Review Process

The Management Review Committee shall review and discuss all information presented.

The Committee shall make recommendations and initiate an action plan, including the person(s) responsible for delivering the action items and the proposed timelines, to improve the content and implementation of the Operational Plan and related procedures, and to ensure the provision of adequate resources.

The DWQMS Representative shall be responsible for communication and implementation of the Management Review findings.

## 21. Continual Improvement

The Corporation of the Town of Tecumseh strives to continually improve the effectiveness of its DWQMS. Issues of non-compliance, non-conformance and opportunities for improvement are presented through:

- The review of best management practices (BMP's) at least once every 36 months (including the review of MECP's BMP document, when published) will undergo the same schedule as the comprehensive risk assessment;
- MECP compliance inspections;
- Adverse water quality incidents;
- External DWQMS accreditation audits;
- Internal DWQMS audits;
- Management reviews;
- Staff suggestions;
- Consumer calls; and
- Other means (e.g. near-misses, other utilities' experiences, etc.)

Using the Request for New or changed DWQMS Document form included in Appendix 7, the DWQMS Representative tracks and measures continual improvement.

**Corrective actions** are taken to address issues (e.g. non-conformities, non-compliances and other drinking water system failures) where:

- Causes of the issues are investigated;


- Actions taken to correct the issues are documented;
- Actions are taken to prevent the issues from re-occurring;
- Reviews of actions taken to correct / prevent the issues are carried out to verify they are implemented and effective in correcting / preventing the re-occurrence of the issue.

**Preventive actions** may also be taken to eliminate potential issues – and these are documented and reviewed to ensure they are implemented and effective in preventing the potential issue from occurring.

## Appendices

### Appendix 1 - Commitment and Endorsement

The endorsement of the Water Division Operational Plan by Municipal Owner/Operating Authority (The Corporation of the Town of Tecumseh, Municipal Council) report, submitted by Manager, Water & Wastewater /ORO will be added to this Appendix 1 when formerly approved.

  
**The Corporation of the  
Town of Tecumseh**  
Public Works & Environmental Services

**To:** Mayor and Members of Council

**From:** Phil Bartnik, Director Public Works & Environmental Services

**Date to Council:** February 23, 2021

**Report Number:** PWES-2021-10

**Subject:** Drinking Water Quality Management System Operational Plan Version 11

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**Recommendations**

It is recommended:

**That** Tecumseh Town Council **endorse and commit to** the Drinking Water Quality Management System, Operational Plan Version 11.

**Background**

As recommended by Justice Dennis O'Connor, in Part 2 of the Walkerton Inquiry, the government of Ontario has implemented a licensing program for municipal drinking water systems. The program requires owners and operators of drinking water systems to incorporate the concepts of quality management into system operation and maintenance. In response to this recommendation, the Ministry of the Environment, Conservation and Parks developed the Drinking Water Quality Management Standard, which sets out the framework for the development of a Quality Management System. Owners and Operating Authorities of a drinking water system are mandated to implement a Quality Management System by the provincial government through the *Safe Drinking Water Act, 2002*.

The Town's Drinking Water Quality Management System (DWQMS) Operational Plan was first endorsed and committed to by Council in 2008. The Operational Plan provides an understanding of the drinking water system, the roles and responsibilities of the owner and operational staff, procedures to operate and maintain the drinking water system, and a commitment and endorsement by the owner to provide safe drinking water to consumers.

As legislatively required by the province, the Town's Water Division reviews and updates its Operational Plan on an annual basis.

In order for the Owner to continue to show support of its drinking water system and DWQMS, it is required that they provide their endorsement of and commitment to the updated Operational Plan.

### Comments

Updates to the Operational Plan were submitted to and approved by the Management Review Committee at their meeting held on February 8, 2021. The minutes of this meeting are appended to this report as Attachment 1. The revisions to the Operational Plan include, but are not limited to, the following:

- The approved 2021 Public Works & Environmental Services Capital Works Plan.
- An up to date Essential Services contact list.
- The current watermain material and length in the Town's water distribution system.
- Staffing and operational changes.

Version 11 of the Operational Plan is appended to this report as Attachment 2.

The above-noted changes were incorporated into Version 11 due to:

- Legislative and regulatory changes;
- The Town's administrative and/or policy changes;
- Management Review Committee recommendations.

Updates to the Operational Plan are necessary for continuous improvement of the Town's Quality Management System.

### Consultations

Chief Administrative Officer  
Ministry of the Environment, Conservation and Parks

### Financial Implications

There are no financial implications arising from this report.

Report No: PWES-2021-10

Drinking Water Quality Management System Operational Plan Version 11

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### Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input 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 checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" 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 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 ☐

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Drinking Water Quality Management System Operational Plan Version 11

Page 4 of 4

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Cheryl Curran, BES  
Project Technician

Reviewed by:

Brad Dupuis, C. Tech.  
Manager Water & Wastewater Services, O.R.O.

Reviewed by:

Phil Bartnik, P. Eng.  
Director Public Works & Environmental Services

Recommended by:

Margaret Misk-Evans, MCIP, RPP  
Chief Administrative Officer

**Attachment  
Number**

**Attachment  
Name**

1	Management Review Committee Meeting Minutes, February 8, 2021
2	Drinking Water Quality Management System Operational Plan Version 11

## Appendix 2 – Drinking Water System

**Table 1: Watermain Material Type and Length in Tecumseh Water Distribution System**

<b>Watermain Material, Size &amp; Length in Meters</b>	
<b>Cast Iron Watermain: 19,407 Meters</b>	
100mm Pipe = 109 Meters	250mm pipe = 784 Meters
150mm Pipe = 18,405 Meters	400mm pipe = 3 Meters
200mm Pipe = 106 Meters	
<b>Concrete Watermain: 2,526 Meters</b>	
400mm Pipe = 2,526 Meters	
<b>Ductile Iron Watermain: 21,176 Meters</b>	
150mm Pipe = 8,397 Meters	300mm Pipe = 1,660 Meters
200mm Pipe = 7,128 Meters	400mm Pipe = 2,429 Meters
250mm Pipe = 1,062 Meters	600mm Pipe = 500 Meters
<b>Polyvinyl Chloride (PVC) Watermain: 177,211 Meters</b>	
50mm Pipe = 639 Meters	250mm Pipe = 15,173
100mm Pipe = 1,825 Meters	300mm Pipe = 17,956
150mm Pipe = 60,465 Meters	400mm Pipe = 8,522
200mm Pipe = 68,897 Meters	600mm Pipe = 3,734
<b>Polyethylene Watermain: 68 Meters</b>	
50mm Pipe = 8 Meters	
150mm Pipe = 60 Meters	
<b>Total Length of Watermain – 220,388 Meters</b>	



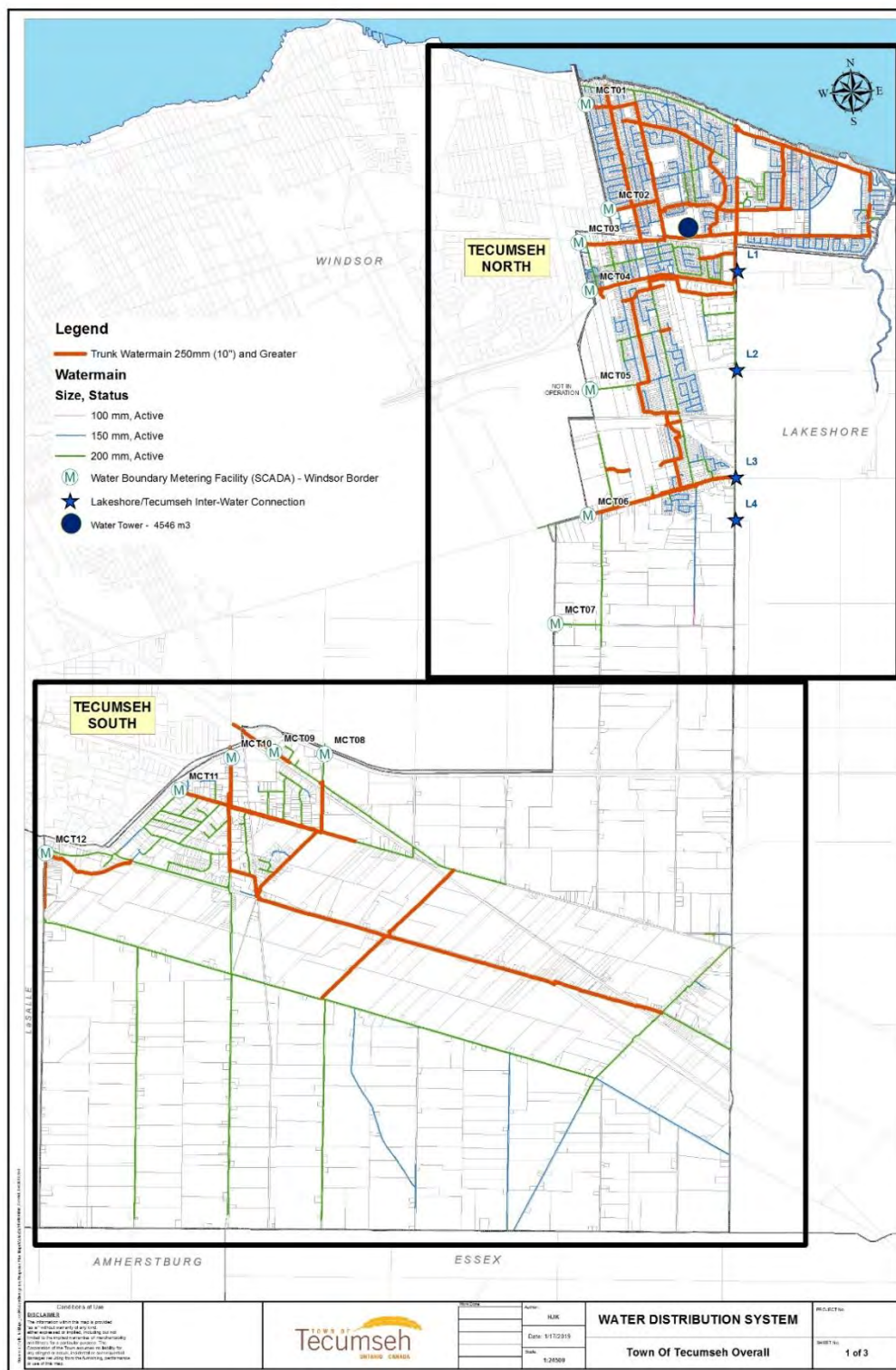
The north distribution system is currently supplied from the Windsor Water System through the following metering connection:

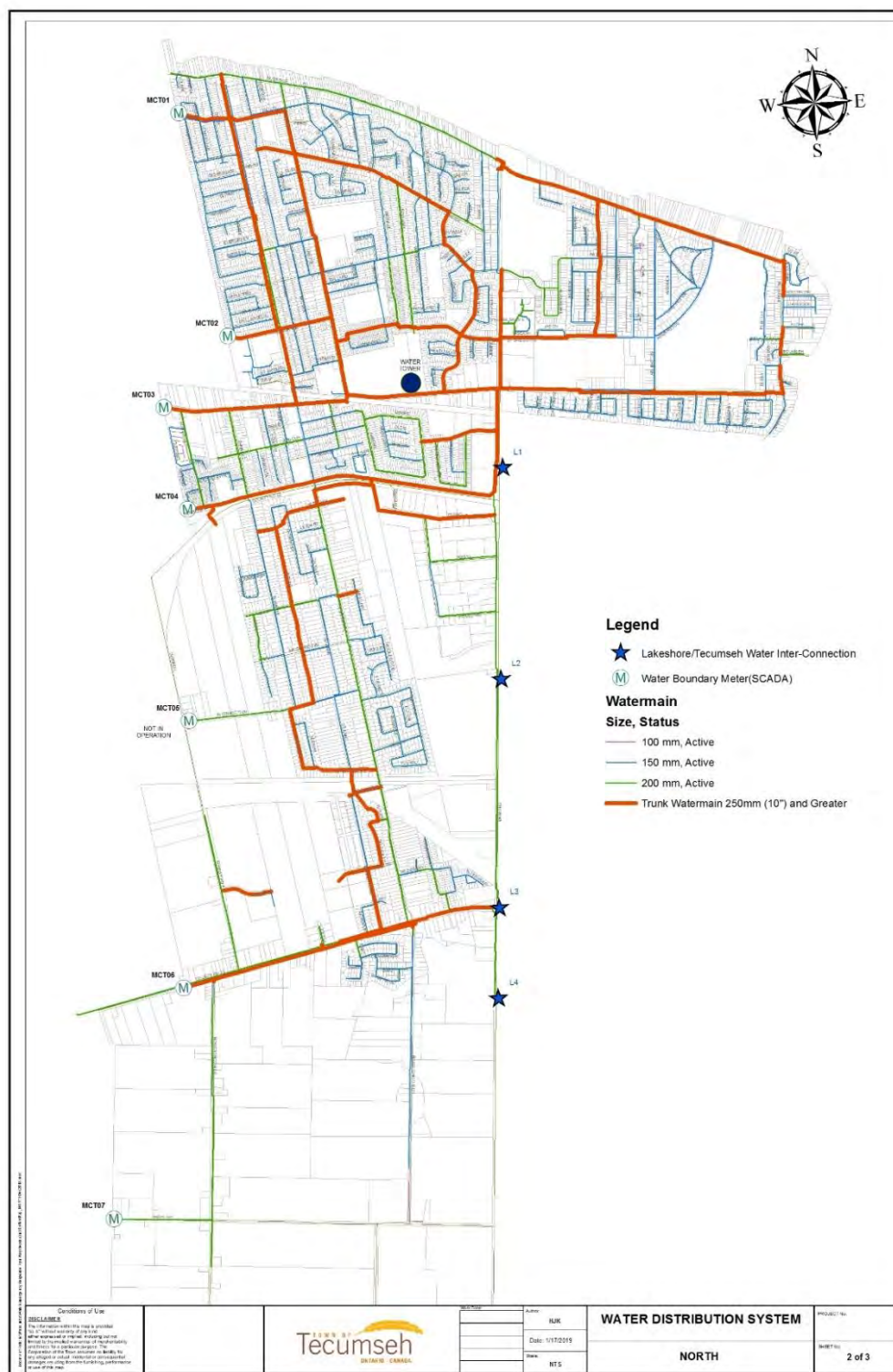
- 400 mm diameter feedermain on Dillon Drive
- 300 mm diameter feedermain on McNorton Street
- 400 mm diameter feedermain on Tecumseh Road
- 600 mm diameter feedermain on County Road 22
- 600 mm diameter feedermain on County Road 42
- (future) 600 mm diameter feedermain on Intersection Road

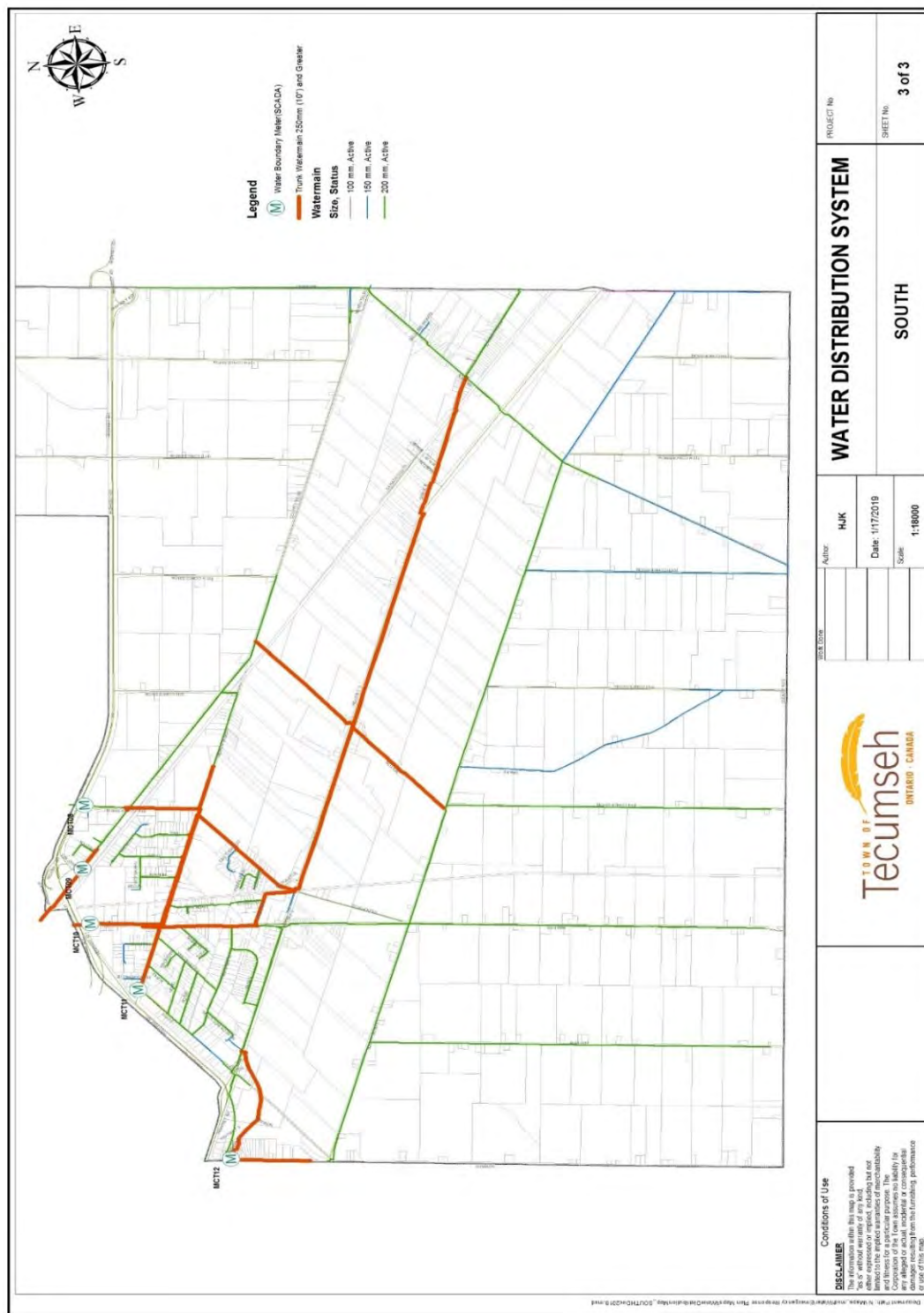
The south distribution system is currently supplied from the Windsor Water System through the following connections:

- 200 mm diameter feedermain on Baseline Road
- 200 mm diameter feedermain on 8th Concession Road
- 600 mm diameter feedermain on County Road 46
- 300 mm diameter feedermain on Walker Road
- 300 mm diameter feedermain on North Talbot Road
- 200 mm diameter feedermain on Talbot Road

**Map 1: Town of Tecumseh Water Distribution System – Overall Service Area**







## Appendix 3 – Risk Assessment (Comprehensive Risk Assessment done January 24, 2019)

### Completing the Hazard Analysis and Critical Control Point Worksheet Procedure

The Risk Assessment Team is to complete the tasks outlined in section 7 Risk Assessment and section 8 Risk Assessment Outcomes (included as part of this Operational Plan) along with the instructions included as part of Appendix 3 – Risk Assessment (this section) and Appendix 4 – Risk Assessment Outcomes.

The Hazard Analysis & Critical Control Point (CCP) Worksheets included in Appendix 4 are reviewed and used to record the results of the risk assessment.

- A. **Getting Started:** Follow the flow and process of receiving and delivering of clean drinking water to the consumer.
- B. **Activity or Process Step:** This column refers to specific areas within a particular process step (pumps, tower, distribution system, etc.).
- C. **Description of Hazard:** This column refers to an incident or situation that can lead to the presence of a hazard. Hazards and Hazardous events can result from natural or technological causes, or from human activities. At a minimum, the Ministry's "Potential Hazardous Events for Municipal Drinking Water Systems" (dated February 2017) is considered as part of this assessment. Any additional potential hazardous events and associated hazards also need to be included.
- D. **Potential Result of Hazard:** This column refers to the source of danger or a property that may cause drinking water to be unsafe for human consumption. Biological, Chemical, Physical and Radiological. A description of each hazard is outline in (Table 1).
- E. **Comments:** This column refers to any additional information that will help in the description of the hazard or identification.
- F. **Available Monitoring & Control Measures:** This column refers to any monitoring and control measures in place or need to be identified as a need to be put in place. Control measures must be addressed for all potential hazards and hazardous events, regardless of whether they are CCP's or not. This may include monitoring, preventive measures, regular inspection, back-up equipment, written standard operating procedures etc.



- G. **Emergency Procedures or Contingency Plan:** This column identifies any emergency procedure or contingency plan in place to deal with the hazards identified.
- H. **Likelihood, Consequence, Detectability and Total:** These columns refer to the ranking criteria identified in (Tables 2, 3, 4, 5.).
- I. **Critical Control Point (CCP):** Identifies if the total value of the columns, and determines if the value are above or below the set threshold.
- J. **Control Procedure:** This column is where you apply some sort of control, to prevent or eliminate a drinking water health hazard or to reduce the health hazard to an acceptable level.
- Hazards identified as CCP's or Recommended Minimum CCP's require control measures, which are documented in procedures or work instructions.

**Control Measures include:**

- Work Instructions
- Monitoring, reporting and recording requirements
- Support information
- Response for a deviation from critical control point
- Recovery procedures if necessary
- Equipment reliability and redundancies

**Determining the Level of Risk for each Hazard**

- A. Using the Ranking criteria set out at the bottom of each work sheet estimate the level of risk for each hazard.
- B. Using the criteria set out at the bottom of the work sheet assign a value to each **Likelihood, Consequence and Detectability**.
- C. Once the value for each is assigned, add the three values together **A+B+C=Total**.
- D. The **Total** will be ranked as per the criteria in the "Total Analysis" table found at the bottom of the work sheet.
- E. If the Total is in the High or Very High range as a hazard, it will require either a Critical Control Point procedure, or a response procedure.

**Table 1- Hazards**

Type of Hazard	Description of Hazard
<b>Biological Hazards</b>	Biological pathogens are usually considered the most significant drinking water health risk because the effects are acute; Waterborne biological hazards include bacterial, viral and parasitic organisms. These organisms are commonly associated with faecal wastes from humans and other animals, and some can occur naturally in the environment.
<b>Chemical Hazards</b>	Chemical hazards in drinking water may come from a source or occur in the treatment and distribution system. They include but are not limited to: toxic spills, naturally occurring minerals, heavy metals, dissolved gases (e.g. radon), pesticides, fertilizers, endocrine disruptors, personal care products and pharmaceutical residuals, cyanotoxins, flocculants, coagulants, lubricants, copper, iron, zinc, and lead from pipes and fittings.
<b>Physical Hazards</b>	Sediments are the most common physical hazard associated with drinking water and are of concern as they may carry with them microbiological hazards and interfere with disinfection system efficiency. Other physical hazards include biofilms, pipe materials etc.
<b>Radiological Hazards</b>	Radiological hazards may arise from man-made or natural sources, with naturally occurring chemicals (uranium, radon, etc.) most frequently found in groundwater.

**Table 2 – Likelihood**

Description	Likelihood of Hazardous Event Occurring	Rating
<b>Rare</b>	May occur in exceptional circumstances, and has not occurred in past.	<b>1</b>
<b>Unlikely</b>	Could occur at some time, historically has occurred less than once every five or 10 years.	<b>2</b>
<b>Possible</b>	Has occurred or may occur once or more per year.	<b>3</b>
<b>Likely</b>	Has occurred or may occur on a monthly to quarterly basis.	<b>4</b>
<b>Very Likely</b>	One or more occurrences on a monthly or more frequent basis.	<b>5</b>

**Table 3- Consequence**

Description	Consequence of Hazardous Event Occurring	Rating
<b>Insignificant</b>	Insignificant impact, little public exposure, little or no health risk.	<b>1</b>
<b>Minor</b>	Limited public exposure, minor health risk.	<b>2</b>
<b>Moderate</b>	Minor public exposure, health impact on small part of the population.	<b>3</b>
<b>Major</b>	Large part of population at risk.	<b>4</b>
<b>Catastrophic</b>	Major impact for large part of the population, complete failure of systems.	<b>5</b>



**Table 4 – Detectability**

<b>Description</b>	<b>Detectability of Hazardous Event</b>	<b>Rating</b>
<b>Very Detectable</b>	Easy to detect, on-line monitoring through SCADA.	<b>1</b>
<b>Moderately Detectable</b>	Moderately detectable, alarm present but not in SCADA, may require operator to walk by and notice alarm; problem is indicated promptly by in-house lab test results.	<b>2</b>
<b>Normally Detectable</b>	Normally detectable, visually detectable on rounds or through regular maintenance.	<b>3</b>
<b>Unlikely Detectable</b>	Unlikely detectable, visually detectable but not inspected on a regular basis; not normally detected before problem becomes evident; lab tests are not done on a regular basis (e.g. quarterly).	<b>4</b>
<b>Undetectable</b>	Cannot be detected.	<b>5</b>

**Table 5- Risk Analysis (Total)**

<b>Likelihood + Consequence+ Detectability</b>	<b>(Total) Risk Category</b>
3 to 5	Low
6 to 7	Moderate
8 to 11	High
12 to 15	Very High

## Provincial Government Bulletin: Potential Hazardous Events for Municipal Residential Drinking Water Systems to Consider in the DWQMS Risk Assessment

Ministry of the Environment and Climate Change

### Potential Hazardous Events for Municipal Residential Drinking Water Systems to Consider in the DWQMS Risk Assessment

#### 1.0 Background

A risk assessment must be conducted for all municipal residential drinking water systems, as part of the operational plans for those systems. These operational plans form the basis upon which third party auditors assess conformance to the Drinking Water Quality Management Standard.

This document lists the potential hazardous events and associated hazards that are, at a minimum, required to be assessed as part of these risk assessments.


#### 2.0 Definitions

**All Systems** - all municipal residential drinking water systems, including distribution-only systems.

**Treatment Systems** - all municipal residential drinking water systems that include equipment used to provide primary and/or secondary disinfection of the drinking water, including those with groundwater and/or surface water sources unless otherwise noted.

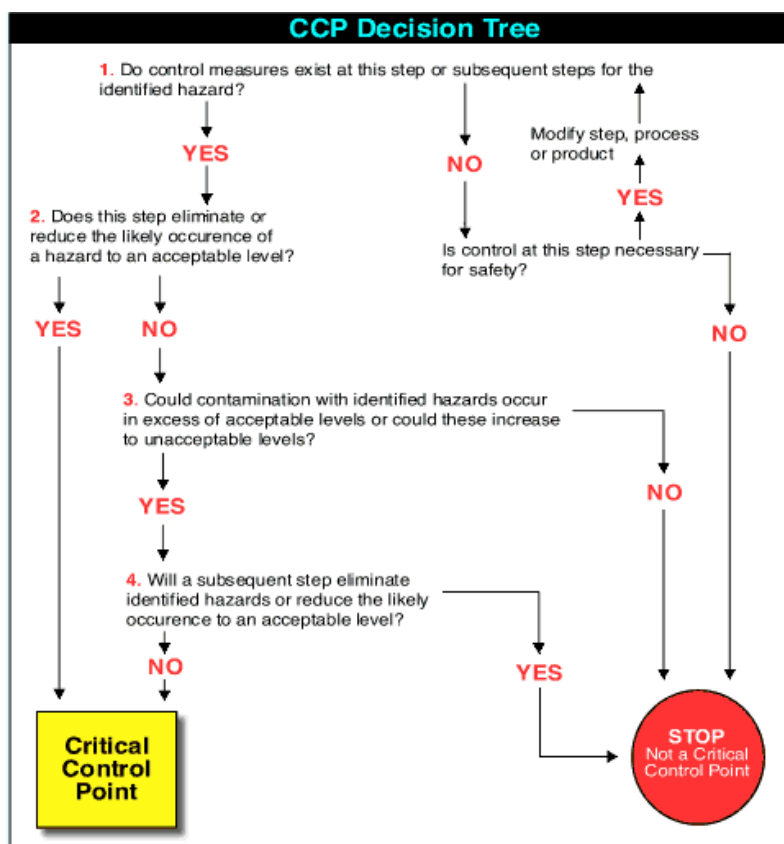
#### 3.0 Potential Hazardous Events

System Type	Description of Hazardous Event / Hazard
All systems	Long Term Impacts of Climate Change
All systems	Source water supply shortfall
All systems	Extreme weather events (e.g., tornado, ice storm)
All systems	Sustained extreme temperatures (e.g., heat wave, deep freeze)
All systems	Chemical spill impacting source water
All systems	Sustained pressure loss
All systems	Backflow
All systems	Terrorist threat



## Appendix 4 –Risk Assessment Outcomes

Once the values for likelihood, consequence, and detectability are assessed, the determination of whether an identified risk is also a critical control point (CCP) is made using the following decision tree:



The control points generally meet the characteristics of an ideal critical control point as they typically are:

- Able to prevent, eliminate or reduce hazards,
- Monitored, preferably in real time,
- Able to have determined control limits, and,
- Essential to ensure the safety of the drinking water

These control points also provide important barriers in the multiple barrier process to ensure that pathogens that could be present in the water are effectively inactivated and/or removed, and that secondary disinfection is maintained in the distribution system. CCP's often have corresponding Critical Control Limits, which are identified in the table included below:

Critical Control Point (CCP)	Hazard Description	Critical Control Limit (CCL)	Monitoring Process and/or Procedures	Response Procedures
<b>Secondary Disinfection</b>  To ensure the maintenance of a disinfectant residual throughout the distribution system.	<b>Deterioration of Chlorine Residual</b> <ul style="list-style-type: none"> <li>Reduced water flows based on demand, pipe size, etc.</li> <li>Occurrence of dead ends and Metered Areas</li> <li>Increased water temperature (temporary mains)</li> <li>Reaction with organic matter in watermain</li> <li>Water age in the distribution system</li> <li>Water age in storage facilities</li> </ul>	<b>Free Chlorine</b> Target Residual in the Distribution System: <ul style="list-style-type: none"> <li>&gt;0.20 mg/L (operational minimum)</li> </ul> Reportable under the SDWA: <ul style="list-style-type: none"> <li>0.05 mg/L</li> </ul>	<ul style="list-style-type: none"> <li>Certified and competent operators</li> <li>Sampling, testing and monitoring of control limits, as applicable</li> <li>Watermain flushing programs</li> <li>Installation of blow-offs in dead ends</li> <li>Regular samples taken and analyzed for chlorine residual</li> </ul>	Emergency Response procedures: <ul style="list-style-type: none"> <li>2.1 Boil Water Advisory;</li> <li>2.2 Adverse Laboratory Water Quality Results;</li> <li>2.3 Loss of Primary Disinfectant (Chlorine);</li> <li>2.14 Water Shortage;</li> <li>2.16 Establishing Potable Water Filling Stations</li> <li>Response to customer calls</li> <li>Service Request tracking and monitoring</li> </ul>
		<b>Turbidity</b> <ul style="list-style-type: none"> <li>&lt;5 ntu in the distribution system</li> </ul>		
		<b>Customer Complaints</b> <ul style="list-style-type: none"> <li>Re: water quality characteristics (taste, odour, colour, other)</li> </ul>		

Critical Control Point (CCP)	Hazard Description	Critical Control Limit (CCL)	Monitoring Process and/or Procedures	Response Procedures
				<ul style="list-style-type: none"> <li>• Repair and system rehabilitation</li> <li>• Use of appropriately certified and competent contractors and suppliers</li> </ul>

Critical Control Point (CCP)	Hazard Description	Critical Control Limit (CCL)	Monitoring Process and/or Procedures	Response Procedures
<b>Backflow Prevention</b>  To prevent cross-contamination that can result from the flowing back of or reversal of the normal direction of flow of water.	<b>System contamination from negative or reduced pressure</b> <ul style="list-style-type: none"> <li>Lack of backflow prevention device</li> <li>Main breaks or blow-outs</li> <li>Large services</li> <li>Temporary connections</li> <li>Firefighting drawdown</li> <li>Depressurization from residential usage</li> <li>Pipe failure (deterioration)</li> </ul>	<b>System pressure</b> Alarm setpoint ranges for pressure: <ul style="list-style-type: none"> <li>210 to 900 kPa</li> </ul>	<ul style="list-style-type: none"> <li>Backflow Prevention program</li> <li>Where possible, implementation of backflow prevention devices and small mains</li> <li>Proactive Watermain replacement program</li> <li>Pressure monitoring through pressure</li> </ul>	Emergency Response procedures: <ul style="list-style-type: none"> <li>2.2 Adverse Laboratory Water Quality Results;</li> <li>2.4 Contamination of Water Transmission System</li> <li>2.14 Water Shortage</li> <li>2.16 Establishing Potable Water Filling Stations</li> <li>Response to customer calls</li> <li>Service Request tracking and monitoring</li> <li>Water Division Emergency Plan procedures</li> </ul>
		<b>Consumer complaints</b> <ul style="list-style-type: none"> <li>Related to system pressure or water characteristics (taste, odour, colour, other).</li> </ul>		

Critical Control Point (CCP)	Hazard Description	Critical Control Limit (CCL)	Monitoring Process and/or Procedures	Response Procedures
<b>Contamination within Distribution System</b>	Contamination of treated water through watermain breaks, new watermain commissioning or other means.	<b>Drinking Water Quality Standards (O. Reg. 169/03)</b> <ul style="list-style-type: none"> <li>Water that meets ODWQS</li> </ul>	<ul style="list-style-type: none"> <li>Certified and competent operators</li> <li>Regulatory sampling, monitoring and test programs.</li> </ul>	<p>Emergency Response procedures:</p> <ul style="list-style-type: none"> <li>2.1 Boil Water Advisory (if bacteriological)</li> <li>2.2 Adverse Laboratory Water Quality Results;</li> <li>2.4 Contamination of Water Transmission System</li> <li>2.11 Watermain Break</li> <li>2.14 Water Shortage</li> <li>2.16 Establishing Potable Water Filling Stations</li> <li>Contact MOH, MECP &amp; SAC</li> <li>Communicate water advisory issued by MOH</li> </ul>



Critical Control Point (CCP)	Hazard Description	Critical Control Limit (CCL)	Monitoring Process and/or Procedures	Response Procedures
				<ul style="list-style-type: none"> <li>Follow corrective actions required by O.Reg. 170/03.</li> </ul>

## Risk Assessment - Hazard Analysis & Critical Control Points

### Work Sheet No. & Description

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### Definitions of the abbreviations found in the Hazard Analysis & Critical Control Point Work Sheet:

- **SOP** - Standard Operating Procedures
- **CCP** – Critical Control Point
- **MECP** - Ministry of the Environment, Conservation and Parks
- **MOH** - Medical Officer of Health
- **SAC** - Spills Action Centre (a division of MECP Emergency Management)
- **WUCTP** - Windsor Utilities Commission Water Treatment Plant
- **Cl<sub>2</sub>** – Chlorine
- **SCADA** - Supervisory Control and Data Acquisition

## Hazard Analysis & Critical Control Points

### Work Sheet No. 1: Contamination of Source Water

Contamination of Source Water			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Source Water (Windsor Utilities Commission)</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Contamination of Source Water (water supply shortfall)</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Physical</li> <li>Biological</li> <li>Chemical</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>No Control</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Weekly sampling throughout distribution system as per mandatory under O.Reg.170/03</li> <li>On-line monitoring at (WUCTP)</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Follow SOP <i>Bad Sample or Adverse Water Quality</i></li> <li>Contacting MECP, MOH &amp; SAC</li> <li>Communication with the (WUCTP)</li> <li>Conducting all sampling and testing as necessary or directed at points in the distribution system under the direction of the MOH</li> </ul>			
Risk Analysis Ranking		RISK ANALYSIS	RANKING
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 [A] + [B] + [C] = Total	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11 = HIGH 12 to 15 = VERY HIGH	Likelihood	1
		Consequence	4
		Detectability	2
		<b>(High Risk Threshold = 8)</b>	<b>Total = 7 (CCP = No)</b>
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>There is no control for source water spills. However, there are ongoing sampling and monitoring programs; along with contingency plans, as noted above.</li> <li>Emergency Response Procedures: <ul style="list-style-type: none"> <li>✓ 2.1 Boil Water Advisory</li> <li>✓ 2.4 Contamination of Water Transmission System</li> <li>✓ 2.14 Water Shortage</li> <li>✓ 2.16 Establishing Potable Water Filling Stations</li> <li>✓ 2.20 Pandemic</li> </ul> </li> </ul>			

## Work Sheet No. 2: Vandalism/Tampering of Water Tower/Storage

Vandalism/Tampering of Water Tower/Storage			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Water Tower/ Storage</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Vandalism/ Tampering</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Biological</li> <li>Chemical</li> <li>Damage to equipment</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>None</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Security fence locked and gated</li> <li>Alarm system with SCADA</li> <li>Security Cameras</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>SCADA Alarm Procedures SOP</li> <li>Contact Emergency Services, MOH, MECP &amp; SAC</li> <li>Communicate drinking water advisory issued by MOH</li> <li>Sample water quality and take tower offline until two consecutive sample are negative within 48hrs</li> <li>Conduct sampling microbiological &amp; Cl<sub>2</sub> residual</li> <li>Contact WUCTP about closure of water valve for tower</li> </ul>			
<b>Risk Analysis Ranking</b>		<i>RISK ANALYSIS</i>	<i>RANKING</i>
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 [A] + [B] + [C] = Total	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11= HIGH 12 to 15 = VERY HIGH	<b>Likelihood</b>	1
		<b>Consequence</b>	4
		<b>Detectability</b>	1
		<b>(High Risk Threshold = 8)</b>	<b>Total= 6 (CCP = No)</b>
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>There are redundant security measures, including: secure fencing, intrusion alarms, SCADA monitoring related to Cl<sub>2</sub> residual, and other measures as noted above. Also, contingency plans exist, as noted above.</li> <li>Emergency Response Procedures: <ul style="list-style-type: none"> <li>✓ 2.1 Boil Water Advisory</li> <li>✓ 2.4 Contamination of Water Transmission System</li> <li>✓ 2.5 Emergency Evacuation</li> <li>✓ 2.6 Illegal Entry / Vandalism</li> <li>✓ 2.9 Bomb Threat at any Water Facility</li> <li>✓ 2.14 Water Shortage</li> <li>✓ 2.16 Establishing Potable Water Filling Stations</li> <li>✓ 2.20 Pandemic</li> </ul> </li> </ul>			

**Work Sheet No. 3: Biofilm and Sediment Build-up in Water Tower/Storage**

Biofilm and Sediment Build-up in Water Tower/Storage			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Water Tower/ Storage</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Biofilm and sediment buildup</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Biological</li> <li>Contamination</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>None</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Inspection of tower 5 years as prescribed AWWA standards or per legislation</li> <li>Monitoring water levels</li> <li>Sampling testing of chlorine residuals weekly</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Cleaning tower using a qualified contractor</li> </ul>			
Risk Analysis Ranking		RISK ANALYSIS	RANKING
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 [A] + [B] + [C] = Total	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11= HIGH 12 to 15 = VERY HIGH	Likelihood	1
		Consequence	3
		Detectability	3
		(High Risk Threshold = 8)	
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>There is an assessment of tower reliability: 5-year inspection program; and tower cleaning in response to issues once every 5 years. Ongoing sampling and monitoring programs as noted above.</li> </ul>			

## Work Sheet No. 4: Terrorism

Terrorism			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Water Tower/ Storage</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Terrorism</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Biological</li> <li>Chemical</li> <li>Damage to equipment</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>None</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Security fence locked and gated</li> <li>Alarm system with SCADA</li> <li>Security Cameras</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Contact Emergency Services, MOH, MECP &amp; SAC</li> <li>Communicate drinking water advisory issued by MOH</li> <li>Sample water quality and take tower offline until two consecutive sample are negative within 48hrs)</li> <li>Conduct sampling microbiological &amp; Cl<sub>2</sub> residual</li> <li>Contact WUCTP about closure of water valve for tower</li> </ul>			
Risk Analysis Ranking		RISK ANALYSIS	RANKING
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 [A] + [B] + [C] = Total	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11= HIGH 12 to 15 = VERY HIGH	Likelihood	1
		Consequence	5
		Detectability	1
		(High Risk Threshold = 8)	Total= 7 (CCP = No)
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>There are redundant security measures, including: secure fencing, intrusion alarms, SCADA monitoring related to Cl<sub>2</sub> residual, and other measures as noted above.</li> <li>Emergency Response Procedures:               <ul style="list-style-type: none"> <li>✓ 2.5 Emergency Evacuation</li> <li>✓ 2.6 Illegal Entry / Vandalism</li> <li>✓ 2.9 Bomb Threat at any Water Facility</li> <li>✓ 2.14 Water Shortage</li> <li>✓ 2.16 Establishing Potable Water Filling Stations</li> <li>✓ 2.20 Pandemic</li> </ul> </li> </ul>			

### Work Sheet No. 5: Spills from Freight Trains on Railway Tracks

Spills from Freight Trains on Railway Tracks			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Water Tower/ Storage</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Spills from CN freight trains on VIA tracks.</li> </ul>			
<b>Potential Results of Hazard:</b> <div style="display: flex; justify-content: space-between;"> <ul style="list-style-type: none"> <li>Physical</li> <li>Chemical</li> </ul> <ul style="list-style-type: none"> <li>Biological</li> <li>Contamination</li> </ul> </div>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>No Control</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Alarm system with SCADA</li> <li>On-line monitoring at (WUCTP)</li> <li>Security Cameras</li> <li>Passenger &amp; Freight trains limited to max speed of 50mph zone</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Contact Emergency Services, MOH, MECP &amp; SAC</li> <li>Communicate drinking water advisory issued by MOH</li> <li>Sample water quality and take tower offline until two consecutive sample are negative within 48hrs</li> <li>Conduct sampling microbiological &amp; Cl<sub>2</sub> residual</li> <li>Contact WUCTP about closer of water tower</li> </ul>			
Risk Analysis Ranking		RISK ANALYSIS	RANKING
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 [A] + [B] + [C] = Total	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11= HIGH 12 to 15 = VERY HIGH	Likelihood	1
		Consequence	3
		Detectability	1
		<i>(High Risk Threshold = 8)</i>	<i>Total= 5 (CCP = No)</i>
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>There is no control for spills from freight trains. However, there are ongoing monitoring programs and contingencies, as noted above.</li> <li>Emergency Response Procedures: <ul style="list-style-type: none"> <li>✓ 2.1 Boil Water Advisory</li> <li>✓ 2.4 Contamination of Water Transmission System</li> <li>✓ 2.5 Emergency Evacuation</li> <li>✓ 2.8 Loss of Access to Facilities</li> <li>✓ 2.12 On-Site Injury</li> <li>✓ 2.14 Water Shortage</li> <li>✓ 2.16 Establishing Potable Water Filling Stations</li> </ul> </li> </ul>			

**Work Sheet No. 6: Power Failure (Affecting Control Systems)**

Power Failure (Affecting Control Systems)			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Control Systems</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Power failure (power loss in general and also from extreme weather conditions (tornadoes / ice storms))</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Loss of SCADA network</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>None</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>UPS battery backup at monitoring stations</li> <li>UPS battery backup on server</li> <li>System alarmed</li> <li>Backup generator for server – natural gas generator, tested at least once per month</li> <li>Regular daily scheduled working days SCADA system checks</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Data is backed up daily onto main server</li> </ul>			
<b>Risk Analysis Ranking</b>		<b>RISK ANALYSIS</b>	<b>RANKING</b>
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 <b>[A] + [B] + [C] = Total</b>	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11 = HIGH 12 to 15 = VERY HIGH	<b>Likelihood</b>	1
		<b>Consequence</b>	2
		<b>Detectability</b>	1
		<b>(High Risk Threshold = 8)</b>	
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>Controls, reliability and redundancy measures exist as described above.</li> <li>Emergency Response Procedures:               <ul style="list-style-type: none"> <li>✓ 2.7 Interruption of SCADA Components;</li> <li>✓ 2.15 Failure of Control Systems;</li> <li>✓ 2.18 Equipment Failure</li> </ul> </li> </ul>			



## Work Sheet No. 7: Loss of Communication/Control

Loss of Communication/Control			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Control of System</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Loss of Communications/Control (loss in general and also from extreme weather conditions (tornadoes / ice storm))</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Failure of business telephone lines</li> <li>Failure of local telephone provider's circuit connections, radio signals, and Ethernet connections</li> <li>Failure of cellular telephones</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>Refer to the Failure of Control Systems section of The Corporation of the Town of Tecumseh Water Division Emergency Response Plan</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>The response procedure for long-term failure of control systems and communication networks is detailed in the Failure of Control Systems section of The Corporation of the Town of Tecumseh Water Division Emergency Response Plan</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Follow the response procedure for long-term failure of control systems and communication networks in The Corporation of the Town of Tecumseh Water Division Emergency Response Plan</li> </ul>			
Risk Analysis Ranking		RISK ANALYSIS	RANKING
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 <b>[A] + [B] + [C] = Total</b>	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11 = HIGH 12 to 15 = VERY HIGH	Likelihood	1
		Consequence	5
		Detectability	1
		<b>(High Risk Threshold = 8)</b>	
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>There are redundant communications systems in place for SCADA controls: fiber optic is main supply with cellular back-up.</li> <li>Emergency Response Procedures:               <ul style="list-style-type: none"> <li>✓ 2.7 Interruption of SCADA Components</li> <li>✓ 2.15 Failure of Control Systems</li> <li>✓ 2.18 Equipment Failure</li> </ul> </li> </ul>			

## Work Sheet No. 8: Watermain Breaks within the Distribution System

Watermain Breaks within the Distribution System			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Distribution</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Watermain breaks within the distribution system</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Physical</li> <li>Biological</li> <li>Chemical</li> <li>Quantity</li> <li>Quality</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>No elevated distribution system; Tecumseh tower and continuously pumping from WUCTP needed</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Customer complaints; low pressure or visual inspection</li> <li>General inspection of distribution system</li> <li>Controlling valves, looping and replacing watermain</li> <li>SCADA alarm system</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Customer complaints; low pressure or visual inspection</li> <li>General inspection of distribution system</li> <li>Controlling valves, looping and replacing watermain</li> </ul>			
<b>Risk Analysis Ranking</b>		<i>RISK ANALYSIS</i>	<i>RANKING</i>
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 [A] + [B] + [C] = Total	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11 = HIGH 12 to 15 = VERY HIGH	<b>Likelihood</b>	4
		<b>Consequence</b>	2
		<b>Detectability</b>	3
		<b>(High Risk Threshold = 8)</b>	
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>System reliability evaluations are regularly carried out as noted above.</li> <li>There is a need for response procedures because the Risk Analysis Ranking value is greater than the high-risk threshold.</li> <li>Follow SOP <i>Watermain Repair Category 1-2</i></li> <li>Emergency Response Procedures: <ul style="list-style-type: none"> <li>✓ 2.1 Boil Water Advisory;</li> <li>✓ 2.3 Loss of Primary Disinfection;</li> <li>✓ 2.4 Contamination of Water Transmission System;</li> <li>✓ 2.11 Watermain Break</li> <li>✓ 2.13 Street Flooding Due to Watermain Break</li> <li>✓ 2.17 Damage to Main Supply Transmission Line</li> </ul> </li> </ul>			

### Work Sheet No. 9: Loss of Chlorine Residual (Secondary Disinfection)

Loss of Chlorine Residual (Secondary Disinfection)			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Distribution</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Loss of chlorine residual (secondary disinfection)</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Biological</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>Legislated under O.Reg. 170/03</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Weekly monitoring chlorine residuals throughout the distribution system</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Flush affected area to increase Cl<sub>2</sub> residual</li> <li>Follow corrective actions required by O.Reg. 170/03.</li> <li>Resample and follow corrective action as per SOP</li> </ul>			
<b>Risk Analysis Ranking</b>		<i>RISK ANALYSIS</i>	<i>RANKING</i>
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 <i>[A] + [B] + [C] = Total</i>	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11 = HIGH 12 to 15 = VERY HIGH	<b>Likelihood</b>	2
		<b>Consequence</b>	3
		<b>Detectability</b>	3
		<b>(High Risk Threshold = 8)</b>	<b>Total= 8</b> <b>(CCP = Yes)</b>
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>There is a need for control procedures because the Risk Analysis Ranking value is greater than the High-Risk Threshold, and through the CCP Decision Tree, maintenance of chlorine residual / secondary disinfection is determined to be a critical control point.</li> <li>Requirements for corrective action under O.Reg.170/03</li> <li>Follow SOP for <i>Low Chlorine Result Procedure</i></li> <li>Emergency Response Procedures:               <ul style="list-style-type: none"> <li>✓ 2.1 Boil Water Advisory;</li> <li>✓ 2.2 Adverse Laboratory Water Quality Results;</li> <li>✓ 2.3 Loss of Primary Disinfectant (Chlorine);</li> <li>✓ 2.14 Water Shortage;</li> <li>✓ 2.16 Establishing Potable Water Filling Stations</li> </ul> </li> </ul>			

**Work Sheet No. 10: Commissioning New Watermains Causing Contamination**

Commissioning New Watermains Causing Contamination			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Distribution</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Commissioning new watermains causing contamination</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Biological</li> <li>Chemical</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>None</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Follow SOP's as per <i>Commissioning New Watermain</i></li> <li>Check Cl<sub>2</sub> residuals</li> <li>Take microbiological testing</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Follow corrective action as per O.Reg.170/03</li> <li>If necessary, communicate issuance of boil water after consultation with MOH</li> </ul>			
Risk Analysis Ranking		RISK ANALYSIS	RANKING
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 <i>[A] + [B] + [C] = Total</i>	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11 = HIGH 12 to 15 = VERY HIGH	Likelihood	1
		Consequence	3
		Detectability	1
		<i>(High Risk Threshold = 8)</i>	
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>While the high-risk threshold was not reached for this hazardous event, "Commissioning New Watermains causing contamination" is determined a critical control point (following the CCP Decision Tree) because it can directly introduce contamination to the distribution system and can be controlled with proper disinfection.</li> <li>Follow control procedures as noted above.</li> <li>Emergency Response procedures:               <ul style="list-style-type: none"> <li>✓ 2.1 Boil Water Advisory (if bacteriological)</li> <li>✓ 2.2 Adverse Laboratory Water Quality Results;</li> <li>✓ 2.4 Contamination of Water Transmission System</li> <li>✓ 2.11 Watermain Break</li> <li>✓ 2.14 Water Shortage</li> <li>✓ 2.16 Establishing Potable Water Filling Stations</li> </ul> </li> </ul>			

### Work Sheet No. 11: Loss of Pressure Resulting from a Watermain Break

Loss of Pressure Resulting from a Watermain Break			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Distribution</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Loss of pressure due to watermain break</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Biological</li> <li>Chemical</li> </ul> <ul style="list-style-type: none"> <li>Physical</li> <li>Low pressure back-siphoning</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>None</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Consumer complaints</li> <li>Pressure gauges on boundary meters and tower monitored and alarmed by SCADA</li> <li>Backflow prevention by-law and program</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Check pressures in affected area. If necessary, discuss with MOH and MECP/SAC</li> <li>If necessary, issue water advisory in consultation with MOH as per SOP</li> <li>Restore pressure and chlorine residuals and conduct testing and sampling in effected area</li> <li>Notify (WUCTP) of low-pressure alarms</li> </ul>			
Risk Analysis Ranking		RISK ANALYSIS	RANKING
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 <i>[A] + [B] + [C] = Total</i>	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11 = HIGH 12 to 15 = VERY HIGH	Likelihood	2
		Consequence	4
		Detectability	1
		<i>(High Risk Threshold = 8)</i>	<b>Total= 7 (CCP = Yes)</b>
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>System reliability / redundancy measures are in place, as noted in monitoring and control measures above.</li> <li>While the high-risk threshold was not reached for this hazardous event, backflow prevention is considered CCP's (following CCP Decision Tree) – as contaminants can be directly introduced to distribution system and with pressure and backflow prevention program monitoring and response, could be prevented.</li> <li>Follow SOP <i>Watermain Repair Category 2</i></li> <li>Emergency Response procedures:               <ul style="list-style-type: none"> <li>✓ 2.2 Adverse Laboratory Water Quality Results;</li> <li>✓ 2.4 Contamination of Water Transmission System</li> <li>✓ 2.14 Water Shortage</li> <li>✓ 2.16 Establishing Potable Water Filling Stations</li> </ul> </li> </ul>			

## Work Sheet No. 12: Bacteriological Test Failure

Bacteriological Test Failure			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Distribution</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Bacteriological test failure</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Biological</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>Legislated under O.Reg. 170/03</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Weekly monitoring: bacteriological testing throughout the distribution system</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Contact MOH, MECP &amp; SAC</li> <li>Communicate water advisory issued by MOH</li> <li>Sample water quality and take tower offline until two consecutive sample are negative within 48hrs</li> <li>Flush affected area to increase Cl<sub>2</sub> residual</li> <li>Follow corrective actions required by O.Reg. 170/03.</li> <li>Follow SOP <i>Bad Sample or Adverse Water Quality</i></li> </ul>			
<b>Risk Analysis Ranking</b>		<b>RISK ANALYSIS</b>	<b>RANKING</b>
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 [A] + [B] + [C] = Total	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11 = HIGH 12 to 15 = VERY HIGH	<b>Likelihood</b>	3
		<b>Consequence</b>	3
		<b>Detectability</b>	2
		<b>(High Risk Threshold = 8)</b>	
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>There is a need for control procedures because the Risk Analysis Ranking value is greater than the high-risk threshold and is determined a CCP (through CCP Decision Tree) because contamination is direct to distribution system and response and contingency actions can be taken to address the issue.</li> <li>Requirements for corrective action under O.Reg.170/03</li> <li>Emergency Response Procedures:               <ul style="list-style-type: none"> <li>✓ 2.1 Boil Water Advisory;</li> <li>✓ 2.2 Adverse Laboratory Water Quality Results;</li> <li>✓ 2.3 Loss of Primary Disinfection (Chlorine)</li> <li>✓ 2.14 Water Shortage;</li> <li>✓ 2.16 Establishing Potable Water Filling Stations</li> </ul> </li> </ul>			

**Work Sheet No. 13: Failure of Backflow Prevention Device**

Failure of Backflow Prevention Device			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Distribution</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Failure of Backflow Prevention Device</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Biological</li> <li>Chemical</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>Backflow preventers on all connections of concern</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Visual on- site inspection</li> <li>Backflow prevention by-law and program</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>If backflow is suspected, report to MOH and MECP, SAC</li> <li>Isolate area. Flush the system and sample as needed. Re-pressurize system</li> </ul>			
Risk Analysis Ranking		RISK ANALYSIS	RANKING
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 <i>[A] + [B] + [C] = Total</i>	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11= HIGH 12 to 15 = VERY HIGH	Likelihood	1
		Consequence	4
		Detectability	4
		<i>(High Risk Threshold = 8)</i>	<b>Total= 9 (CCP = Yes)</b>
<b>Control Procedure</b> Backflow prevention is considered a CCP (following CCP Decision Tree) – as contaminants can be directly introduced to distribution system and with pressure and backflow prevention program monitoring and response, could be prevented. <ul style="list-style-type: none"> <li>Emergency Response procedures:               <ul style="list-style-type: none"> <li>✓ 2.1 Boil Water Advisory (if bacteriological contamination);</li> <li>✓ 2.2 Adverse Laboratory Water Quality Results;</li> <li>✓ 2.4 Contamination of Water Transmission System</li> <li>✓ 2.14 Water Shortage</li> <li>✓ 2.15 Failure of Control Systems</li> <li>✓ 2.16 Establishing Potable Water Filling Stations</li> <li>✓ 2.18 Equipment Failure</li> </ul> </li> </ul>			

### Work Sheet No. 14: Adverse Drinking Water Lead Results

Adverse Drinking Water Lead Results			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Distribution</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Adverse drinking water lead results</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Biological</li> <li>Chemical</li> <li>Positive lead sample from testing</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>Will follow legislations and Regulations as mandated by the MECP</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Follow SOP <i>Community Lead Testing Program</i></li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>O.Reg. 170/03 mandating every water system in Ontario to test for lead in the drinking water</li> </ul>			
Risk Analysis Ranking		RISK ANALYSIS	RANKING
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 <i>[A] + [B] + [C] = Total</i>	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11 = HIGH 12 to 15 = VERY HIGH	Likelihood	1
		Consequence	2
		Detectability	2
		<i>(High Risk Threshold = 8)</i>	<b>Total= 5 (CCP = No)</b>
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>There is no need for control procedures because the Risk Analysis Ranking value is less than the high-risk threshold.</li> <li>Emergency Response procedures:               <ul style="list-style-type: none"> <li>✓ 2.2 Adverse Laboratory Water Quality Results</li> </ul> </li> </ul>			



**Work Sheet No. 15: Extreme Cold/Heat/Long-term Impacts of Climate Change**

Extreme Cold/Heat/Long-term Impacts of Climate Change			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Distribution</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Extreme cold / heat / long-term impacts of climate change (including frozen pipes, potential for wildfires)</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Maintain fire protection</li> <li>No access to water from the distribution system if pipes are frozen</li> <li>Maintain reliable and safe drinking water to customers</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>None</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>SCADA (re: major fire); freezing conditions (re: alarms for water tower boundary meters)</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Emergency Response Plan</li> </ul>			
Risk Analysis Ranking		RISK ANALYSIS	RANKING
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 <i>[A] + [B] + [C] = Total</i>	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11 = HIGH 12 to 15 = VERY HIGH	Likelihood	1
		Consequence	1
		Detectability	1
		<i>(High Risk Threshold = 8)</i>	
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>There is no need for control procedures because the Risk Analysis Ranking value is less than the high-risk threshold.</li> <li>Emergency Response procedures:               <ul style="list-style-type: none"> <li>✓ 2.14 Water Shortage</li> <li>✓ 2.16 Establishing Potable Water Filling Stations</li> <li>✓ 2.19 Serve Storm (tornado, Wind, Hurricane, Winter Storm etc.)</li> </ul> </li> </ul>			

**Work Sheet No. 16: Loss of Pressure Resulting from Major Fire**

Loss of Pressure Resulting from Major Fire			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Distribution</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Loss of pressure due to major fire</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Physical</li> <li>Chemical</li> </ul> <ul style="list-style-type: none"> <li>Low pressure back-siphoning</li> <li>Biological</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>None</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Notification from the fire department</li> <li>Consumer complaints</li> <li>Pressure gauges on boundary meters and tower monitored and alarmed by SCADA</li> <li>Backflow prevention</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Check pressures in effected area. If necessary, discuss with MOH and MECP/SAC</li> <li>If necessary, issue water advisory with consultation of MOH as per SOP <i>Bad Sample or Adverse Water Quality</i></li> <li>Restore pressure and chlorine residuals and conduct testing and sampling in effected area</li> <li>Notify (WUCTP) of low-pressure alarms</li> </ul>			
Risk Analysis Ranking		RISK ANALYSIS	RANKING
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 <i>[A] + [B] + [C] = Total</i>	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11= HIGH 12 to 15 = VERY HIGH	Likelihood	1
		Consequence	3
		Detectability	1
		<i>(High Risk Threshold = 8)</i>	<b>Total= 5 (CCP = Yes)</b>
<b>Control Procedure</b> Backflow prevention is considered a CCP (following CCP Decision Tree) – as contaminants can be directly introduced to distribution system and with pressure and backflow prevention program monitoring and response, could be prevented. <ul style="list-style-type: none"> <li>Emergency Response procedures:               <ul style="list-style-type: none"> <li>✓ 2.1 Boil Water Advisory (if bacteriological contamination);</li> <li>✓ 2.2 Adverse Laboratory Water Quality Results;</li> <li>✓ 2.4 Contamination of Water Transmission System</li> <li>✓ 2.10 Major Fire at any Facility</li> <li>✓ 2.14 Water Shortage</li> <li>✓ 2.16 Establishing Potable Water Filling Stations</li> </ul> </li> </ul>			

## Work Sheet No. 17: Loss of System Pressure

Loss of System Pressure			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Distribution</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Loss of system pressure</li> </ul>			
<b>Potential Results of Hazard:</b> <ul style="list-style-type: none"> <li>Physical</li> <li>Chemical</li> </ul> <ul style="list-style-type: none"> <li>Low pressure back-siphoning</li> <li>Biological</li> </ul>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>None</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Consumer complaints</li> <li>Pressure gauges on boundary meters and tower monitored and alarmed by SCADA</li> <li>Backflow prevention</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Check pressures in effected area If necessary discuss with MOH and MECP/SAC</li> <li>If necessary, issue water advisory with consultation of MOH as per SOP <i>Bad Sample or Adverse Water Quality</i></li> <li>Restore pressure and chlorine residuals and conduct testing and sampling in effected area</li> <li>Notify (WUCTP) of low pressure alarms</li> </ul>			
Risk Analysis Ranking		RISK ANALYSIS	RANKING
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 <i>[A] + [B] + [C] = Total</i>	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11= HIGH 12 to 15 = VERY HIGH	Likelihood	1
		Consequence	3
		Detectability	1
		<i>(High Risk Threshold = 8)</i>	
<b>Control Procedure</b> Backflow prevention is considered a CCP (following CCP Decision Tree) – as contaminants can be directly introduced to distribution system and with pressure and backflow prevention program monitoring and response, could be prevented. <ul style="list-style-type: none"> <li>Emergency Response procedures:               <ul style="list-style-type: none"> <li>✓ 2.1 Boil Water Advisory (if bacteriological contamination);</li> <li>✓ 2.2 Adverse Laboratory Water Quality Results;</li> <li>✓ 2.4 Contamination of Water Transmission System</li> <li>✓ 2.14 Water Shortage</li> <li>✓ 2.16 Establishing Potable Water Filling Stations</li> </ul> </li> </ul>			

## Work Sheet No. 18: Staff Shortage

Staff Shortage			
<b>Activity or Process Step:</b> <ul style="list-style-type: none"> <li>Distribution</li> </ul>			
<b>Description of Hazard:</b> <ul style="list-style-type: none"> <li>Staff shortage (due to lottery, retirements, Illness /Pandemic, Strike/Lock-out)</li> </ul>			
<b>Potential Results of Hazard:</b> <div style="display: flex; justify-content: space-between; margin-left: 20px;"> <ul style="list-style-type: none"> <li>Physical</li> <li>Chemical</li> </ul> <ul style="list-style-type: none"> <li>Biological</li> </ul> </div>			
<b>Comments:</b> <ul style="list-style-type: none"> <li>No Control</li> </ul>			
<b>Available Monitoring &amp; Control Measures:</b> <ul style="list-style-type: none"> <li>Collective Agreements for both outside and inside workers</li> <li>Attendance/medical records</li> <li>MOH health advisory's</li> <li>Town's Wellness Committee</li> </ul>			
<b>Emergency Procedure or Contingency Plan:</b> <ul style="list-style-type: none"> <li>Having the proper amount of Water Operators</li> <li>The ORO has a Class III Water Distribution Operators License</li> <li>The ORO has the required competencies to maintain the water distribution system.</li> <li>Town of Tecumseh Water Division Emergency Response Plan</li> <li>Will contract outside license water operators to assist the ORO if necessary</li> </ul>			
Risk Analysis Ranking		RISK ANALYSIS	RANKING
[A] LIKELIHOOD 1 to 5 [B] CONSEQUENCE 1 to 5 [C] DETECTABILITY 1 to 5 [A] + [B] + [C] = Total	3 to 5 = LOW 6 to 7 = MODERATE 8 to 11= HIGH 12 to 15 = VERY HIGH	Likelihood	1
		Consequence	4
		Detectability	1
		(High Risk Threshold = 8)	Total= 6 (CCP = No)
<b>Control Procedure</b> <ul style="list-style-type: none"> <li>Adequate staffing levels assured through personnel coverage, competency requirements achieved, and other monitoring, control and contingency measures identified above.</li> </ul>			

## Appendix 5 – Essential Supplies and Services

A list of supplies and services has been developed and is provided below. The list includes suppliers / service providers for each essential supply and service. A secondary source is also listed for each supply and service to ensure supplies and services are available as needed. This list is reviewed by the Manager, Water and Wastewater to ensure that it is current and up-to-date.

All supplies and services shall meet AWWA and NSF/ANSI standards; these purchases must be in accordance with the Town of Tecumseh By-Law 2017-63, a by-law to govern procurement and procedures.

Essential Supplies and Service List		
Product/Service	Primary Source	Secondary Source
Treated Drinking Water Supply	Windsor Utilities Commission P.O. Box 1625, Station A 4545 Rhodes Drive Windsor, ON N8W 5T1 Tel: 519-251-7300 Fax: 519-255-7423 www.enwin.com	Refer to the Water Division Emergency Response Plan Section 2, Sub-Section 2.16 “Establishing Potable Water Filling Stations”
Accredited Laboratory Services	Caduceon Environmental Laboratories 3201 Marentette Ave. Windsor, ON N8X 4G3 Tel: 519-966-9541 Fax: 519-966-9567 contactwindsor@caduceonlabs.com	SGS Environmental Services 657 Consortium Crt. London, ON N6E 2S8 Tel: 519-672-4500 Fax: 519-672-0361 emily.crowey@sgs.com
Instrumentation Calibration	SCG Flowmetrix 2088 Jetstream Rd London, ON N5V 3P6 Tel: 519-870-3569 Fax: 519-268-3459 service@flowmetrix.ca	ACI Instrumentation Limited 14 Gormley Industrial Ave, Unit 5 Gormley, ON L0H 1G0 Tel: 905-888-0063 Fax: 905-888-6381 bhadesa@aciltd.ca
Meter Supply & Service	Evans Utility and Municipal Products Supply Limited 338 Neptune Crescent London, ON N6M 1A1 Tel: 519-453-6515 Fax: 519-453-7756 www.evansupply.com	Emco Waterworks 5255 County Rd 42 Windsor, ON N8N 2M1 Tel: 519-944-3626 Fax: 519-948-4210 www.emcoltd.com

<b>Essential Supplies and Service List</b>		
<b>Product/Service</b>	<b>Primary Source</b>	<b>Secondary Source</b>
AMR/ERT Supply & Service	Emco Waterworks 5255 County Rd 42 Windsor, ON N8N 2M1 Tel: 519-944-3626 Fax: 519-948-4210 www.emcoltd.com	Itron Headquarters 2111 N Molter Rd Liberty Lake, WA 99019 Tech Support 1-877-487-6602 <a href="mailto:Chris.Jay@wolseleyinc.ca">Chris.Jay@wolseleyinc.ca</a>
Health & Safety Supplies	Great Lakes Safety Supply 3303 Walker Rd. Windsor, ON N8W 3R9 Tel: 519-972-6605 Fax: 519-972-6620 sales@glspi.com	HD Supply 3350 North Talbot Rd. Tecumseh, ON Tel: 519-737-7023 Fax: 519-737-9157 Meredith.stpierre@hdsupply.com
SCADA & Instrumentation	Summa Engineering Limited 3230 American Drive Mississauga, ON L4V 1B3 Tel: 905-678-3388 Fax: 905-678-0444 www.summaeng.com	Onyx Engineering Ltd. 2960 Jefferson Blvd. Windsor, ON N8T 3J2 Tel: 519-948-4324 sales@onyxengineering.com
Construction Contracting Services	Coco Paving Inc. 6725 South Service Road East Windsor, ON N8N 2M1 Tel: 519-948-7133 Fax: 519-948-7469 www.cocogroup.com	Amico Contracting and Engineering 2199 Blackacre Drive Oldcastle, ON N0R 1L0 Tel: 519-737-1577 Fax: 519-737-1929 sdraper@triamico.com
Distribution Parts	Emco Waterworks 5255 County Rd 42 Windsor, ON N8N 2M1 Tel: 519-944-3626 Fax: 519-948-4210 www.emcoltd.com	Underground Specialties Wolseley 5340 Walker Road Oldcastle, ON N0R 1L0 Tel: 519737-1263 Fax: 519-737-1712 bob.bezaire@wolseleyinc.ca
Disinfectant (Sodium Hypochlorite)	Emco Waterworks 5255 County Rd 42 Windsor, ON N8N 2M1 Tel: 519-944-3626 Fax: 519-948-4210 www.emcoltd.com	Underground Specialties Wolseley 5340 Walker Road Oldcastle, ON N0R 1L0 Tel: 519737-1263 Fax: 519-737-1712 bob.bezaire@wolseleyinc.ca

Essential Supplies and Service List		
Product/Service	Primary Source	Secondary Source
Water Testing Supplies	SCG Flowmetrix 2088 Jetstream Rd London, ON N5V 3P6 Tel: 519-870-3569 Fax: 519-268-3459 service@flowmetrix.ca	Hach Canada 3020 Gore Rd London, ON N5V 4T7 Tel: 800-665-7635 Fax: 866-259-0984 <a href="http://www.ca.hach.com">www.ca.hach.com</a>
Locators	Ontario One Call 104 Cooper Dr, Suite 1 Guelph, ON N1C 1C3 Tel: 800-400-2255 solutions@accu-link.ca	G-Tel Engineering 1150 Frances Street London, ON N5W 5N5 Tel: 866-692-0208 Fax: 866-692-0809 bgowan@gtel.ca
Communications Supplies	Information Services Corporation of the Town of Tecumseh 917 Lesperance Road Tecumseh, ON N8N 1W9 Tel: 519-735-2184 sfuerth@tecumseh.ca	Kelcom 363 Eugenie St. E. Windsor, ON N8X 2Y2 Tel: 519-250-5070 www.kelcom.com
Computer Systems Supplies	Information Services Corporation of the Town of Tecumseh 917 Lesperance Road Tecumseh, ON N8N 1W9 Tel: 519-735-2184 sfuerth@tecumseh.ca	Summa Engineering Limited 3230 American Drive Mississauga, ON L4V 1B3 Tel: 905-678-3388 Fax: 905-678-0444 <a href="http://www.summaeng.com">www.summaeng.com</a>  ONYX Engineering 2960 Jefferson Blvd. Windsor, ON N8T 3J2 Tel: 519-948-4324 Ext 210 Fax: 519-948-4840
Answering Service	Environmental Services Corporation of the Town of Tecumseh 917 Lesperance Road Tecumseh, ON N8N 1W9 Tel: 519-735-2184	After hour call Kelcom answering service Tel: 519-971-2866

## Appendix 6 Public Works & Environmental Services Capital Works Plan



### The Corporation of the Town of Tecumseh

Public Works & Environmental Services

**To:** Mayor and Members of Council  
**From:** Phil Bartnik, Director Public Works & Environmental Services  
**Date to Council:** December 8, 2020  
**Report Number:** PWES-2020-33  
**Subject:** Pre-Approval of 2021 Public Works & Environmental Services Capital Works Projects

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#### Recommendations

It is recommended:

**That** the following Public Works & Environmental Services projects for the 2021 year, **be approved:**



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Pre-Approval of 2021 Public Works & Environmental Services Capital Works Projects

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	Previously Approved	Requested for 2021	Future Costs	Total Costs
<b>Sidewalk Projects</b>				
1. Sidewalk Repair Program - Various Locations	\$ -	\$ 69,000	\$ -	\$ 69,000
Sub-Total	\$ -	\$ 69,000	\$ -	\$ 69,000
Grants:	\$ -	\$ -	\$ -	\$ -
Recoveries:	\$ -	\$ -	\$ -	\$ -
<b>Sidewalk Lifecycle Reserve:</b>	\$ -	\$ 69,000	\$ -	\$ 69,000
<b>New Infrastructure</b>				
1. Riverside Drive Trail	\$ 850,000	\$ 351,800	\$ -	\$ 1,201,800
2. CR42: CR19 to CR43 (Sidewalks and Bike Lanes)	\$ 90,000	\$ -	\$ 618,500	\$ 708,500
3. Lesperance Road Trail (CR22 to CR42)	\$ -	\$ 137,500	\$ 1,066,500	\$ 1,204,000
4. Malden Road Pathway Extension	\$ -	\$ 25,000	\$ -	\$ 25,000
5. CVWATS Study - Pike Creek/Tecumseh Road	\$ 6,000	\$ -	\$ -	\$ 6,000
Sub-Total:	\$ 946,000	\$ 514,300	\$ 1,685,000	\$ 3,145,300
Grants:	\$ -	\$ -	\$ 466,707	\$ 466,707
Recoveries:	\$ -	\$ -	\$ -	\$ -
<b>Infrastructure Reserve:</b>	\$ 946,000	\$ 514,300	\$ 1,218,293	\$ 2,678,593

Drinking Water Quality Management System  
Water Division Operational Plan Version 11 (Endorsed February 23, 2021)

Report No: PWES-2020-33

Pre-Approval of 2021 Public Works & Environmental Services Capital Works Projects

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	Previously Approved	Requested for 2021	Future Costs	Total Costs
<b>Road Projects</b>				
1. Road Paving - Tar & Chip	\$ -	\$ 100,000	\$ -	\$ 100,000
2. Road Paving - Asphaltting	\$ -	\$ 1,100,000	\$ -	\$ 1,100,000
3. Road Paving - Crack Sealing	\$ -	\$ 100,000	\$ -	\$ 100,000
4. TTMP Bicycle Sharrows	\$ -	\$ 15,000	\$ -	\$ 15,000
5. CR42/43 Construction	\$ 22,450	\$ -	\$ 24,850	\$ 47,300
6. Tecumseh Hamlet SPA EA FSR	\$ 30,250	\$ 67,750	\$ -	\$ 98,000
7. Tecumseh Sigange Project	\$ 16,000	\$ -	\$ -	\$ 16,000
8. Lesperance/VIA Rail Improvements	\$ 155,000	\$ 1,279,300	\$ -	\$ 1,434,300
9. Tecumseh Road CIP - Streetscape Plan & Final Design	\$ 1,422,640	\$ -	\$ 27,908,927	\$ 29,331,567
10. Manning Road/ETLD Drain Relocation - Phase 2	\$ 54,500	\$ 787,900	\$ -	\$ 842,400
11. Manning Road Reconstruction - Phase 3	\$ 225,500	\$ 100,000	\$ 6,578,400	\$ 6,903,900
12. Sylvestre Drive Sanitary Sewer Extension	\$ 94,000	\$ -	\$ 1,020,000	\$ 1,114,000
13. Brighton Road Traffic Improvements	\$ -	\$ 30,000	\$ -	\$ 30,000
14. Various Watermain Replacement Projects 2021	\$ -	\$ 23,100	\$ -	\$ 23,100
15. Scully & St. Mark's Storm PS/Riverside Drive	\$ 43,600	\$ 84,000	\$ 1,400,400	\$ 1,528,000
16. Cty Rd 46/Webster/Laval Sanitary Sewer Extension	\$ 120,750	\$ -	\$ 1,982,050	\$ 2,102,800
17. Del Duca Drive Sanitary Sewer	\$ 92,450	\$ 20,000	\$ 1,336,050	\$ 1,448,500
18. Lanoue Street Improvements	\$ 363,300	\$ 125,000	\$ 503,200	\$ 991,500
19. Tecumseh Road Sanitary Sewer	\$ 404,500	\$ -	\$ -	\$ 404,500
20. Tecumseh Road Path - Arlington to DM Eagle	\$ 100,000	\$ -	\$ -	\$ 100,000
21. Traffic Signal Controller Update	\$ 150,000	\$ -	\$ -	\$ 150,000
22. Expansion/Improvements PVV Yard (North)	\$ 30,000	\$ 30,000	\$ -	\$ 60,000
23. CP/Lesperance Crossing Improvements	\$ -	\$ 30,000	\$ -	\$ 30,000
24. Traffic Calming Guideline Study	\$ 20,000	\$ -	\$ -	\$ 20,000
25. Annual Project Contingency	\$ -	\$ 250,000	\$ -	\$ 250,000
26. PJ Cecile Storm Pump Station	\$ -	\$ 14,000	\$ 260,000	\$ 274,000
Sub-Total:	\$ 3,344,940	\$ 4,156,050	\$ 41,013,877	\$ 48,514,867
Grants:	\$ -	\$ -	\$ 525,000	\$ 525,000
Recoveries:	\$ -	\$ -	\$ 1,295,000	\$ 1,295,000
<b>Road Lifecycle Reserve:</b>	\$ 3,344,940	\$ 4,156,050	\$ 39,193,877	\$ 46,694,867
<b>Bridge Projects</b>				
1. Bridge #1005 - Pike Creek Drain at Baseline Road	\$ -	\$ 250,000	\$ -	\$ 250,000
2. Culvert #42 - Snake Lane Road	\$ -	\$ 62,300	\$ 487,500	\$ 549,800
3. Culvert #53 - Snake Lane Road	\$ -	\$ 65,100	\$ 572,500	\$ 637,600
4. Culvert #54 - Snake Lane Road	\$ -	\$ 65,100	\$ 572,500	\$ 637,600
Sub-Total:	\$ -	\$ 442,500	\$ 1,632,500	\$ 2,075,000
Grants:	\$ -	\$ -	\$ -	\$ -
Recoveries:	\$ -	\$ -	\$ -	\$ -
<b>Bridges Lifecycle Reserve:</b>	\$ -	\$ 442,500	\$ 1,632,500	\$ 2,075,000

Drinking Water Quality Management System  
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	Previously Approved	Requested for 2021	Future Costs	Total Costs
<b>Water Projects</b>				
1. Tecumseh Road CIP - Streetscape Plan & Final Design	\$ 50,250	\$ -	\$ 1,292,686	\$ 1,342,936
2. Manning Road/ETLD Drain Relocation - Phase 2	\$ 31,000	\$ 1,038,300	\$ -	\$ 1,069,300
3. Fire Hydrant Reflectors	\$ -	\$ 15,000	\$ -	\$ 15,000
4. Banwell Watermain - Intersection to South of CPR	\$ -	\$ 130,900	\$ 607,100	\$ 738,000
5. Various Watermain Replacement Projects 2021	\$ -	\$ 1,085,000	\$ -	\$ 1,085,000
6. Hwy3-CR34 Water Valve Replacement	\$ -	\$ 456,300	\$ -	\$ 456,300
7. Hwy3/County Road 11 Watermain Replacement	\$ 1,826,300	\$ -	\$ -	\$ 1,826,300
8. Watermain Anode Program - Inspection/Replacement	\$ -	\$ 200,000	\$ -	\$ 200,000
9. Tecumseh Hamlet SPA EA FSR	\$ 30,250	\$ 67,750	\$ -	\$ 98,000
10. Cty Rd 46/Webster Laval Sanitary Sewer Exten.	\$ 80,400	\$ -	\$ 1,240,400	\$ 1,320,800
11. Del Duca Drive Sanitary Sewer	\$ 5,550	\$ -	\$ 25,250	\$ 30,800
12. CR42/43 Construction	\$ 758,600	\$ -	\$ 410,400	\$ 1,169,000
13. 2020 Water and Wastewater Rates Study	\$ 10,000	\$ -	\$ -	\$ 10,000
Sub-Total:	\$ 2,792,350	\$ 2,993,250	\$ 3,575,836	\$ 9,361,436
Grants:	\$ -	\$ -	\$ -	\$ -
Recoveries:	\$ -	\$ -	\$ -	\$ -
<b>Watermain Reserve Fund:</b>	<b>\$ 2,792,350</b>	<b>\$ 2,993,250</b>	<b>\$ 3,575,836</b>	<b>\$ 9,361,436</b>
<b>Wastewater Projects</b>				
1. Tecumseh Road CIP - Streetscape Plan & Final Design	\$ 63,500	\$ -	\$ 1,246,436	\$ 1,309,936
2. Sylvestre Drive Sanitary Sewer Extension	\$ 186,800	\$ -	\$ 542,500	\$ 729,300
3. Manhole Restoration Program	\$ 75,000	\$ 50,000	\$ -	\$ 125,000
4. Tecumseh Hamlet SPA EA FSR	\$ 30,250	\$ 82,750	\$ -	\$ 113,000
5. Cty Rd 46/Webster/Laval Sanitary Sewer Exten.	\$ 166,700	\$ -	\$ 1,290,100	\$ 1,456,800
6. Scully & St. Mark's Storm PS/Riverside Drive	\$ 20,550	\$ 78,000	\$ 316,450	\$ 415,000
7. Del Duca Drive Sanitary Sewer	\$ 148,500	\$ 40,000	\$ 1,047,200	\$ 1,235,700
8. CR42/43 Construction	\$ 44,900	\$ 30,000	\$ 747,100	\$ 822,000
9. Tecumseh Road Sanitary Sewer	\$ 1,839,000	\$ -	\$ -	\$ 1,839,000
10. Sanitary Sewer Model Update	\$ 295,000	\$ 20,000	\$ -	\$ 315,000
11. 2020 Water and Wastewater Rates Study	\$ 10,000	\$ -	\$ -	\$ 10,000
Sub-Total:	\$ 2,880,200	\$ 300,750	\$ 5,189,786	\$ 8,370,736
Grants:	\$ -	\$ -	\$ -	\$ -
Recoveries:	\$ -	\$ -	\$ 3,546,300	\$ 3,546,300
<b>Wastewater Sewers Reserve Fund:</b>	<b>\$ 2,880,200</b>	<b>\$ 300,750</b>	<b>\$ 1,643,486</b>	<b>\$ 4,824,436</b>
<b>Wastewater Facility Projects</b>				
1. Sylvestre Drive Sanitary PS Improvements	\$ 15,000	\$ 15,000	\$ 113,000	\$ 143,000
2. Lakewood Sanitary PS Improvements	\$ 7,500	\$ 25,000	\$ 56,000	\$ 88,500
3. St. Alphonse Sanitary PS Improvements	\$ -	\$ 31,500	\$ -	\$ 31,500
Sub-Total:	\$ 22,500	\$ 71,500	\$ 169,000	\$ 263,000
Grants:	\$ -	\$ -	\$ -	\$ -
Recoveries:	\$ -	\$ -	\$ -	\$ -
<b>Wastewater Facilities Reserve Fund:</b>	<b>\$ 22,500</b>	<b>\$ 71,500</b>	<b>\$ 169,000</b>	<b>\$ 263,000</b>

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	Previously Approved	Requested for 2021	Future Costs	Total Costs
<b>Stormwater Projects</b>				
1. Tecumseh Road CIP - Streetscape Plan & Final Design	\$ 88,310	\$ -	\$ 701,690	\$ 770,000
2. Manning Road/ETLD Drain Relocation - Phase 2	\$ 71,000	\$ 1,769,600	\$ -	\$ 1,840,600
3. Manning Road Reconstruction - Phase 3	\$ 2,500	\$ -	\$ 319,600	\$ 322,100
4. Riverside Drive Trail (Lesperance-Manning)	\$ -	\$ 37,500	\$ -	\$ 37,500
5. Lesperance/VIA Rail Improvements	\$ 31,000	\$ 131,500	\$ -	\$ 162,500
6. Sylvestre Drive Sanitary Sewer Extension	\$ 4,200	\$ -	\$ 49,900	\$ 54,100
7. Brighton Road Storm PS Repairs	\$ -	\$ 75,000	\$ -	\$ 75,000
8. Manhole Restoration Program	\$ 75,000	\$ 50,000	\$ -	\$ 125,000
9. Oldcastle Storm Drainage Master Plan	\$ 450,000	\$ 40,000	\$ -	\$ 490,000
10. Tecumseh Hamlet SPA EA FSR	\$ 219,250	\$ 276,750	\$ -	\$ 496,000
11. Cty Rd 46/Webster/Laval Sanitary Sewer Exten.	\$ 77,400	\$ -	\$ 455,700	\$ 533,100
12. Scully & St. Marks Storm PS/Riverside Drive	\$ 733,100	\$ 338,000	\$ 14,035,900	\$ 15,107,000
13. MRSPA Pond Design and Construction	\$ 2,780,000	\$ -	\$ 9,955,000	\$ 12,735,000
14. Del Duca Drive Sanitary Sewer	\$ 125,850	\$ 40,000	\$ 964,850	\$ 1,130,700
15. Lanoue Street Improvements	\$ -	\$ -	\$ 55,500	\$ 55,500
16. Shoreline Management Plan	\$ 350,000	\$ -	\$ -	\$ 350,000
17. Stormwater Rate Study	\$ 45,000	\$ -	\$ -	\$ 45,000
18. Turkey Creek Watershed Assessment - Phase 1	\$ -	\$ 60,000	\$ -	\$ 60,000
19. PJ Cecile Pump Station	\$ -	\$ 486,000	\$ 8,940,000	\$ 9,426,000
Sub-Total:	\$ 5,032,610	\$ 3,304,350	\$ 35,478,140	\$ 43,815,100
Grants:	\$ 180,000	\$ -	\$ 10,700,000	\$ 10,880,000
Recoveries:	\$ -	\$ -	\$ -	\$ -
<b>Storm Sewer Lifecycle Reserve:</b>	<b>\$ 4,852,610</b>	<b>\$ 3,304,350</b>	<b>\$ 24,778,140</b>	<b>\$ 32,935,100</b>
<b>Municipal Drains</b>				
1. Manning Road/ETLD Drain Relocation - Phase 2	\$ 126,500	\$ 3,465,900	\$ -	\$ 3,592,400
Sub-Total:	\$ 126,500	\$ 3,465,900	\$ -	\$ 3,592,400
Grants:	\$ -	\$ -	\$ -	\$ -
Recoveries:	\$ -	\$ -	\$ -	\$ -
<b>Drains Lifecycle Reserve:</b>	<b>\$ 126,500</b>	<b>\$ 3,465,900</b>	<b>\$ -</b>	<b>\$ 3,592,400</b>

## Executive Summary

The Public Works & Environmental Services (PWES) Department is recommending the Pre-Approval of the 2021 PWES Capital Works Projects in advance of the adoption of the 2021 Budget (scheduled for Council's consideration in early 2021). This is in part to continue with projects previously approved in prior years which are at various stages of completion. Currently, numerous projects and studies are being undertaken covering many areas of the Town for both existing and future needs. Administration recommends continuing with these on-going projects in 2021 and further that a strategic planning session be arranged with Council to confirm the desired focus of the Town for the next 5 year PWES Capital Works planning horizon. Administration plans to bring forward a separate report to Council in early 2021 regarding the 2021-2025 Public Works & Environmental Services Five Year Capital Works Plan following these future discussions with Council regarding project prioritization.

The total number of 2021 projects for PWES is 46, totalling \$15.3M in requests for new allocation for 2021. It is important to note that many of these projects are on-going projects that are at various stages of completion. Of the 46 projects, approximately 20 are new projects. The new projects generally relate to water, sanitary and bridge repairs/improvements required to maintain existing infrastructure, as well as projects that are required to move forward based on funding agreements.

The notable projects and studies consist of the following:

- Finalization of various studies such as the Shoreline Management Plan, the Stormwater Rates Study, the Oldcastle Stormwater Master Plan and the Sanitary Sewer Model Update;
- Construction to continue on the watermain replacement project at Highway No.3/Walker Road;
- Construction of the Manning Road Improvement Project (Phase 2) to commence;
- Projects and initiatives that look to progress development opportunities within the Tecumseh Hamlet Secondary Plan Area and the Manning Road Secondary Plan Area;
- The continuation of detailed design for sanitary sewer expansions in the Oldcastle Hamlet;
- Detailed design and preparation for multiple culvert replacements which had been identified in the Culvert Needs Study (Spans <3.0 metres);
- Continued works on active transportation initiatives such as multi-use trails and roadway cycling markings;
- Implementation of the annual asphaltting program;
- Continuation of Municipal Drain improvement and maintenance projects.

Details regarding each of the 2021 projects are provided within the following sections of this report including updates on the status of all in-progress projects.

## Background

The projects listed above are intended to upgrade existing infrastructure while also providing for future development. The objective of the Pre-Approval of 2021 Public Works & Environmental Services (PWES) Capital Works Projects is to maintain a consistently high level of service and strive to improve the Town's infrastructure components through these improvements.

In general, most of the projects listed in this report for 2021 are on-going projects that require works to continue into 2021 in order to advance the projects. In addition to on-going projects, a number of new projects are recommended to satisfy applicable legislation and/or updated municipal standards. Administration plans to bring forward a separate report in early 2021 regarding the 2021-2025 Public Works & Environmental Services Five Year Capital Works Plan following future discussions with Council regarding project prioritization.

While projects have continued to move forward in 2020, there have been delays due to staff demands related to the Covid-19 pandemic and Lake Flood Preparedness. As we move into 2021, many uncertainties remain regarding the impact that the Covid-19 pandemic, and related government regulations, may have on the planned projects for 2021. Based on the current



state of the pandemic, it is reasonable to anticipate that unavoidable project delays may occur in 2021.

## Comments

This section provides detailed information for all 2021 projects (i.e. both those previously approved and those newly proposed for 2021). Comments are provided by **road, sidewalks and pathways, bridge, water, wastewater, storm sewer and municipal drain** categories. Generally, the description for each project includes cost estimates for each of the related infrastructure categories (i.e. roads, water, wastewater, storm, etc.). The tables presented above in the recommendations section of this report, separate the cost of each project into the related infrastructure categories and include previously approved budget, requested budget for 2021, future budget needs and total category cost related to the specific project. In addition, the project descriptions generally include discussions on the main drivers requiring the projects to be undertaken.

Certain projects have been proposed to be phased in over a two-year period or multiple years. Generally, this occurs because either the project scope is too large or costly to be completed in one construction season or would be too disruptive over too large of an area and too long a period of time to the adjacent properties. Projects being phased would be tendered as two separate tender calls.

In addition, all new projects, and infrastructure replacement projects, will be designed to be compliant with the current requirements of the *Accessibility for Ontarians with Disabilities Act* (AODA).

## Road Projects

Public Works staff review roads for inclusion in the annual paving program. The Town's Road Needs Study has been used for reference in conjunction with Public Works input and suggestions from Council and residents to form the basis for the recommended annual paving projects. PWES investigates and categorizes the needs based on the condition of the roads in comparison with other similar traffic volumes.

The list of roads proposed for tar and chip are based on Public Works staff review of observed conditions of the roads and maintenance needs in conjunction with Pavement Condition Index (PCI) ratings from the Road Needs Study. Based on this information, Administration recommends the installation of new tar and chip surfaces on the Sylvestre Drive (CR19 to Jamsyl Drive), Ruston Road (full extent) and Oldcastle Road (from Hwy 3 to approximately 500 m south of Hwy 3). Public Works also suggest earmarking an amount for remedial tar and chip repairs on roads other than those planned for. Every spring Public Works finds areas that require some repair from winter plowing activities, and this would be used to address those concerns.

Administration recommends that as part of the annual paving program, an amount be set aside for crack sealing of Town roads to extend the lifespan of the pavement before more substantial repairs or replacement are required. It is recommended that \$100,000 be set aside for crack sealing.

### RD 1. Tar & Chip, Asphaltting and Crack Sealing

Work	Budget Allocation	Location of Work	Extent
Tar & Chip	\$100,000	Sylvestre Drive Ruston Road Oldcastle Road	CR19 to Jamsyl Drive Full extent Hwy 3 to 500 m south
Asphaltting	\$1,100,000	Baseline Road Estate Park 8 <sup>th</sup> Concession Road Gauthier Drive Chene Court Gouin Street Shawnee Road Lesperance Road Green Valley Drive Harvest Lane St. Gregory's Road	11 <sup>th</sup> Conc to City of Windsor Talthorpe to Talthorpe CR46 to City of Windsor Little River to Cedarwood Full extent Herbert to Shawnee Gouin to Maissonneuve CR22 to Arbour Tecumseh to Meadowland Full extent Manning to Green Valley
Crack Sealing	\$100,000	Various locations	To be determined

Administration recommends that the above-noted road improvements be undertaken in 2021. Inspection and project administration will be carried out by Public Work & Environmental Services staff upon award of the Contract by Council. Quality control of the materials will be carried out by a Consulting Geotechnical Engineer.

Funding to be provide from Road Lifecycle Reserve in the amount of \$1,300,000.

### RD 2. Tecumseh Signage Project

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$16,000	\$0	\$0	\$16,000

In response to various Councilor inquiries regarding Town of Tecumseh existing and new signage, Administration completed an inventory of existing signage within the Town. As a result of this inventory, it was confirmed that the existing signage varies greatly in design, branding, size, road classification, location and age. Based on these findings, Council approved Administration's recommendation that a study be undertaken as part of the 2020 Capital Works Plan to develop criteria for signage to create consistency in design, branding and location selection. It was further recommended that Generator Design of Canada Inc. be retained to undertake this study based on their previous development of the 2014 Town of Tecumseh Branding Standards.

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Based on the above, Generator Design of Canada Inc. commenced the study in 2020. The study is nearing completion and will carry over into 2021.

Funding for this project was previously approved from the Road Lifecycle Reserve in the amount of \$16,000.

### **RD 3. Lesperance/VIA Rail Improvements**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$186,000	<b>\$1,410,800</b>	\$0	\$1,596,800

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-401/19) of Report PWES-2019-49 titled "2020-2024 Public Works & Environmental Services Five Year Capital Works Plan" that authorized Administration to proceed with the detailed design for required improvements to the Lesperance/VIA Rail crossing in 2020 with construction anticipated in 2021. The need for these improvements was based on regulations established by Transport Canada on November 28, 2014 for on grade crossings. The new regulation stated that a railway company must assure the conformity of grade crossings within seven years of the new regulations coming into force. VIA inspected all grade crossings over its entire network and identified two rail crossings in the Town of Tecumseh – Lesperance Road north of Tecumseh Road (Mile: 99.31) and Tecumseh Road just west of Lacasse Blvd (Mile: 99.13).

In accordance with Article 12 of the new regulation, the Town retained Dillon Consulting Ltd. to assist with providing the required documentation and design parameters as outlined by VIA. Based on these investigations, VIA identified that minor improvements were required, such as faded road paint and consideration for additional safety features, as well as one major item at the crossing at Mile 99.31. VIA determined that the gradient for the road approach at Mile 99.31 exceeds the maximum gradient of 2% within 8 m of the nearest rail and 5% for 10 m beyond. At that time, it was the Town's understanding that the Town was required to regrade the approach by late 2021 and that failure to do so may lead Transport Canada to impose measures to address the required improvements.

At the July 28, 2020 Regular Meeting of Council, Council approved the recommendations (Motion RCM-236/20) of Report PWES-2020-24 titled "Rail Safety Improvement Program – Infrastructure, Technology and Research Funding (RSIP-ITR) 2021/2022 Intake VIA Crossing at Lesperance Road (Chatham Mile 99.31)" that Authorized the Town to submit an application for funding to this program for the VIA/Lesperance Rail Improvements Project. Subsequent to this meeting an application for funding was submitted. Since costs incurred prior to receiving the grant would likely be deemed ineligible for funding under this program, the continuation of detailed design for this project was deferred pending the results of the funding application. To date the results of the funding application have not been received.

In addition, Administration has had recent discussions with Transport Canada regarding the requirements and timelines for improvements at this crossing. These discussions are on-going, however, it appears that the crossing may be "grandfathered in" unless we undertake works on the road or the crossing.



The estimated project cost of \$1,596,800 includes \$162,500 for storm sewers and \$1,434,300 for road reconstruction.

Subject to funding approval, Administration recommends that the detailed design and construction of improvements to the Lesperance/VIA Rail crossing commence in 2021. It is further recommended that Dillon Consulting Ltd. continue with the detailed design including the preparation of tender documents, assistance with tendering, approvals and contract administration/construction observation based on their initial work related to the inspection of this crossing and their current involvement in the Tecumseh CIP/Streetscape project.

Funding for this project is to be provided from the following:

- Road Lifecycle Reserve in the amount of \$1,279,300
- Storm Sewer Lifecycle Reserve in the amount of \$131,500

#### **RD 4. Lanoue Street Improvements**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$363,300	<b>\$125,000</b>	\$558,700	\$1,047,000

The Town of Lakeshore is moving forward with the construction of Lanoue Street and Commercial Drive to provide a second connection from Manning Road to Amy Croft Drive. These works will include improvements to the Manning Road and Lanoue Street intersection. Lakeshore tendered their project in 2020 and has recently started construction. Improvements to the Manning/Lanoué intersection are expected to commence in 2021.

The Town of Tecumseh anticipates that Lanoue Street, from Manning Road to approximately 200 metres west of Manning Road, will require improvements when the vacant property at the southwest corner of the Manning Road and Lanoue Street intersection is developed. To accommodate the added traffic from this future development to Lanoue Street, it is anticipated that Lanoue Street will need to be widened to a three-lane cross-section to allow for a center left turning lane. It is also anticipated that the Lanoue Street improvements may require improvements to the Tecumseh side of the Manning/Lanoué intersection.

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-401/19) of Report PWES-2019-49 titled "2020-2024 Public Works & Environmental Services Five Year Capital Works Plan" that authorized Administration to proceed with the detailed design for the Lanoue Street Improvements in 2020 and also included an allowance for Tecumseh's share of the Manning/Lanoué intersection improvements. In accordance with this report, Stantec Consulting Ltd. was retained and the detailed design is nearing completion. Through the detailed design, it has been determined that utility relocations will be required as part of the road improvements project. In addition, new regulations from the Ontario Ministry of Environment, Conservation and Parks related to excess soil generated from construction projects are expected to be released in 2021. These new excess soil regulations will require additional geotechnical investigations to determine the type/quality of the excess soil including a plan for the intended re-use of same.

As noted above, improvements to Lanoue Street in both Tecumseh and Lakeshore will require improvements to the Manning/Lanoué intersection. Accordingly, a cost sharing agreement will be required between both municipalities and the County of Essex for the intersection improvements. Preliminary discussions regarding the required cost sharing agreement have occurred with Administration from Tecumseh, Lakeshore and the County of Essex. Administration will bring forward a future report to Council regarding cost sharing when these discussions are finalized.

Detailed design for the Lanoue Street Improvements project will continue into 2021. Administration recommends that the required utility relocations and the excess soil investigations commence in 2021 with construction tentatively planned for 2022 or 2023. Based on the recent cost sharing discussions, it is further recommended that an allowance of \$250,000 be carried for potential costs associated with the Town's portion of the Manning/Lanoué intersection improvements.

The estimated project cost is \$1,047,000, which includes \$991,500 for road improvements and \$55,500 for storm sewers.

Funding for this project is to be provided from the Road Lifecycle Reserve in the amount of \$125,000.

#### **RD 5. Tecumseh Road Community Improvement Plan (CIP) – Streetscape Plan & Design**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$1,604,700	\$0	\$31,149,740	\$32,754,440

At the April 23, 2019 Public Meeting of Council, Council received (Motion PCM-25/19) PWES Report No. 2019-28 titled "Tecumseh Road Main Street CIP – Streetscape Plan and Design Project Update – April 2019" which provided a project update. General items discussed during the meeting included concerns related to potential traffic impacts, the need for additional public consultation and potential cost savings if existing above ground hydro/utilities are maintained in the Streetscape improvements beyond Phases I and II. Subsequent to this meeting, a detailed traffic model was developed for the CIP area to better understand the traffic impacts.

On February 19, 2020, a Public Information Centre (PIC) was held with Lanoue Street Residents to obtain feedback regarding the proposed improvements to Legion Alley and Lanoue Street. In addition, on February 20, 2020, a second PIC was held to provide the public with an update on the Phase 1 portion of the Tecumseh CIP/Detailed Streetscape Design and to obtain feedback. The second PIC included a traffic simulation video to show expected traffic movement within the improved streetscape corridor. Concerns/questions raised at the PICs generally related to the following:

- Potential increases in traffic and speed if Lanoue Street is changed to a 2-way street.
- Has traffic calming been considered?
- Configuration of Legion Alley - Could Legion Alley extend through the park to Beddel rather than to Lanoue?

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- How will the decrease in lanes on Tecumseh Road impact traffic? Will alternative routes be used and cause negative impacts on other roads?
- Residents liked added pedestrian safety, connectivity between north and south sides of Tecumseh Road, reduced speed limits, etc.
- The addition of trees in the corridor is desired provided they are sustainability in the proposed urban streetscape environment.
- Questions were raised with how changes to street parking may impact businesses.
- Streetscape will add value to the area and draw people to the Tecumseh Community.
- Project timing, phasing and funding.

The project is expected to continue into 2021. A future report will be brought forward to Council with recommendations regarding a path forward for this project.

#### **RD 6. Manning Road Improvements Project, Phase 3**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$228,000	<b>\$100,000</b>	\$6,898,000	\$7,226,000

The Town completed a Class Environmental Assessment (EA) in April 2010 for improvements to the East Townline Drain (Manning Road) Storm Pump Station. The proposed upgrades to the pump station and drain enclosure along Manning Road provided an opportunity to improve this portion of Manning Road by constructing an urban cross-section that accommodates pedestrians, cyclists and urban design features to create an aesthetically pleasing gateway into Lakewood Park. The limits of the Class EA included Manning Road from Riverside Drive to St. Gregory's Road.

Construction of Phase 1 was completed in 2014 which included the construction of the storm pump station and associated facilities, and the reconstruction of a section of Riverside Drive (Manning Road to Christy Lane), including the roundabout at the Manning Road/Riverside Drive intersection.

At the December 13, 2016 Regular Meeting of Council, Council approved the recommendation (Motion RCM-442/16) of PWES Report No. 54/16 titled "2017-2021 Public Works & Environmental Services Capital Works Plan" that authorized Administration to proceed with the engineering design for Phase 3 of this project. In accordance with that report, Dillon Consulting Ltd. was retained to complete the detailed design. Phase 3 generally relates to the road reconstruction component of the project from Riverside Drive to St. Gregory's Road including improvements to an urban cross-section that accommodates pedestrians, cyclists and urban design features to create an aesthetically pleasing gateway into Lakewood Park.

The Town previously sought funding for this project under the following government funding programs:

- Disaster Mitigation and Adaptation Fund – 1<sup>st</sup> Intake
- Investing in Canada Infrastructure Program: Rural and Northern Communities Funding Stream – 2019 Intake

Unfortunately, this project was not selected for funding under either funding program.

The design for this project has proceeded since 2017 with the most recent work related to pedestrian crosswalks at the proposed roundabouts. During this time, the original scope of the project expanded to include a new parking lot at Lakewood Park, flood control berming in Lakewood Park, road improvements on Little River Boulevard and the development of existing tree protection mitigation measures. In addition, significant effort has been expended on grant funding applications.

In addition to the above, new regulations from the Ontario Ministry of Environment, Conservation and Parks related to excess soil generated from construction projects are expected to be released in 2021. These new excess soil regulations will require additional geotechnical investigations to determine the type/quality of the excess soil including a plan for the intended re-use of same.

The Phase 3 project cost estimate is \$7,226,000, which includes \$6,903,900 for road works and \$322,100 for storm sewers.

Expected recoveries from the County of Essex are anticipated to be \$525,000 for a portion of the Bike Lanes (under the CWATS program), and \$1,295,000 for a portion of the Manning Road reconstruction (under the Connecting Link Agreement). The estimated recoveries will be refined once the actual tender costs are known.

Administration recommends proceeding with the required excess soil investigations and updating/finalizing the design drawings/tender documents in 2021 with construction tentatively anticipated to proceed in 2022.

Funding for this project is to be provided from the Road Lifecycle Reserve in the amount of \$100,000.

#### **RD 7. Traffic Signal Controller Upgrades**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$150,000	\$0	\$0	\$150,000

As part of the approved 2019-2023 Public Works & Environmental Services Five Year Capital Works Plan, Administration recommended that a yearly program be created to replace traffic signal controller equipment currently in use at the Town's signalized intersections. The Town utilizes electronic equipment that is compatible with the County of Essex highways infrastructure due to the many intersections on shared roads. The equipment currently in use is dated and replacement parts are no longer available. Both the Town and County road departments are transitioning towards the next generation of traffic controller equipment. This program will take multiple years to complete and coordination between both road departments will ensure seamless operation and the potential for integration in the future between the two systems. This project will continue in 2021.

Funding for this project was previously approved from the Road Lifecycle Reserve in the amount of \$150,000.

**RD 8. Expansion/Improvements to the Public Works Yard (North)**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$30,000	<b>\$30,000</b>	\$0	\$60,000

Additional storage area is required for Public Works equipment and materials. As part of the approved 2019-2023 Public Works & Environmental Services Five Year Capital Works Plan, Administration recommended that the Lacasse Public Works yard be expanded westerly in 2019 to include a portion of the previous Town dog park which was closed approximately 10 years ago. It was recommended that the area be stripped of topsoil and that a treed earth berm be constructed around the perimeter of the site. Site modifications were to include construction of a gravel surface suitable for vehicle traffic and the construction of storage bins with concrete blocks.

To date, the following works have been completed:

- Removal of existing perimeter fence/shrubs and stripping of topsoil.
- New perimeter berm has been constructed with cedar/spruce tree screening and mulch.
- Drainage has been installed.
- Recycled aggregate has been placed and rough graded.
- A new waterline has been installed to the new wash bay.

The remaining works generally include the following:

- Construction of a concrete pad for material storage.
- Construction of an asphalt pad for dirt and gravel storage.
- Purchase and installation of mass concrete blocks for material storage separation walls.
- Construction of a concrete pad for the wash bay.
- Fine grading and compaction of recycled aggregate.

This project will carry over into 2021 with additional budget being required to complete the improvements.

Funding for this project is to be provided from the Road Lifecycle Reserve in the amount of \$30,000.

**RD 9. TTMP Bicycle Sharrows**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	<b>\$15,000</b>	\$0	\$15,000

At the December 13, 2016 Regular Meeting of Council, Council received (Motion RCM-439/16) PWES Report No. 43/16 titled "Tecumseh Transportation Master Plan (TTMP) and approved the report being placed on the 30-day public review period.



The Tecumseh Transportation Master Plan (TTMP) provides a flexible and dynamic multi-modal transportation strategy that guides the provision of transportation service and networks by the Town of Tecumseh to the year 2034. The Tecumseh transportation system balances the needs of residents, businesses, and recreational users in a way that is fiscally responsible.

The TTMP was developed around four core themes:

- Improve the integration of the existing transportation networks
- Provide networks to encourage and facilitate transportation by Active Modes
- Provide infrastructure to serve demands at preferred Performance Targets
- Provide transportation systems that serve all citizens

The Town's Transportation Strategy identifies that the active transportation network will be improved over the life of the TTMP in order to address the principles and goals of the TTMP and to encourage sustainable transportation for all users. In addition, the TTMP notes that the Town of Tecumseh adopts a "complete streets" approach to the planning, design, operation, and maintenance of roads. The TTMP further notes that going forward, the Town will shift the focus of streets from a strong emphasis on auto mobility to a more balanced philosophy to better serve all modes to meet the needs of travellers of all ages and abilities.

One component of complete streets includes the assumption that cyclists will use the streets. This does not necessarily warrant a dedicated bicycle facility or that every street accommodate every type of cyclist, but a bikeway network must be considered to accommodate "interested cyclists", who have a desire to cycle, but may not currently feel safe doing so. One way to create this is shared lanes with markings. Vehicles and cyclists share the lanes with cyclists riding to the right of the vehicle. Markings such as Sharrows may be used where there is a desire to provide additional awareness to drivers that the lane is shared with cyclists.

As identified within the TTMP's Active Transportation Network, Administration recommends that Sharrows be painted on the following roads that are frequently used by cyclists:

- Little River Boulevard – Manning to Tecumseh/Windsor boundary
- Lacasse Boulevard – Full extent
- Arlington Boulevard – Full extent

Funding for this work is to be provided from the Road Lifecycle Reserve in the amount of \$15,000.

#### **RD 10. Brighton Road Traffic Improvements**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	<b>\$30,000</b>	\$0	\$30,000

At the December 11, 2018 Regular Meeting of Council, Council approved the recommendations (Motion RCM-361/18) of PWES Report No. 2018-08 titled "2019-2023 Public Works & Environmental Services 5 Year Capital Works Plan" that authorized Administration to proceed with the 2019 capital works projects which included an engineering

assessment of the Brighton Road corridor (including intersection roads). In accordance with this report, Dillon Consulting Ltd. was retained and the study was completed in 2019.

At the November 12, 2019 Special Meeting of Council, Council received (Motion SCM-22/19) Report PWES-2019-48 titled "Brighton Road Corridor Review – Review of Intersection Traffic Control Operations, October 2019" which provided a number of recommendations for traffic improvements along this corridor including pavement markings, signage, enhanced pedestrian crossings, maintain the traffic circles with minor enhancements, traffic calming measures, etc.

Administration recommends moving forward with traffic circle enhancements (elevating the median splitters), pavement markings and signage improvements along portions of this corridor.

Funding for this project is to be provided from the Road Lifecycle Reserve in the amount of \$30,000.

#### **RD 11. CP/Lesperance Crossing Improvements**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	\$30,000	\$0	\$30,000

Canadian Pacific Railway is planning to rehabilitate the existing CP Rail crossing on Lesperance Road. It is anticipated that the works will include removing the asphalt pavement and reinstating the granular base and bedding for the rail bed. Once the tracks are leveled, the crossing will be repaved. All works, including contract administration, will be under the control of CP Rail. The Town would assist with traffic control and detour setup. Once the crossing is rehabilitated, the cost of the works may be cost shared between the Town and CP Rail. It is recommended that an allowance of \$30,000 be included in the 2021 Capital Works Plan in anticipation of a potential cost sharing with CP Rail.

Funding for this project is to be provided from the Road Lifecycle Reserve in the amount of \$30,000.

#### **RD 12. Traffic Calming Guideline Study**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$20,000	\$0	\$0	\$20,000

Administration receives numerous complaints related to motor vehicles traveling above the post speed limit at many locations throughout the Town. As identified in the 2017 Tecumseh Transportation Master Plan (TTMP), one potential approach to improve this problem is the implementation of traffic calming principles (where appropriate). Traffic calming generally relates to physical devices aimed at slowing the speed of motorists to the desired speed, given the context of the street.

At the December 11, 2018 Regular Meeting of Council, Council approved the recommendations (Motion RCM-361/18) of PWES Report No. 2018-08 titled "2019-2023

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Public Works & Environmental Services 5 Year Capital Works Plan" that authorized Administration to proceed with a Traffic Calming Guideline Study in 2019. In accordance with this report, Dillon Consulting Ltd. was retained to complete the study.

The Traffic Calming Guideline Study was completed in 2020. Based on this study, a Speed Mitigation Guideline was developed which contains the following elements:

- A process for assessing the need for speed mitigation measures at locations identified by an area's stakeholders.
- A process for developing a Speed Mitigation Plan, in collaboration with project stakeholders.
- A process for assessing the feasibility of constructing traffic calming measures at these same locations.

Administration intends to bring forward a future report to Council in 2021 regarding this study.

Funding for this project was previously provided from the Road Lifecycle Reserve in the amount of \$20,000.

#### **RD 13. Annual Project Contingency**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	<b>\$250,000</b>	\$0	\$250,000

Administration recommends carrying an Annual Project Contingency for Public Works and Environmental Services. This allocation would be used for issues that come up annually that cannot be projected during the preparation of the Five Year Capital Works Plan for Roads, Water, Wastewater, Storm Sewers, Bridges and Sidewalks. It is recommended that this allocation would be used to address issues in a timely and efficient manner in accordance with the Town Purchasing and Procurement Policies.

Funding for this Annual Project Contingency is to be provided from the Road Lifecycle Reserve in the amount of \$250,000.

#### **RD 14. CWATS Study for Facility Enhancements for Crossing at Pike Creek/Tecumseh Road**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$6,000	<b>\$0</b>	\$0	\$6,000

At the September 2020 Regular Meeting of Council, Council approved the recommendations (Motion RCM-281/20) of Planning & Building Services Report No. PBS-2020-32 titled "County Wide Active Transportation System, Town of Tecumseh 2021 Proposed Projects – Study for Facility Enhancement for Crossing at Pike Creek/Tecumseh Road". The total estimated cost of the study is \$20,000, of which the Town of Tecumseh and the Town of Lakeshore will provide



a contribution of \$6,000 each, for a total of \$12,000 (60%), with the County of Essex's share being \$8,000 (40%), in accordance with the CWATS cost-sharing agreement.

Funding for this project was previously approved from the Infrastructure Reserve in the amount of \$6,000.

### Sidewalks and Pathway Projects

#### SW 1. 2021 Sidewalk Repair Projects

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	\$69,000	\$0	\$69,000

The 2021 sidewalk program will be based on sidewalk conditions determined through the comprehensive sidewalk inspection conducted annually. Currently this inspection is completed by Public Works staff and, along with input from Council and residents, this information is used to develop the annual program for recommended sidewalk repair and replacements. Should this inspection generate large amounts of sidewalk replacement, a Request for Quotation (RFQ) will be issued.

Trip hazards identified throughout the Town will be addressed to keep the Town in compliance with minimum maintenance standards. Currently, a detailed list of sidewalks to be repaired/replaced has not been generated. The funding requested is for an upset limit to carry out the work. A detailed list of recommended sidewalk replacements will be circulated to Council for their information prior to issuing the RFQ. Inspection and project administration will be carried out by PWES Staff upon award of the Contract.

Funding for this project is to be provided from the Sidewalk Lifecycle Reserve in the amount of \$69,000.

#### SW 2. County Road 42 Sidewalks and Bike Lanes (2020 - CR19/CR42 Roundabout)

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$90,000	\$0	\$618,500	\$708,500

As part of the County of Essex 25-year capacity program, County Road 42 and County Road 43 road improvements were identified and the County of Essex engaged Dillon Consulting Ltd. to undertake the detailed design for the following:

- Widening of County Road 42 from the City of Windsor border with the Town of Tecumseh to the Pike Creek located in the Town of Lakeshore.
- Diversion of County Road 43 from Shields Avenue to approximately 250 metres south of County Road 42.

The County of Essex is proposing to complete the County Road 42 improvements in a number of phases. The County's original schedule was to construct the County Road 19/42 roundabout

in 2020, however, this project has been delayed. It is now tentatively planned to construct the County Road 19/42 roundabout and related municipal services in 2022. The County has not finalized the scope of the phases, however, it is anticipated that the remaining watermain and sanitary works may proceed in 2023 with the County Road 42/43 roundabout proceeding in 2024 and the remaining roadwork proceeding in 2025. Sidewalk and bike lane construction will be included in related phases of this project. These future works are subject to change based on the County's ultimate phasing plan.

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-401/19) of Report PWES-2019-49 titled "2020-2024 Public Works & Environmental Services Five Year Capital Works Plan" that included an allowance for the Town's portion of the sidewalks and bike lanes related to the County Road 19/42 roundabout in the Town's 2020 Capital Works Plan. It was also recommended that these works be included in the tender specifications and contract documents for the County's County Road 42 improvements project. The ultimate cost to the Town will be based on a future cost sharing agreement and a future report will be brought forward to Council regarding same.

Based on the above noted schedule revisions, the County's proposed construction work did not proceed in 2020 and is now tentatively planned to proceed in 2022.

The estimated project cost of \$708,500 includes \$439,000 for sidewalks and \$269,500 for bike lanes. Through the CWATS program, the Town can apply for 40% funding for costs related to the design and construction of the bike lanes.

Funding for portions of the sidewalks and bike lanes related to the County Road 19/42 roundabout was previously provided from the Infrastructure Reserve in the amount of \$90,000.

### **SW 3. Tecumseh Road Multi-Use Pathway Re-construction (Arlington to DM Eagle Public School)**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$100,000	\$0	\$0	\$100,000

Public Works staff reviewed the condition of the existing asphalt path located on the north side of Tecumseh Road between Arlington Boulevard and D.M. Eagle Public School. The existing path is approximately 600 metres long and 2.4 metres wide. Based on the path inspection, it was determined that the existing condition of the path warrants full re-construction.

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-401/19) of Report PWES-2019-49 titled "2020-2024 Public Works & Environmental Services Five Year Capital Works Plan" that authorized Administration to proceed with the full re-construction of this path in 2020. The works were to include complete removal of the existing asphalt path/granular base and the construction of a new gravel base, 2.4 metre wide asphalt path and related restoration. Administration further advised that a tender process would be used to obtain prices to complete the work with a future report being brought forward to Council for tender award.

Administration currently plans to proceed with this project in 2021.

Funding for this project was previously provided from the Road Lifecycle Reserve in the amount of \$100,000.

#### **SW 4. Riverside Drive Trail**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$850,000	<b>\$389,300</b>	\$0	\$1,239,300

At the October 25, 2016 Regular Meeting of Council, Council approved the recommendations (Motion RCM-372/16) of Planning & Building Services Report No. 32/16 titled "County Wide Active Transportation Study Plan, Town of Tecumseh 2017 Project, Trail on Riverside Drive from Tecumseh/Windsor Municipal Boundary to Manning Road" that endorsed in principle the construction of a 2.4m wide trail having a length of approximately 2.4km as a 2017 CWATS Project, subject to the resolution of a suitable design and determination to which side of the road the trail should be located.

At the December 13, 2016 Regular Meeting of Council, Council approved the recommendations (Motion RCM-442/16) of PWES Report No. 54/16 titled "2017-2021 Public Works & Environmental Services Capital Works Plan" that authorized Administration to proceed with the 2017 capital works projects including the design of the Riverside Drive Trail.

On Wednesday, September 13, 2017, a Public Information Centre was held to share details and gather public input on the Town's above noted initiative to construct a multi-use recreational trail along Riverside Drive. Options under consideration included constructing the trail in the public right-of-way on the south side of the road or on the north side of the road. Comments received were reviewed by Administration and the Consulting Team. Following consideration of the comments, it was recommended that the preferred location for the trail was within the public right-of-way on the south side of the road.

On Wednesday, June 6, 2018, a second Public Information Centre was held to discuss the detailed analysis that had been completed since the first Public Information Centre and to convey the resulting best design solution for the new multi-use trail. Concept plans showing the multi-use trail on the south side of the road were presented for discussion and to gather public input.

It was originally anticipated that the pathway design and utility relocations would be completed in 2020 upon a final determination of the preferred location of the trail by Council, with construction to follow in 2021. It is now anticipated that the detailed design and utility relocations will commence in 2021 upon a final determination of the preferred location of the trail by Council, with construction tentatively planned to follow in 2021 or 2022. Administration plans to bring a report forward to Council in 2021 with recommendations regarding the path forward for this project.

The estimated project cost is \$1,239,000, which includes \$1,201,800 for new infrastructure and \$37,500 for storm sewers.

Funding for this project is to be provided from the following:

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- Infrastructure Reserve in the amount of \$351,800.
- Storm Sewer Lifecycle Reserve in the amount of \$37,500.

#### SW 5. Lesperance Road Multi-Use Trail – CR22 to CR42

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	<b>\$137,500</b>	\$1,066,500	\$1,204,000

As part of the Tecumseh Transportation Master Plan (TMP), a network of key Active Transportation facilities was developed to ensure connectivity in the larger network. This network has been coordinated with plans and recommendations from the County Wide Active Transportation Study (CWATS) and the City of Windsor Bicycle Use Master Plan (BUMP). The expansion of the Active Transportation Network is a municipal focus for several reasons, including: it promotes environmental sustainability, it promotes personal health, and it promotes equity in transportation service.

At the May 28, 2019 Regular Meeting of Council, Council approved the recommendation (Motion RCM-150/19) of Report No. PBS-2019-16 titled "Investing in Canada Infrastructure Program, 2019 Intake of the Public Transit Funding Stream, Lesperance Road Multi-Purpose Pathway - Cty Rd 22 to Cty Rd 42 Final Recommendation" that endorsed this Multi-Purpose Pathway as a candidate project for funding through this funding program. Following this meeting, an application for funding was submitted which was ultimately approved by the funding agency. The maximum amount of funding available for this project is \$466,707. Based on the funding application, design is to be completed in 2021 with construction following in 2022.

Administration recommends proceeding with the design of this project in 2021. Administration further recommends that Dillon Consulting Ltd. be retained for detailed design, tender preparation, assistance with tendering, contract administration and construction inspection.

Funding for this project is to be provided from the Infrastructure Reserve in the amount of \$137,500.

#### SW 6. Malden Road Pathway Extension

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	<b>\$25,000</b>	\$0	\$25,000

An existing pedestrian pathway is located along Malden Road within the Hamlet of Maidstone. The pathway is approximately 1,150 metres long and extends north-easterly from County Road 34. Between County Road 34 and Pike Creek, the path is on the western side of Malden Road. Between Pike Creek and North Talbot Road, the pathway is on the eastern side of Malden Road.

With the exception of one location, the pathway is continuous throughout its length. Immediately northeast of the Pike Creek, however, there is a missing section of the pathway (approximately 50 metres in length) that needs to be established for connectivity for the users.

Administration recommends that a pathway be constructed along this 50 metre section of road.

Funding for this project is to be provided from the Infrastructure Reserve in the amount of \$25,000.

## Bridge Projects

### BR 1. Snake Lane Road Culverts (with Spans < 3.0m) – Culverts No. 42, 53 & 54

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	<b>\$192,500</b>	\$1,632,500	\$1,825,000

At the November 8, 2016 Regular Meeting of Council, Council approved the recommendations (Motion RCM-384/16) of PWES Report No. 39/16 titled "2016 Culvert Needs Study (Structures with Spans < 3.0m)" that authorized Administration to use the recommendations contained within the report to form the basis for prioritizing projects when completing future annual PWES Capital Works Plan. The 2016 Culvert Needs Study (Structures with Spans < 3.0m) identified the following Culverts for rehabilitation or replacement within a 1-5 year time frame.

- Culvert No. 42 - South Talbot Road Drain at Snake Lane Road (Est. Cost \$549,800)
- Culvert No. 53 - 9<sup>th</sup> Line Drain at Snake Lane Road (Est. Cost \$637,600)
- Culvert No. 54 - Webster Drain at Snake Lane Road (Est. Cost \$637,600)

Administration recommends Dillon Consulting Ltd. be retained in 2021 to commence the design work for Culverts No. 42, 53 & 54 based on their experience with various bridge rehabilitation and replacement projects throughout the Town and their completion of the previous Culvert Needs Studies (Structures with Spans < 3.0m). Construction is tentatively anticipated for 2022 or 2023.

Funding for this project is to be provided from the Bridges Lifecycle Reserve in the amount of \$192,500.

### BR 2. Bridges (with Spans > 3.0m) – Baseline Road/Pike Creek Bridge No.1005 Bank Stabilization

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	<b>\$250,000</b>	\$0	\$250,000

During recent road inspections, settlement was observed adjacent to Bridge No.1005 located on Baseline Road at the Pike Creek Drain. Subsequent investigations revealed that scour/erosion is occurring at the bottom of the adjacent Pike Creek Drain bank resulting in bank instability and settlement. Based on a preliminary assessment, bank stabilization works



are recommended to address the bank scour/erosion and to stop the settlement of the road shoulder.

Administration recommends that Dillon Consulting Ltd. be retained to undertake the following: detailed design for the bank stabilization works; assist with obtaining approvals; tender document preparation; assist with tendering; and to undertake contract administration/construction observation. Dillon Consulting Ltd. is recommended based on their previous involvement with the 2013/2014 Bridge No.1005 rehabilitation project and their current appointment for repair and improvement to the Pike Creek Drain under the provisions of the Drainage Act.

Funding for this project is to be provided from the Bridges Lifecycle Reserve in the amount of \$250,000.

### **Water & Wastewater Projects**

Water and wastewater projects are intended to upgrade existing infrastructure while also providing for future development.

The methodology used to provide Council with recommendations for yearly capital projects are:

- a review of the Town of Tecumseh Water & Wastewater Master Plan.
- a review of lifecycle dollars available and possible government funding.
- a review of the Ministry of Environment, Conservation and Parks regulations/guidelines.
- a review of other planned capital projects.
- a review of private land development opportunities.
- a review of possible opportunities to improve/upgrade the existing infrastructure.

### **Water Projects**

#### **WA 1. Highway No.3 / County Road 11 Watermain Replacement**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$1,826,300	\$0	\$0	\$1,826,300

The Water Division previously recommended replacement of the existing 200mm diameter ductile iron watermain at the Highway No.3 / County Road 11 intersection. In recent years, the 200 mm diameter ductile iron watermain has been failing due to the age and material of the pipe.

The recommended works consist of the following:

- Replacement of approximately 410m of 200mm ductile iron watermain on Highway No.3 from County Road 11 westerly with a new 300mm diameter PVC;

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- Replacement of approximately 345m of 200mm ductile iron watermain on County Road 11 from McCord Lane to just south of Highway No.3 with a new 300mm diameter PVC;
- The installation of approximately 430m of 300mm diameter PVC watermain on Highway No.3 from County Road 11 to Oldcastle Road.

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-401/19) of Report PWES-2019-49 titled "2020-2024 Public Works & Environmental Services Five Year Capital Works Plan" that authorized Administration to proceed with the construction of this project in 2020. Accordingly, the project was tendered in January 2020 with seven tenders being received.

At the February 25, 2020 Regular Meeting of Council, Council approved the recommendations (Motion RCM-64/20) of Report PWES-2020-10 titled "Highway 3/County Road 11 Watermain Replacement Project, Ontario Ministry of Transportation Agreement and Tender Award" that authorized the award of the project to Shearock Construction Group Inc.

Due to the Covid-19 pandemic and pipe material shortages, the start of construction was delayed until November 2020. Construction is now proceeding and will continue into 2021.

Funding for this project was previously provided from the Watermain Reserve Fund in the amount of \$1,826,300.

#### **WA 2. County Road 42 and County Road 43 Improvements**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$825,950	<b>\$30,000</b>	\$1,182,350	\$2,038,300

As part of the County of Essex 25-year capacity program, County Road 42 and County Road 43 road improvements were identified and the County of Essex engaged Dillon Consulting Ltd. to undertake the detailed design for the following:

- Widening of County Road 42 from the City of Windsor border with the Town of Tecumseh to the Pike Creek located in the Town of Lakeshore.
- Diversion of County Road 43 from Shields Avenue to approximately 250 metres south of County Road 42.

Based on these proposed road improvements, Administration identified municipal services within the project limits that need to be designed and incorporated into the County's overall project. These municipal services included watermain, sanitary sewers and overland storm water flow routing from existing development located on the north side of County Road 42 to the Pike Creek located to the south of County Road 42.

At the December 11, 2018 Regular Meeting of Council, Council approved the recommendations (Motion RCM-361/18) of PWES Report No. 2018-08 titled "2019-2023 Public Works & Environmental Services 5 Year Capital Works Plan" that included undertaking advanced engineering design for the above noted municipal services to allow this work to be incorporated into the County of Essex contract drawings and specifications for their County

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Road 42 improvements project. In accordance with this report, Dillon Consulting Ltd. was retained to complete the advance engineering.

Based on the advanced engineering completed in 2019, it was recommended that the following Town municipal services be included in the County of Essex County Road 42 improvements project:

- Construction of a new 400 mm diameter trunk watermain on County Road 19 in the vicinity of the proposed County Road 19/42 roundabout.
- Construction of a new 400 mm diameter trunk watermain from the proposed County Road 19/42 roundabout to the 12th Concession Road.
- Replacement of a section of existing 150 mm diameter watermain on the 12th Concession Road with new 150 mm diameter PVC watermain.
- Replacement of a section of the existing 200 mm diameter watermain on County Road 43 with new 200 mm diameter PVC watermain.
- Replacement of existing sanitary connections on County Road 42 with new PVC service connections.
- Installation of landscaping within the proposed roundabouts at County Road 19/42 and County Road 42/43 to enhance the aesthetic nature of the entry points into the Town of Tecumseh.

(Note: The above noted 400 mm diameter trunk watermain are in accordance with the 2018 Water and Wastewater Master Plan Update and are components of project W-5A (Trunk watermain on Manning Road–CP Railway to CR42) and project W-5B (Trunk watermain on CR42–11<sup>th</sup> Concession Road to Manning Road).)

The County of Essex is proposing to complete the County Road 42 improvements in a number of phases. The County's original schedule was to construct the County Road 19/42 roundabout in 2020, however, this project has been delayed. It is now tentatively planned to construct the County Road 19/42 roundabout in 2022. This will include the 400 mm diameter trunk watermain on County Road 19, a portion of the 400 mm diameter trunk watermain on County Road 42, sanitary service connection improvements on a portion of County Road 42 and landscaping within the County Road 19/42 roundabout. The County has not finalized the scope of the phases, however, it is anticipated that the remaining watermain and sanitary works may proceed in 2023 with the County Road 42/43 roundabout proceeding in 2024 and the remaining roadwork proceeding in 2025. These future works are subject to change based on the County's ultimate phasing plan.

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-401/19) of Report PWES-2019-49 titled "2020-2024 Public Works & Environmental Services Five Year Capital Works Plan" that allowed for the above noted municipal service improvements to be included in the County of Essex contract drawings and specifications for the County's County Road 42 improvements project. Also included in the PWES 2020 Capital Works Plan was an allowance for the estimated cost of the Town services associated with the construction of the County Road 19/42 roundabout. Once the County's ultimate phasing plan is determined, Administration will confirm the applicable costs for municipal infrastructure in future capital works plans.



Based on the above noted schedule revisions, the County's proposed construction work did not proceed in 2020 and is now tentatively planned to proceed in 2022.

During 2020, Dillon Consulting Ltd. continued with the design for the municipal watermain and sanitary sewers for future phases of this project. These works included an assessment of the sanitary needs for the future potential development lands (within the current settlement area) on the south side of County Road 42. The Town's updated sanitary sewer model was used to complete this assessment. The watermain and sanitary sewer designs will continue into 2021.

In addition, due to the delay in the County's construction schedule and the current condition of the above note watermain on the 12<sup>th</sup> Concession Road and County Road 43, Administration recommends that the replacement of these watermain be removed from the County project and be included in the proposed 2021 Various Watermain Replacement Project detailed in a subsequent section of this report.

The estimated project cost of \$2,038,300 includes \$47,300 for road works, \$1,169,000 for watermain and \$822,000 for sanitary sewers.

Funding for this project is to be provided from the Wastewater Sewers Reserve Fund in the amount of \$30,000.

### WA 3. 2020 Water and Wastewater Rates Study

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$20,000	\$0	\$0	\$20,000

The last update to the Town's water and wastewater rates was completed in 2015. It is important to update these rates to ensure full cost recovery for the water and wastewater services provided by the Town. Full cost recovery is the generation of sufficient revenues to cover the cost of providing water and wastewater services which includes operations, capital works and the appropriate reserve contributions necessary for asset lifecycle replacement and growth.

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-401/19) of Report PWES-2019-49 titled "2020-2024 Public Works & Environmental Services Five Year Capital Works Plan" that authorized Administration to undertake a study in 2020 to update the Town's water and wastewater rates. It was identified that the results of the study will be used as a guide to set the water and wastewater rates for budget years 2021 to 2025. It was further noted that Administration planned to complete the majority of this study in-house, however, an allowance of \$20,000 was approved for potential external consulting assistance and peer review.

This study did not commence in 2020 and is now proposed to proceed in 2021.

Funding for this project was previously provided from the following:

- Watermain Reserve Fund in the amount of \$10,000
- Wastewater Sewers Reserve Fund in the amount of \$10,000

#### WA 4. Fire Hydrant Reflectors

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	\$15,000	\$0	\$15,000

Municipal fire hydrants are to be accessible, visible and the available fire flow is to be identified on the hydrant with standard colour coding. The National Fire Protection Association (NFPA) sets voluntary consensus standards (NFPA 291) that cover fire flow testing and marking of hydrants. With flow testing, hydrants are classified in accordance with their rated capacities. Once the capacities are determined, the tops and nozzle caps are painted in accordance with a capacity-indicating colour scheme to provide simplicity and consistency.

Recently an innovative product has been introduced to improve hydrant visibility and capacity rating identification. The new product is a reflective colour coded ring that is installed on the side nozzles of the hydrant. The reflective rings make the hydrants extremely visible at night with the reflective colour clearly identifying the available flow capacity. Many municipalities throughout the Province, including the Windsor/Essex region, have installed this product on their municipal hydrants.

Administration recommends that the above noted fire hydrant reflectors be purchased and installed on the all Town fire hydrants. It is anticipated that the reflector will be installed during the annual hydrant flushing program.

Funding for this project is to be provided from the Watermain Reserve Fund in the amount of \$15,000.

#### WA 5. County Road 43/Banwell Watermain – Intersection Road to South of CPR

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	\$130,900	\$607,100	\$738,000

The existing watermain on County Road 43 (Banwell Road) currently extends from County Road 42 to a dead end approximately 250 m south of the CP Railway property. Similarly, an existing watermain on Intersection Road extends westerly to Banwell Road where it reduces to a 50 mm watermain that extend northerly to a dead end. Between the end of the County Road 43 watermain and the intersection of Banwell Road and Intersection Road, there is approximately a 675 metres section of County Road 43/Banwell Road where no watermain exists.

To maintain adequate water quality in the existing watermains, auto flushers exist at the end of the County Road 43 watermain and at the location where the Banwell/Intersection watermain changes to 50 mm pipe. In addition, Tecumseh Vista School is serviced from the County Road 43 watermain. If an issue arises with the County Road 43 watermain that requires the watermain to be shut down for repairs, there is no alternative water feed to maintain a water supply to the school.

Planning for this watermain will require input and approvals from the City of Windsor, the County of Essex and the CP Railway.

Administration recommends that a new watermain be constructed to connect the existing County Road 43 watermain to the existing watermain at the intersection of Banwell Road and Intersection Road. Connection of these existing watermains will add resiliency to the water supply for the Tecumseh Vista School, improve water quality and reduce the required number of auto flushers.

Administration recommends that Dillon Consulting Ltd. be retained to undertake the engineering design and to assist with obtaining approvals from the City of Windsor, the County of Essex and the CP Railway. Dillon Consulting Ltd. is recommended based on their current design work for the County Road 43 watermain replacement between County Road 42 and Shields Road, their experience with other Town projects and their experience with other watermain projects in Essex County. It is proposed to commence the design in 2021 with construction to follow upon completion of the design. Based on the required coordination with the City of Windsor, the County of Essex and the CP Railway, it is anticipated that design could extend into 2022.

Funding for this project is to be provided from the Watermain Reserve Fund in the amount of \$130,900.

#### **WA 6. 2021 Various Watermain Replacement Project**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	<b>\$1,108,100</b>	\$0	\$1,108,100

The Water Division recommends the replacement of old cast iron and ductile iron watermain infrastructure throughout the Town of Tecumseh. These aging systems are prone to water loss, breaks and increase the potential for poor water quality. Over time, buildup also occurs within these types of pipes reducing water flow and making it difficult to maintain chloride residuals as mandated by the Ministry of Environment, Conservation and Parks.

Administration recommends that the following watermains be included in this project:

##### 12<sup>th</sup> Concession Road Watermain (Estimated Cost \$575,700)

There are two sections of 150 mm cast iron watermain that require replacement on the 12<sup>th</sup> Concession Road. The first section of watermain is approximately 300 metres long and is located between County Road 42 and Dimu Drive. In accordance with the 2018 Water and Wastewater Master Plan Update, Administration recommends that this section of watermain be replaced with new 300 mm PVC watermain. This section of watermain was originally planned to be included with the County of Essex County Road 42 Improvements project, however, based on delays with the County project, it is recommended that this watermain be replaced as a Town project. The majority of the design has been completed for this section of watermain.

The second section of watermain is approximately 180 metres long and is located approximately 450 metres south of County Road 42. Administration recommends that this section of watermain be replaced with new 150 mm PVC watermain.

County Road 43 Watermain (Estimated Cost \$247,900)

On County Road 43 there is approximately 275 metres of 200 mm ductile iron watermain. The section of watermain starts at County Road 42 and extends northerly towards Shields Road. This is the only water supply to Tecumseh Vista School. In 2019, a watermain break occurred on this watermain during the day. To avoid a school closure, the watermain was not shutdown during school hours and the watermain leak continued throughout the day. Following the end of the school day, the watermain was shut down and the break repaired. This break was small in nature and the option existed to maintain the water supply to the school. A major break would have required the watermain to be shut down and the school closed.

This section of watermain was originally planned to be included with the County of Essex County Road 42 Improvements project, however, based on delays with the County project, it is recommended that this watermain be replaced as a Town project. The majority of the design has been completed for this section of watermain.

Administration recommends that this section of watermain be replaced with new 200 mm PVC watermain.

Tecumseh Road Watermain – Brighton Road to Pike Creek (Estimated Cost \$284,500)

On Tecumseh Road there is approximately 160 metres of 200 mm ductile iron watermain extending from Brighton Road easterly to the Pike Creek. This watermain is located in front of the Bay Harbour Condo site that is currently under construction. As part of the Bay Harbour Condo site development, significant landscaping improvements are proposed in the vicinity of the existing watermain. Administration recommends that this watermain be replaced with new 200 mm PVC watermain before the adjacent site improvements are undertaken.

Administration recommends that Dillon Consulting Ltd. be retained for the 2021 Various Watermain Replacement Project to undertake the following: detailed design; assist with obtaining approvals; tender document preparation; assist with tendering; and to undertake contract administration/construction observation. Dillon Consulting Ltd. is recommended based on their current design work for the 12<sup>th</sup> Concession Road and County Road 43 watermain (that were originally included in the County's County Road 42 Improvements Project) as well as their experience with other Town projects and their experience with other watermain projects in Essex County.

The estimated project cost of \$1,108,100 includes \$23,100 for road works and \$1,085,000 for watermain.

Funding for this project is to be provided from the following:

- Road Lifecycle Reserve in the amount of \$23,100

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- Watermain Reserve Fund in the amount of \$1,085,000

#### **WA 7. Hwy 3/CR34 Water Valve Replacement**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	<b>\$456,300</b>	\$0	\$456,300

In the late 1990's, a 300 mm PVC watermain was installed along Highway No. 3 from Oldcastle Road to County Road 34 and along County Road 34 from Highway No. 3 to Malden Road. The project generally included the watermain, service connections, fire hydrants/valves and mainline valves.

During recent fire hydrant work on this watermain, four fire hydrant valves were operated to undertake required maintenance and the valves did not seal. Further investigation revealed that the rubber valve seat on all four valves had deteriorated causing the valves to fail. Based on discussions with suppliers, the valves used on this project were only manufactured for a short period of time and they are no longer available. In addition, repair parts are not available. Failure of these valves limits the ability of the Water Division to isolated sections of the waterline during normal maintenance and for any unexpected watermain issue that may arise.

In total, there are approximately 50 water valves that need to be replaced including all fire hydrant valves and mainline valves. Administration recommends that the replacement of these water valves commence in 2021 and that the project proceed through a normal tender process to obtain prices to complete the work with a future report being brought forward to Council for tender award. It is further recommended that Blackrock Consulting Limited be retained to assist with tendering and contract administration.

Funding for this project is to be provided from the Watermain Reserve Fund in the amount of \$456,300.

#### **WA 8. Watermain Anode Program – Inspection/Replacement**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	<b>\$200,000</b>	\$0	\$200,000

Ductile and cast iron pipe make up approximately 20% of the total amount of watermain in the Town's watermain distribution system. Due to the continual corrosion problems and high failure rates associated with ductile and cast iron pipe, the Town of Tecumseh Water Division commenced an anode protection program in 2015. Anodes (Cathodic Protection) are a scientifically proven method of corrosion control. Anodes minimize the effects of external corrosion on existing ductile and cast iron watermains, thus reducing watermain breaks and extending the useful life of watermain. If the watermains are left unprotected, and continue to corrode at the rates being experienced, total replacement of the watermains would be necessary sooner at a large capital cost.



Cathodic protection consists of installing sacrificial anodes (magnesium or zinc) underground, ideally at watermain depth and connecting them to the watermain with insulated copper wires. The basis of Cathodic Protection is such that the attached anode will corrode instead of the watermain. To achieve adequate protection on a watermain, installation of several anodes along the pipe is necessary. Each anode is effective over a short range of pipe length. The spacing of the anodes is dependent on the condition of the pipe, pipe size, soil resistivity and strength of stray electric ground currents. The anodes are also attached to above ground test stations so that their effectiveness over time can be measured.

It is approximately 5 years since the first anodes were installed and it is now time to inspect the condition of the anodes at the above noted test stations. The purpose of the inspections is to determine the remaining life expectancy of the previously installed anodes and to replace anodes where required.

Administration recommends that an anode inspection/replacement project commence in 2021 and that an allowance of \$200,000 be provided for this project.

Funding for this project is to be provided from the Watermain Reserve Fund in the amount of \$200,000.

#### **Wastewater Projects**

##### **WW 1. Tecumseh Road Sanitary Sewer – Lesperance to Southfield**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$2,243,500	\$0	\$0	\$2,243,500

The Tecumseh Road Sanitary Sewer – Lesperance Road and Southfield Drive is located within the Tecumseh Road Community Improvement Plan (CIP) area. The Tecumseh Road CIP area is currently serviced by a sanitary sewer collection system that includes a sub-trunk sewer on Tecumseh Road, which directs sewage flows to the Lesperance Road trunk sewer and ultimately to the Gauthier (Cedarwood) Pump Station. Over time, the Town has implemented several strategies to address sanitary servicing requirements within the Tecumseh Road CIP area as development has progressed.

In 2018, four development proposals within the Tecumseh CIP area west of St. Anne Street were presented to the Town that included approximately 216 apartment/condo units and 2,635 m<sup>2</sup> of commercial space. An assessment of the existing sanitary sewer, with the addition of these four potential development proposals, was completed and available capacity was confirmed for same. With these four developments, however, the capacity of the existing sewer was maximized and any further new development would require sewer improvements. In 2019, an additional development proposal was presented to Administration from a property owner on Southfield Drive that includes approximately 150 apartment units. In order for this development to proceed along with the four other developments, the Tecumseh Road sanitary sewer would need to be upgraded. Based on the timing of the development proposals, improved sanitary servicing will be required by 2021. Accordingly, the detailed design for sanitary sewer upgrades was initiated in 2019.

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-401/19) of Report PWES-2019-49 titled "2020-2024 Public Works & Environmental Services Five Year Capital Works Plan" that authorized Administration to proceed with the construction of this project in 2020. Accordingly, the project was tendered in January 2020 with eight tenders being received.

At the March 24, 2020 Regular Meeting of Council, Council approved the recommendations (Motion RCM-144/20) of Report PWES-2020-18 titled "Tecumseh Road Sanitary Sewer - Tender Award" that authorized the award of the project to D'Amore Construction (2000) Ltd. Due to the Covid-19 pandemic, the start of construction was delayed until August 2020. Construction is complete with a few minor deficiencies remaining. Minor deficiency repairs and the maintenance period will extend into 2021.

Funding for this project was previously provided from the following:

- Road Lifecycle Reserve in the amount of \$404,500
- Wastewater Sewers Reserve Fund in the amount of \$1,839,000

#### **WW 2. Sylvestre Drive Sanitary Sewer Extension**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$285,000	\$0	\$1,612,400	\$1,897,400

This project consists of the extension of a sanitary sewer on Sylvestre Drive from Sylvestre Drive to County Road 19 (approximately 410-metres), as well as adjacent to the County Road 19 right-of-way through a future easement (approximately 215-metres) or within an expanded County Road right of way as part of a future County Road 19 improvement project. It is also proposed to rehabilitate Sylvestre Drive from Jamsyl Drive to County Road 19 (approximately 760-metres). The installation of the sanitary sewers to service the properties identified within the study area is in keeping with Town's Water & Wastewater Master Plan, the Provincial Policy Statement, the County of Essex's Official Plan, and the Town's Official Plan to provide full municipal services to those properties within designated Settlement Areas.

As part of this project, a Schedule B Class Environmental Assessment was required to be undertaken due to the extension of a sanitary sewer through a future easement.

At the December 12, 2017 Regular Meeting of Council, Council approved the recommendations (Motion RCM-441/17) of PWES Report No. 57/17 titled "2018-2022 Public Works & Environmental Services Capital Works Plan" that authorized Administration to proceed with the 2018 capital works projects, including the engineering design work and the Class Environmental Assessment for the Sylvestre Drive Sanitary Sewer Extension project. In accordance with this report, Dillon Consulting Ltd. was retained for this project.

At the July 23, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-232/19) of PWES Report No. 2019-31 titled "Sylvestre Drive Sanitary Sewer Extension Municipal Class Environmental Assessment, Schedule B Filing the Notice of Study Completion" that authorized administration to file the Notice of Study Completion and initiate the mandatory 30-day public and agency review period. Accordingly, the Notice of Study

Completion was issued and the 30-day public and agency review period occurred from August 2, 2019 to September 1, 2019. All comments received were satisfactorily addressed and on October 9, 2019 Dillon Consulting Ltd. issued correspondence advising that the Sylvestre Drive Sanitary Sewer Extension Class Environmental Assessment is considered approved under the Municipal Class EA process and may proceed to detailed design and implementation.

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-403/19) of Report PWES-2019-51 titled "Sylvestre Drive Sanitary Sewer Extension, Municipal Class Environmental Assessment, Schedule B Study Completion and Final Adoption" which adopted this study.

It was originally planned to obtaining required approvals, prepare tender documents, obtain easements and undertake utility relocations in 2020 with construction tentatively planned to proceed in 2021. Detailed design is nearing completion, however, discussions are still on-going with Hydro One regarding the pump station design. The County of Essex also recently advised that future improvements to County Road 19 may commence in the next 5 to 10 years. The County Road 19 improvements will require the County to obtain a right of way widening over the area where the sanitary sewer easement is required. To obtain construction efficiencies and potentially avoid the need for the Town to obtain easements, it is beneficial to plan for this sanitary sewer construction when the County Road 19 improvements are completed. Accordingly, the potential construction of this project has tentatively been moved to beyond 2025. This schedule will be further updated in future Five Year Capital Works Plans as the County's schedule for the County Road 19 improvements is refined. Final design and the preparation of tender documents will continue in 2021.

Estimated recoveries from landowners for the sanitary sewers would be approximately \$729,300, with assessments to be calculated by Administration and invoiced back to the landowners by means of a Part XII by-law (*Municipal Act*, s.391). Administration intends to bring forward a future report to Council in 2021 regarding the cost recovery by-law.

The project cost of \$1,897,400 includes \$1,114,000 for road works, \$729,300 for sanitary sewers and \$54,100 for storm sewers.

Funding for this project was previously provided from the following:

- Road Lifecycle Reserve in the amount of \$94,000
- Wastewater Sewers Reserve Fund in the amount of \$186,800
- Storm Sewer Lifecycle Reserves in the amount of \$4,200

### **WW 3. County Road 46, Webster and Laval Sanitary Sewer Extension**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$445,250	\$0	\$4,968,250	\$5,413,500

The County Road 46, Webster and Laval Sanitary Sewer Extension is a continuation of the sanitary sewer servicing within the 8<sup>th</sup> Concession Road sanitary service area. The project includes the extension of a sanitary sewer along County Road 46 from the 8<sup>th</sup> Concession



Road to Webster Drive, as well as on Webster Drive (entire length), and the extension of a sanitary sewer through an easement just south of Highway 401. This project will be coordinated with the County's planned road rehabilitation for County Road 46.

At the December 11, 2018 Regular Meeting of Council, Council approved the recommendations (Motion RCM-361/18) of PWES Report No. 2018-08 titled "2019-2023 Public Works & Environmental Services 5 Year Capital Works Plan" that authorized Administration to complete the engineering design for the County Road 46, Webster and Laval Sanitary Sewer Extension in 2019 with construction tentatively planned for 2020. In accordance with this report, Dillon Consulting Ltd. was retained to complete the engineering design.

Through detailed design it was determined that additional storm sewer improvements are required on Webster Drive, that the existing local watermain on County Road 46 requires replacement and that certain utilities need to be relocated to facilitate this project. Based on this information, it was previously proposed that the project design, advanced utility relocations, easement acquisition and obtaining all required approvals would occur in 2020 with construction anticipated to proceed in 2021.

Detailed design, consultation with utility companies and negotiations with regard to easement acquisition continued in 2020. It is proposed that detailed design, preparation of tender documents and obtaining approvals will continue in 2021. With regard to easement acquisition, an agreement has been reached with the property owner and a related report will be brought forward to Council for approval in 2021.

In addition to the above, new regulations from the Ontario Ministry of Environment, Conservation and Parks related to excess soil generated from construction projects are expected to be released in 2021. These new excess soil regulations will require additional geotechnical investigations to determine the type/quality of the excess soil including a plan for the intended re-use of same. Administration recommends proceeding with the required excess soil investigations in 2021 so this information can be included in the tender documents. Construction is tentatively planned to proceed in 2022 or 2023.

Estimated recoveries from landowners for the sanitary sewers would be approximately \$1,767,000 and will be refined once the By-Law for the 8<sup>th</sup> Concession Road sanitary service area is completed. The project cost of \$5,413,500 includes \$2,102,800 for road reconstruction, \$533,100 for storm sewers, \$1,456,800 sanitary sewers and \$1,320,800 for watermains.

Funding for this project was previously provided from the following:

- Road Lifecycle Reserve in the amount of \$120,750
- Wastewater Sewers Reserve Fund in the amount of \$166,700
- Storm Sewer Lifecycle Reserves in the amount of \$77,400
- Watermain Reserve Fund in the amount of \$80,400

#### **WW 4. Del Duca Drive Sanitary Sewer Extension**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$372,350	<b>\$100,000</b>	\$3,373,350	\$3,845,700

The Del Duca Drive Sanitary Sewer Extension is a continuation of the sanitary sewer servicing within the 8th Concession Road sanitary service area. The project includes the extension of a sanitary sewer along Del Duca Drive.

At the December 11, 2018 Regular Meeting of Council, Council approved the recommendations (Motion RCM-361/18) of PWES Report No. 2018-08 titled "2019-2023 Public Works & Environmental Services 5 Year Capital Works Plan" that authorized Administration to complete the engineering design for the Del Duca Drive Sanitary Sewer Extension in 2019. In accordance with this report, Stantec Consulting Ltd. was retained to complete the detailed design.

The Oldcastle Stormwater Master Plan is being completed concurrently with the design for the Del Duca Sanitary Sewer Extension. Through the Oldcastle Stormwater Master Plan it was determined that a future major storm event flow route is required from the Del Duca Drive cul-de-sac southerly to the Hurley Relief Drain. Coordination has occurred between these two projects to ensure that the Del Duca design provides for the anticipated recommendations of the Oldcastle Stormwater Master Plan. Based on this coordination, it has been determined that a previously identified sanitary easement may need to be modified to accommodate a future storm sewer. These details are currently being finalized and, as a result, easement discussions with property owners have not commenced. Once the easement requirements are finalized through the Oldcastle Stormwater Master Plan EA process, the preliminary plans can be finalized and easement discussions can occur.

It is proposed that detailed design, easement acquisition, preparation of tender documents and obtaining required approvals will continue in 2021. A future report will be brought forward to Council with recommendations related to easement acquisition.

In addition to the above, new regulations from the Ontario Ministry of Environment, Conservation and Parks related to excess soil generated from construction projects are expected to be released in 2021. These new excess soil regulations will require additional geotechnical investigations to determine the type/quality of the excess soil including a plan for the intended re-use of same. Administration recommends proceeding with the required excess soil investigations in 2021 so this information can be included in the tender documents. Construction is tentatively planned to proceed in 2022 or 2023.

Estimated recoveries from landowners for the sanitary sewers would be approximately \$1,050,000 and will be refined once the By-Law for the 8th Concession Road sanitary service area is completed. The project cost of \$3,845,700 includes \$1,448,500 for road reconstruction, \$1,130,700 for storm sewers, \$1,235,700 for sanitary sewers and \$30,800 for watermain.

Funding for this project is to be provided from the following:

- Road Lifecycle Reserve in the amount of \$20,000

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- Wastewater Sewers Reserve Fund in the amount of \$40,000
- Storm Sewer Lifecycle Reserves in the amount of \$40,000

#### **WW 5. Sanitary Sewer Model Update and Flow Monitoring**

Previously Approved	Requested for 2020	Future Costs	Total Project Costs
\$295,000	<b>\$20,000</b>	\$0	\$315,000

In 2011 Council received the report (Motion RCM-227/11) titled "Town of Tecumseh, Sanitary Sewer Assessment Report, dated May 2011". The report included a recommendation that the Town update their existing sanitary sewer model every three to four years, as well as carryout a flow monitoring program.

In 2011, Dillon Consulting Ltd. was retained to update the sanitary sewer model for the sanitary sewer infrastructure located north of County Road 22 in order to assess the impacts of a proposed development. The findings of the model update and related assessment led to the preparation of the "Sanitary Sewerage Collection System Improvements Class Environmental Assessment – April 2013 (Dillon) to address the recommended improvements. Following completion of the EA, Dillon Consulting Ltd. was retained to update the sanitary sewer model for the sanitary infrastructure located south of County Road 22 which was completed in late 2013. Both models were then integrated into one model.

At the June 26, 2018 Regular Meeting of Council, Council approved the recommendation (Motion RCM-194/18) of PWES Report No. 2018-17 "Flood Mitigation Strategy" that the report be received. Continued flow monitoring and sanitary sewer modeling were recommended flood mitigation strategies in the report. The report further identified that updating the sanitary sewer model would be incorporated within the 5-year PWES Capital Works Plan.

At the December 11, 2018 Regular Meeting of Council, Council approved the recommendations (Motion RCM-361/18) of PWES Report No. 2018-08 titled "2019-2023 Public Works & Environmental Services 5 Year Capital Works Plan" that authorized Administration to complete a Sanitary Sewer Model Update and Flow Monitoring project. In accordance with this report, Dillon Consulting Ltd. was retained to undertake the modelling project.

Following commencement of the study, the original project scope was expanded to determine if the impacts of the Town's Inflow and Infiltration Removal project could be quantified based on the 2019 flow monitoring program to assist with sewer capacity assessments for new development proposals. In addition, to obtain design efficiencies and improve available information to assist with development inquiries, Administration recommended expanding the scope of work in 2020 to include modelling assessments related to the Tecumseh CIP area and the reconfiguration of the future sanitary trunk servicing within the Tecumseh Hamlet area (including integration of the Tecumseh Hamlet and Manning Road Secondary Planning areas and refinements to the existing County Road 42 service area for both dry and wet weather flow conditions).

A significant component of the model development is model calibration/verification. In order to calibrate/verify a model, flow monitoring data is used to confirm that the flows generated by the

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model are representative of actual flows measured in the sewers during recorded events. In order to assess rain derived inflow and infiltration, a significant rainfall event is required. During the scheduled flow monitoring period, only minor rain events were received. Accordingly, the flow monitoring was extended into Fall 2020 which postponed the final model calibration/verification. The final report for this project is expected in 2021.

Funding for this project is to be provided from the Wastewater Sewers Reserve Fund in the amount of \$20,000.

#### **WW 6. Manhole Restoration Program**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$150,000	<b>\$100,000</b>	\$0	\$250,000

Administration previously recommended a program whereby manholes that have been constructed in the travelled lanes of Town roadways will be reviewed and manholes that are found to have a significant difference in elevation between the rim and the surrounding roadway will be repaired. The method of repair is a technique that has been used by PWES for the last few years. It involves a machine to core drill around the manhole lid and the manhole is rebuilt and levelled to the surrounding pavement elevation. This method results in significantly less cracking of existing roadway pavement due to the circular excavation. It also allows the area around the manhole to be compacted prior to reinstatement of any pavement. PWES has experienced good success with this restoration method and it has been used by other municipalities to reconstruct manholes in travelled lanes.

At the December 11, 2018 Regular Meeting of Council, Council approved the recommendations (Motion RCM-361/18) of PWES Report No. 2018-08 titled "2019-2023 Public Works & Environmental Services 5 Year Capital Works Plan" that authorized Administration to proceed with a manhole restorations plan in 2019.

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-401/19) of Report PWES-2019-49 titled "2020-2024 Public Works & Environmental Services Five Year Capital Works Plan" that authorized Administration to continue with a manhole restorations plan in 2020.

Based on the success of this program, Administration recommends that the program be continued in 2021.

Funding for this project is to be provided from the following:

- Wastewater Sewers Reserve Fund in the amount of \$50,000
- Storm Sewer Lifecycle Reserve in the amount of \$50,000

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#### WW 7. 2021 Sanitary Pump Station Improvements

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$22,500	<b>\$71,500</b>	\$169,000	\$263,000

The Town owns and operates four (4) sanitary pump stations. The 2016 Pump & Metering Station Condition Assessment identified 'Immediate Repairs' and '10 Year Repairs' for the sanitary pump stations. In addition, The Town contracts the Ontario Clean Water Agency (OCWA) as the Overall Responsible Operator for the Town's pump station. Accordingly, the OCWA also provides recommendation to the Town for the on-going maintenance needs of our pump stations.

Administration recommends the following sanitary pump station works be undertaken in 2021, based on the recommendations contained in the 2016 Pump & Metering Station Condition Assessment and the recommendations provided by the OCWA.

##### Sylvestre Drive Sanitary Pump Station (Estimated Cost \$15,000)

- Installation of surge suppression to protect the pump station from lightning strikes and other power surges.

##### Lakewood Sanitary Pump Station (Estimated Cost \$25,000)

- Installation of surge suppression to protect the pump station from lightning strikes and other power surges.
- Installation of a differential pressure transmitter or hydrostatic probe to provide a back up system for the pump controls when the existing controls are submerged during a storm event.

##### St. Alphonse Sanitary Pump Station (Estimated Cost \$31,500)

- Installation of surge suppression to protect the pump station from lightning strikes and other power surges.
- Purchase spare pump. Rental pumps are no longer available.

Funding for this project is to be provided from the Wastewater Facilities Reserve Fund in the amount of \$71,500.

#### Storm Sewer Projects

##### ST 1. Shoreline Management Plan

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$350,000	<b>\$0</b>	\$0	\$350,000



At the June 26, 2018 Regular Meeting of Council, Council approved the recommendation (Motion RCM-194/18) of PWES Report No. 2018-17 "Flood Mitigation Strategy" that the report be received. Completion of a Shoreline Management Plan was one of the recommended flood mitigation strategies in the report. The report further identified that completion of a Shoreline Management Plan would be incorporated within the 5-year PWES Capital Works Plan.

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-401/19) of Report PWES-2019-49 titled "2020-2024 Public Works & Environmental Services Five Year Capital Works Plan" that authorized Administration to undertake a Shoreline Management Plan in 2020. In accordance with this report, Zuzek Inc. was retained to complete the study.

The Shoreline Management Plan will generally include the following components:

- Re-assessment of the 1:100-year Lake St. Clair flood elevations.
- A detailed shoreline property inventory including topographic information for each shoreline property within the Town of Tecumseh.
- Determination of vulnerable flood locations along the shoreline.
- Determination of extent of inland flooding based on lake water conveyance through vulnerable areas.
- Assessment of potential impacts of climate change.
- Assessment of lake flooding plus rain generated runoff (Integration with Dillon 2D Storm Drainage Master Plan model).
- Damage value estimates for public and private properties.
- High level conceptual mitigation measures that could be considered in the next phases of the study.

Public consultation is an important part of this project. Due to the COVID-19 pandemic, traditional Public Information Centres (PIC) are not possible, however, a series of virtual PICs will be used to ensure residents have an opportunity to provide information, ask questions and participate in the process. The first virtual PIC was held on Thursday, October 29, 2020. Two sessions were coordinated; one in the afternoon and the second in the evening. For both sessions, an on-line 'live' presentation (via Zoom) was provided followed by a question and answer session. Participants were also invited to provide written comments. The presentation and question and answer sessions were recorded and are available for the public to view through links on the Town's website. The second virtual PIC is tentatively scheduled for January 2021.

Work on the Shoreline Management Plan commenced in July 2020 and the study will continue into 2021.

Funding for this project was previously provided from the Storm Sewer Lifecycle Reserve in the amount of \$350,000.

## ST 2. Stormwater Rate Study

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$45,000	\$0	\$0	\$45,000

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-402/19) of Report PWES-2019-50 titled "Storm Drainage Master Plan Study Completion and Final Adoption" which adopted this study.

Based on the findings of the recently adopted Storm Drainage Master Plan, significant improvements are recommended to existing Town storm infrastructure to reduce surface flooding concerns resulting in 'level of service improvements'. The recommended solutions to improve the level of service for the storm infrastructure within the study area are estimated to cost \$106.59M. In addition to the Storm Drainage Master Plan, the Town is also in the process of completing the Oldcastle Stormwater Master Plan. This study will also provide recommendations for stormwater infrastructure 'level of service improvements' as well as the related costs for same. As identified within the Town's 2018 Asset Management Plan (v2.0), these types of recommended improvements are to be incorporated into the annual Public Works & Environmental Services Capital Works Plan moving forward.

The current allocation to the Storm Sewer Reserves (\$1,002,700) is intended for the replacement of the existing assets and is not meant for 'level of service improvements'. There was approximately an 11% increase in the Storm Sewer Reserves within the 2020 budget, however it was intended that the 'level of service improvements' may be funded from the New Infrastructure Reserve in the interim. This approach may find storm infrastructure projects competing for funding with other Council initiatives such as the Multi-Use Sportsplex and the Main Street CIP Streetscape project.

To address these challenges, the Town needs to have a long-term plan that defines, prioritizes and appropriately funds the storm system needs, while recognizing many competing interests. Similar to water and wastewater rates, many municipalities are considering the implementation of a user fee system for stormwater services.

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-401/19) of Report PWES-2019-49 titled "2020-2024 Public Works & Environmental Services Five Year Capital Works Plan" that authorized Administration to undertake a Stormwater Rate Study to assess the feasibility of implementing a user fee system to meet the significant funding requirements needed to implement the Town's recommended stormwater infrastructure improvements. In accordance with this report, Watson & Associates Economists Ltd. (Watson) was retained to undertake a Stormwater Rate Study in 2020. The study is nearing completion and will continue into 2021.

Funding for this project was previously provided from the Storm Sewer Lifecycle Reserve in the amount of \$45,000.

### ST 3. Manning Road Secondary Plan Area – Stormwater Facility

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$2,780,000	\$0	\$9,955,000	\$12,735,000

The Town of Tecumseh completed the Manning Road Secondary Plan Area, Stormwater Management Class Environmental Assessment (EA) Environmental Study Report (ESR) in April 2010. The preferred stormwater management solution resulting from this EA included a single regional stormwater management facility at the southerly limits of the Study Area with a stormwater pump station that would discharge the runoff volume collected in this facility to the East Townline Drain at a controlled rate. In addition, the Baillargeon Drain would continue to discharge separately and directly to the East Townline Drain.

Between 2010-2013, the Town initiated the functional design of site servicing for the Manning Road Secondary Plan Area (MRSPA) during which time alternative servicing options for the MRSPA were investigated to assess potential cost saving opportunities. Based on these investigations, the Town of Tecumseh completed the Manning Road Secondary Plan Area, Stormwater Management Class Environmental Assessment (EA) Addendum in December 2014 (Updated March 2015). The Addendum incorporated the Baillargeon Drain as part of the MRSPA storm sewer system and stormwater management facility to better utilize the capacity of the existing and proposed storm drainage infrastructure in the area and to achieve cost savings compared to the original design, which had included the enclosure of the Baillargeon Drain generally along its existing alignment and discharging directly to the East Townline Drain.

Following the completion of the EA Addendum, the original 2013 Functional Servicing Report (FSR) was updated to address the recommendations included in the Addendum and a revised FSR was issued in 2015.

At the November 12, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-369/19) of PWES Report No. 2019-55 titled "Amendment to 2019-2023 PWES Five Year Capital Works Plan Manning Road Secondary Plan Area, Stormwater Management Facility" which included the following:

- Adding the MRSPA Stormwater Management Facility to the 2019-2023 PWES Five Year Capital Works Plan
- Authorization of an initial \$40,000 expenditure in 2019 to be funded out of the Storm Sewer Lifecycle Reserve for costs associated with the acquisition of lands related to legal, surveyors and land appraisals
- Recommendation that additional funding be referred to budget deliberations in the 2020-2024 PWES Five Year Capital Works Plan specific to detailed design, property acquisition and construction costs

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-401/19) of Report PWES-2019-49 titled "2020-2024 Public Works & Environmental Services Five Year Capital Works Plan" that authorized Administration to complete the detailed design for the MRSPA stormwater facility and to move forward with



the process to acquire the required property for the MRSPA stormwater management pond in 2020 with construction anticipated to proceed in 2021. In accordance with this report, Dillon Consulting Ltd. was retained based on their previous work on the MRSPA EA, MRSPA EA Addendum and related Functional Servicing Reports.

During 2020, the Town acquired the property required for the MRSPA stormwater management facility. In addition, prior to completing the detailed design for the MRSPA stormwater facility, it was necessary to update information contained in the previous 2015 ESR and FSR to reflect the current storm design criteria as provided in the Windsor/Essex Region Stormwater Management Standards Manual (December 2018). The update to the FSR is nearing completion and is expected by the end of 2020. Additional assessment of the sanitary servicing requirements for the MRSPA area in relation to the overall Town's sanitary system network was also undertaken. Detailed design will continue in 2021 with construction to be scheduled upon completion of the detailed design. Administration will bring forward a future report to Council to obtain approval to move forward with the pond construction.

Options for cost recovery are currently being considered by Administration, and a future report will be brought forward to Council regarding cost recovery recommendations for this project.

Funding for this project was previously provided from the Storm Sewer Lifecycle Reserve in the amount of \$2,740,000.

#### ST 4. Tecumseh Hamlet EA and Functional Servicing Study

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$310,000	<b>\$495,000</b>	\$0	\$805,000

In 2011, Council approved Administration to engage the services of DIALOG, an Urban Design Consultant, to assist in the development of the Tecumseh Hamlet Secondary Plan (THSP). DIALOG was to assist Administration with stakeholder engagement and capacity building, organizing and facilitating design charrettes and developing concept plans, policies and urban design guidelines to ensure orderly development of lands within the planning area.

In 2012, it was identified that a range of servicing issues needed to be addressed in the THSP area and that these servicing issues needed to be addressed concurrently with the land use planning issues. Accordingly, it was determined that a Functional Servicing Report (FSR) was required to address storm drainage, sanitary collection, water distribution infrastructure and road layout for the planned development of this area.

At that time, Dillon Consulting Ltd. (Dillon) was engaged to complete an FSR (water, wastewater, stormwater) to supplement the planning work. It was intended that the FSR would take into account the trunk infrastructure proposed by the Town's Water and Wastewater Master Plan and would provide more details as to how the lands would be serviced.

In conjunction with the FSR, it was also identified that a Municipal Class Environmental Assessment (Class EA) would be required to fulfill infrastructure Class EA requirements for water distribution, wastewater, stormwater and transportation within the Hamlet area.

At the same time as the above, the Upper Little River Watershed Master Drainage and Stormwater Management Municipal Class EA Study (ULR) was being undertaken jointly by the City of Windsor and the Town of Tecumseh, with project management being delivered by the Essex Region Conservation Authority. It was originally intended that the general location and size of the required Hamlet stormwater facilities would be determined through the recommendations of the ULR study. Due to numerous justifiable issues, the ULR study was delayed which ultimately resulted in the THSP and FSR/EA being delayed since the ULR stormwater requirements are needed to finalize the servicing requirements for the Hamlet area.

Based on the design and planning work completed to date, it is anticipated that the new development within the Tecumseh Hamlet area will include four (4) regional stormwater management facilities and approximately 155 hectares of residential development, 12 hectares of commercial development and 1 hectare of institutional development. The 12 hectare Tecumseh Vista Academy site is also included in the Tecumseh Hamlet area.

At the December 10, 2019 Regular Meeting of Council, Council approved the recommendations (Motion RCM-401/19) of Report PWES-2019-49 titled "2020-2024 Public Works & Environmental Services Five Year Capital Works Plan" that authorized Administration to undertake the stormwater management analysis, to finalize the road network and to commence the Class EA in 2020 in conjunction with the related planning processes for the THSP. It was further recommended that the FSR and the finalization of the Class EA be completed in 2021. In accordance with this report, Dillon Consulting was retained to undertake the identified design and Class EA.

Dillon Consulting Ltd. has proceeded with the stormwater management analysis and has developed preliminary pond sizes for the Tecumseh Hamlet. During this same time, Dillon Consulting Ltd. has also been proceeding with the City of Windsor Sandwich South Master Servicing Report and Little River Watershed Floodplain Mapping Project (SSMSR). Ultimately, drainage from the Tecumseh Hamlet Area outlets to Little River. Currently, the preliminary pond sizing for the Tecumseh Hamlet is based on the allowable release rates identified in the draft ULR study (which has not been finalized). The allowable release rates in the draft ULR study are very restrictive resulting in the need for large ponds. Based on the preliminary results from the City's SSMSR study, it appears that larger release rates may be allowable from the Tecumseh Hamlet without adversely impacting the existing flow regime of the Little River. Since the SSMSR is generating new floodline mapping, an in depth review and approval by the Conservation Authority is required. Traditional modelling techniques were not adequately representing the watershed, therefore a more unique and complex 2-D modelling approach was undertaken. The initial model results and associated hydrologic and hydraulic reports have been reviewed by ERCA and the Peer Review team. The Project Team and Peer Review Team are currently collaborating and working towards resolving some of the issues that have been brought up as part of the review. It is anticipated that these issues may be resolved early in the new year.

The Town has submitted a design memo to ERCA regarding potential release rates for the Tecumseh Hamlet ponds based on the preliminary finding for the SSMSR. ERCA will not be in a position to comment on the proposed Tecumseh Hamlet release rates until the SSMSR issues are resolved. Once the allowable release rates are confirmed, the pond sizing for the Tecumseh Hamlet and the proposed road network can be finalized.

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The total estimated cost for Hamlet FSR/Class EA is \$805,000 which includes design components of \$98,000 for roads, \$98,000 for water distribution, \$113,000 for sanitary sewers and \$496,000 for stormwater infrastructure.

It is recommended that Dillon Consulting Ltd. continue with the stormwater management analysis, the road network design, the FSR and the Class EA in 2021.

Funding for this project is to be provided from the following:

- Road Lifecycle Reserve in the amount of \$67,750
- Watermain Reserve Fund in the amount of \$67,750
- Wastewater Sewers Reserve Fund in the amount of \$82,750
- Storm Sewer Lifecycle Reserve in the amount of \$276,750

#### ST 5. Oldcastle Storm Drainage Master Plan

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$450,000	\$40,000	\$0	\$490,000

At the December 12, 2017 Regular Meeting of Council, Council approved the recommendations (Motion RCM-441/17) of PWES Report No. 57/17 titled "2018-2022 Public Works & Environmental Services Capital Works Plan" that authorized Administration to proceed with the 2018 capital works projects which included undertaking the Oldcastle Storm Drainage Master Plan. In accordance with this report, Stantec Consulting Ltd. was retained to complete the study.

The stormwater infrastructure network located within the Oldcastle Hamlet area is comprised of a combination of roadside ditches, Municipal Drains, storm sewers, swales/sub-drains, as well as County and Provincial storm infrastructure. There are three (3) distinct watershed areas within the Oldcastle Hamlet which include Little River (8 outlets), Turkey Creek (1 outlet), and River Canard (3 outlets).

The Oldcastle Storm Drainage Master Plan will focus on an analysis of the storm infrastructure within these watersheds and will set the framework for how stormwater is addressed for new and re-developments. This analysis will review how the storm infrastructure functions during minor rainfall events (what can be contained within the ditches, drains and sewers), and major rainfall events (which would follow overland flood routes). The Master Plan will follow the Municipal Class Environmental Assessment (EA) process and is equivalent to the same steps that a Schedule 'B' EA would follow.

At the September 11, 2018 Regular Meeting of Council, Council approved the recommendations (Motion RCM-272/18) of PWES Report No. 2018-21 titled "National Disaster Mitigation Program-Intake 5" that authorized Administration to submit an application to the federal government for funding under the National Disaster Mitigation Program (NDMP) for the Oldcastle Storm Drainage Master Plan. Subsequent to the September 11, 2018 Regular Meeting of Council, Administration submitted a funding application for this project to the NDMP. On March 28, 2019, Administration received confirmation that our funding application in the amount of \$180,000 was approved.

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In the Spring of 2019, the project manager for the Oldcastle Stormwater Master Plan left Stantec Consulting Ltd. to seek employment opportunities at another local engineering firm. Through discussions with Stantec Consulting Ltd., it was mutually agreed that the best path forward for this study was for the original project manager to complete the project. Accordingly, Landmark Engineers Inc. was retained to complete the study in accordance with the original project schedule and approved budget.

On October 17, 2019, a Public Information Center was held at the Ciociaro Club. Plans showing the existing drainage conditions within the Oldcastle area were available for review and discussion.

On January 29, 2020, a second Public Information Center was held at the Ciociaro Club. Information regarding existing drainage conditions, alternative mitigation measures and anticipated recommended solutions was available for review and discussion.

During 2020, the project scope expanded to include coordination efforts with a proposed residential development in the Oldcastle area and with the Town's Del Duca Drive sanitary sewer project. A draft report was received in October 2020 and is currently being reviewed by Administration. A report will be brought forward to Council in 2021 to obtain approval to advertise the Notice of Study Completion to initiate the mandatory 30-day public and agency review period.

Funding for this project is to be provided from the Storm Sewer Lifecycle Reserve in the amount of \$40,000.

#### **ST 6. Manning Road Improvement Project, Phase 2**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$303,000	<b>\$7,061,700</b>	\$0	\$7,364,700

The Town completed a Class Environmental Assessment (EA) in April 2010 for improvements to the East Townline Drain (Manning Road) Storm Pump Station. The proposed upgrades to the pump station and drain enclosure along Manning Road provided an opportunity to improve this portion of Manning Road by constructing an urban cross-section that accommodates pedestrians, cyclists and urban design features to create an aesthetically pleasing gateway into Lakewood Park. The limits of the Class EA included Manning Road from Riverside Drive to St. Gregory's Road.

Construction of Phase 1 was completed in 2014 which included the construction of the storm pump station and associated facilities, and the reconstruction of a section of Riverside Drive (Manning Road to Christy Lane), including the roundabout at the Manning Road/Riverside Drive intersection.

At the December 13, 2016 Regular Meeting of Council, Council approved the recommendation (Motion RCM-442/16) of PWES Report No. 54/16 titled "2017-2021 Public Works & Environmental Services Capital Works Plan" that authorized Administration to proceed with the engineering design for Phase 2 of this project. In accordance with this report, Dillon Consulting Ltd. was retained to undertake the engineering design. Phase 2 generally relates to

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underground servicing including the enclosure and redirection of the East Townline Drain into the recently constructed Lakewood Park channel, filling in the existing open drain on the west side of Manning Road, watermain replacement, construction of a new local storm sewer on the west side of Manning Road and the construction of an overflow storm sewer on St. Thomas Street. Both the enclosure/redirection of the East Townline Drain into the Lakewood Park channel and the construction of an overflow storm sewer on St. Thomas Street are recommended works from the Tecumseh Storm Drainage Master Plan (Projects ETL-3 and ESL-1) which was recently approved under the Municipal Class EA process.

The Town previously sought funding for this project under the following government funding programs:

- Disaster Mitigation and Adaptation Fund – 1<sup>st</sup> Intake
- Investing in Canada Infrastructure Program: Rural and Northern Communities Funding Stream – 2019 Intake

Unfortunately, this project was not selected for funding under either funding program.

The design for this project is now complete with tender documents currently being finalized. As previously noted in this report, new regulations from the Ontario Ministry of Environment, Conservation and Parks related to excess soil generated from construction projects are expected to be released in 2021. These new excess soil regulations will require additional geotechnical investigations to determine the type/quality of the excess soil including a plan for the intended re-use of same. Administration recommends proceeding with the required excess soil investigations immediately following the approval of this report so this information can be included in the tender documents.

The Phase 2 estimated project cost of \$7,364,700 includes \$842,400 for road works, \$1,069,300 for watermains, \$11,500 for sanitary sewers, \$1,840,600 for storm sewers and \$3,592,400 for municipal drains. There is the potential to apply funding allocations from both the Ontario Community Infrastructure Fund (OCIF) and Federal Gas Tax funds towards the costs of this project. The Town has been accumulating OCIF and Federal Gas Tax funds in reserves to use towards larger costing projects. Reserve balances are approximately \$2,925,000 and \$3,200,000 respectively. These funds have not yet been allocated to specific projects.

Administration recommends proceeding with construction for the Manning Road – Phase 2 Project in 2021. Administration further recommends continuing with Dillon Consulting Ltd. to assist with tendering, contract administration and construction observation.

Funding for this project is to be provided from the following:

- Road Lifecycle Reserve in the amount of \$787,900
- Watermain Reserve Fund in the amount of \$1,038,300
- Storm Sewer Lifecycle Reserve in the amount of \$1,769,600
- Drains Lifecycle Reserve in the amount of \$3,465,900

#### **ST 7. Scully & St. Mark's Storm Pump Station & Riverside Drive Storm Sewers**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$797,250	<b>\$500,000</b>	\$15,752,750	\$17,050,000

In 2016 a review of the St. Mark's Storm Pump Station, the Scully (Edgewater) Storm Pump Station and the existing storm sewer infrastructure within the contributing drainage area was conducted. The results indicated that the storm pump stations would be unable to accommodate additional flows from local streets that were slated to be reconstructed with storm sewers having a 1:5-year level of service. In addition, the detailed analysis of the stormwater infrastructure that was conducted as part of the Storm Drainage Master Plan confirmed that improvements are required to the existing Scully & St. Mark's pump stations.

The proposed project consists of decommissioning the St. Mark's storm pump station and redirecting those flows into an upgraded and expanded Scully storm pump station to provide a greater level of service. The Scully pump station upgrade is to increase pump capacity to accommodate the additional flows from the current St. Mark's service area, as well as other adjacent areas where interconnections and overland flows have been identified as part of the Town's Storm Drainage Master Plan. This project also includes trunk storm sewer improvements along Riverside Drive to add resiliency to the system and improve the level of service to address area-wide issues of surface flooding.

The project cost of \$17,050,000 includes \$15,107,000 for storm sewers and pumping stations, \$415,000 for sanitary sewers and \$1,528,000 for road reconstruction.

In May 2020, after being unsuccessful in our first two funding applications to the Disaster Mitigation and Adaptation (DMAF) funding program, the Town was invited to attend a teleconference with administrators of DMAF from Infrastructure Canada (INFC), where we were advised that funding was still available through the DMAF program. INFC invited Tecumseh to partake in a resubmission for a 'Special Spring 2019 Flooding Intake' application for the program that closed on July 17, 2020. Subsequent to this conference call, the Town resubmitted an updated application for the following projects:

- Scully & St. Mark's Storm Pump Station & Riverside Drive Trunk Storm Sewers project (Estimated cost 17.05M).
- P.J. Cecile Storm Pump Station Improvements project (Estimated cost \$9.70M).

On October 21, 2020, the Town was advised that our funding application had been approved for both of the above noted projects (Total funding \$10.7M).

Under the DMAF, all works must be completed by March 31, 2028. The Scully & St. Mark's Storm Pump Station & Riverside Drive Trunk Storm Sewer project is a major infrastructure improvement project that will require significant time to undertake the engineering design, obtain the required approvals and complete construction. The DMAF Funding Agreement is expected to be received in early 2021. The ultimate design and construction schedule will need to be in accordance with the Funding Agreement. Administration recommends approval of sufficient budget allocation in 2021 to allow the design and potential advance works to continue. Once the Funding Agreement is received, a future report will be brought forward to

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Council to seek authorization to execute the agreement and to request allocation of the full municipal component of the project cost, \$10.23M, as required by the Federal Government.

Dillon Consulting Ltd. commenced the design for the Scully & St. Mark's Pump Station and Riverside Drive Trunk Storm Sewer in summer 2020. Administration recommends continuing with the design in 2021.

Funding for this project is to be provided from the following:

- Storm Sewer Lifecycle Reserve in the amount of \$338,000
- Wastewater Sewers Reserve Fund in the amount of \$78,000
- Road Lifecycle Reserve in the amount of \$84,000

**ST 8. P.J. Cecile (Kensington) Storm Pump Station**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	\$500,000	\$9,200,000	\$9,700,000

In 2016 a review of the P.J. Cecile (Kensington) Storm Pump Station and existing storm sewer infrastructure within the contributing drainage area was conducted. The results indicated that the pump station cannot accommodate the future projected flows from the drainage area once some of the existing streets are reconstructed to an urban (or semi-urban) cross section. In addition, the recently completed Storm Drainage Master Plan confirmed the need for improvements at this pump station.

The proposed work includes the construction of a new pump station over the footprint of the existing structure with increased capacity and larger inlet and outlet piping. The estimated project cost of \$9,700,000 includes \$9,426,000 for storm sewers and pump stations and \$274,000 for road reconstruction.

In May 2020, after being unsuccessful in our first two funding applications to the Disaster Mitigation and Adaptation (DMAF) funding program, the Town was invited to attend a teleconference with administrators of DMAF from Infrastructure Canada (INFC), where we were advised that funding was still available through the DMAF program. INFC invited Tecumseh to partake in a resubmission for a 'Special Spring 2019 Flooding Intake' application for the program that closed on July 17, 2020. Subsequent to this conference call, the Town resubmitted an updated application for the following projects:

- Scully & St. Mark's Storm Pump Station & Riverside Drive Trunk Storm Sewers project (Estimated cost 17.05M).
- P.J. Cecile Storm Pump Station Improvements project (Estimated cost \$9.70M).

On October 21, 2020, the Town was advised that our funding application had been approved for both of the above noted projects (Total funding \$10.7M).

Under the DMAF, all works must be completed by March 31, 2028. The P.J. Cecile (Kensington) Storm Pump Station is a major infrastructure improvement project that will require significant time to undertake the engineering design, obtain the required approvals and

complete construction. The DMAF Funding Agreement is expected to be received in early 2021. The ultimate design and construction schedule will need to be in accordance with the Funding Agreement. Administration recommends approval of sufficient budget allocation to commence the design in 2021. Once the Funding Agreement is received, a future report will be brought forward to Council to seek authorization to execute the agreement and to request allocation of the full municipal component of the project costs, \$5.82M, as required by the Federal Government.

Funding for this project is to be provided from the following:

- Storm Sewer Lifecycle Reserve in the amount of \$486,000
- Road Lifecycle Reserve in the amount of \$14,000

#### **ST 9. Turkey Creek Watershed Assessment – Phase 1**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	<b>\$60,000</b>	\$0	\$0

Currently, various drainage/stormwater management studies are being undertaken in the Towns of Tecumseh, LaSalle and the City of Windsor. Many of these studies involve sub-watersheds of Turkey Creek or have the potential to be impacted by spill from the Turkey Creek watershed. These studies include Tecumseh's Oldcastle Stormwater Master Plan, Windsor's Sewer Master Plan and LaSalle's Howard-Bouffard Master Drainage Study. With the outlet of Turkey Creek extending through LaSalle to the Detroit River, LaSalle has raised questions with regard to potential flood impacts from both existing and proposed development within the Turkey Creek watershed.

The Oldcastle Stormwater Master Plan will include recommendations for drainage improvements for the Tecumseh portion of the Wolf Drain. The Wolf Drain drainage area is approximately 340 Ha with approximately 240 Ha being located in Tecumseh. The Wolf Drain outlets into the Cahill Drain, which crosses under the Herb Gray Parkway and ultimately outlets into the Turkey Creek between Malden Road and Matchette Road. The total drainage area for the Turkey Creek is approximately 5,700 Ha. While the Tecumseh portion of the Turkey Creek drainage area is relatively small, runoff from Tecumseh flows downstream through developed portion of LaSalle.

The existing floodplain mapping for Turkey Creek and related tributaries date back to the early 1980s and 1990s. Since the completion of this mapping, significant development has occurred in each municipality. In addition, the Herb Gray Parkway was constructed which included works on significant tributaries of Turkey Creek.

At the request of LaSalle, a meeting was convened in 2020 with engineering staff from all three municipalities and the Essex Region Conservation Authority (ERCA). Based on the extensive changes that have occurred in this watershed, it was agreed that the watershed would benefit from a more coordinated approach to updating hydrology and hydraulics for Turkey Creek and other primary tributaries (i.e. Cahill Drain) to confirm the inputs, assumptions and recommendations of the various on-going studies within the Turkey Creek watershed.



At the request of LaSalle, with input from both Tecumseh and Windsor, ERCA prepared a Request for Proposal (RFP) titled "Turkey Creek Watershed Hydrologic and Hydraulic Modeling". Based on their current involvement in the above noted studies, the Request for Proposal was submitted to Dillon Consulting Ltd. and Landmark Engineers Inc.

In general, the objectives for this undertaking is not to replace the other on-going studies, but rather to inform and provide the necessary information to allow for more consistent and coordinated solutions across the Turkey Creek Watershed. The primary objectives for this undertaking include the following:

- Updated hydrology for the entire Turkey Creek Watershed and its tributaries.
- Updated and combined hydraulic modeling of Turkey Creek and any necessary primary tributaries (e.g. Cahill Drain).
- Confirmation of potential drainage impacts on downstream receivers.
- Identification of the necessary assumptions relevant to each of the respective master drainage studies to allow for coordinated solutions within each of the more local undertakings (primarily Tecumseh's Oldcastle Stormwater Master Plan, Windsor's Sewer Master Plan and LaSalle's Howard-Bouffard Master Drainage Study).

In response to the RFP, Dillon Consulting Ltd. and Landmark Engineers Inc. submitted a joint submission that is currently under review. While the RFP requested a scope of work and fee estimate range for completion of the entire study, the Dillon/Landmark submission proposed a two-phase approach to meet the above note objectives. The phased approach will allow the team to gather and assess the available background data and previously completed modelling such that the scope of work and fees associated with the remaining work can be more accurately identified.

As a result, Phase 1 will primarily focuses on building out the necessary components of the hydrologic and hydraulic model, field investigation, as well as rainfall data collection and a complete review of available reports (i.e. historic floodline reports, drainage reports, drainage studies, etc.). Accordingly, Phase 1 is ultimately a scoping exercise to be used for Phase 2, which will include more refined computational models and is expected to deliver on the overall project objectives described above.

Administration is in agreement that the above noted study is warranted and recommends that Tecumseh should be a participating partner in the study. Participation in the study includes both technical and financial support. The financial component of the project would include ERCA's project management costs as well as Tecumseh's portion of the above noted Turkey Creek Watershed Hydrologic and Hydraulic Modeling study. The preliminary cost estimate for Phases 1 and 2 is approximately \$375,000. Cost sharing arrangements have not yet been discussed. Administration recommends that an allowance of \$60,000 be carried in the 2021 Capital Works Plan for this project.

It is important to note that, if the findings of this study identify problems in the downstream watercourses, additional studies/designs may be required to develop solutions for those problems. Furthermore, once solutions are developed, they will need to be implemented. If issues are identified downstream of the Wolf Drain, it is anticipated that Tecumseh would be requested to be a contributing partner in future studies and remedial works. At this time, it is premature to estimate potential future cost implications to the Town of Tecumseh.

Funding for this project is to be provided from the Storm Sewer Lifecycle Reserve in the amount of \$60,000.

#### **ST 10. Brighton Road Storm Pump Station Repairs**

Previously Approved	Requested for 2021	Future Costs	Total Project Costs
\$0	<b>\$75,000</b>	\$0	\$75,000

Repairs are required at the Brighton Road Storm Pump Station. During routine inspections, Public Works staff determined that two of the four main pumps are starting to make noises that are not consistent with a properly operating pump. These pumps are critical components of the pump station and repairs are recommended before a major pump failure occurs.

Administration recommends that the two pumps be removed, inspected and rebuilt as required under the instruction and guidance of the pump manufacturer. Once rebuilt, the pumps will be reinstalled.

Funding for this project is to be provided from the Storm Sewer Lifecycle Reserve in the amount of \$75,000.

#### **Municipal Drain Projects**

Town of Tecumseh is obligated to manage, repair, maintain and improve the Town's 120 Municipal Drains (totaling 221km) in accordance with the Drainage Act, including assessing costs to the benefitting upstream landowners according to the most current by-law. Municipal Drains are not municipal infrastructure and only the actual Town assessments are funded from the general tax rate.

There are currently over 165 active drainage projects that the Town is undertaking. These works include new municipal drains (2), maintenance of existing drains (91), drain improvements requiring an engineer's report (45) and apportionment agreements (28) all of which are at various stages of completion. The Drainage Superintendent receives requests for maintenance or repair and improvements for Municipal Drains, and determines which section of the Drainage Act is most suitable to proceed with the request. These drainage requests, and subsequent works, are addressed as they occur and are brought before Council for their approval on a project by project basis.

Funding for the Town's assessment for Municipal Drains will generally come from the Drains Lifecycle Reserve.

#### **Consultations**

Financial Services  
Planning & Building Services

## Financial Implications

The capital expenditures proposed for 2021 total just over \$15.3M in addition to unfinished works carried forward from 2020, with a preliminary estimate of an additional \$99.5M projected over the remaining four years of the five-year capital works plan.

Generally speaking, funding for most projects is covered through reserves, reserve funds and grants where reserves and reserve funds accumulate funds through annual budget allocations.

For reference, 2020 allocations to capital reserve/reserve funds total \$14.1M, with \$9.7M going towards general tax rate supported reserves (public works, parks, fire, etc.) and \$4.4M going towards rate supported reserve funds (water and wastewater).

Although two of the Town's capital funding reserve/reserve fund categories are either in, or soon-to-be in a deficit position, the Town's overall capital funding reserve/reserve funds are relatively healthy and Administration is comfortable recommending the advancement of the projects identified in this report in advance of the 2021 budget approval.

Projected Lifecycle Reserve and Reserve Fund balances for 2021 are provided in the attached schedules.

Following formal 2021 budget adoption and a capital works strategic planning session with Council in early 2021, the PWES 2021-2025 five-year capital plan will be brought to Council for consideration, approval and adoption accompanied by updated Projected Lifecycle Reserve and Reserve Fund schedules for the five-year planning period.

## 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 checked="" 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 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.

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Pre-Approval of 2021 Public Works & Environmental Services Capital Works Projects

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### Communications

Not applicable ☒

Website ☐

Social Media ☐

News Release ☐

Local Newspaper ☐

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Pre-Approval of 2021 Public Works & Environmental Services Capital Works Projects

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This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

John Henderson, P.Eng.  
Manager Engineering Services

Reviewed by:

Tom Kitsos, CPA, CMA, BComm  
Director Financial Services & Chief Financial Officer

Reviewed by:

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

Reviewed by:

Phil Bartnik, P.Eng.  
Director Public Works & Environmental Services

Recommended by:

Margaret Misk-Evans, MCIP, RPP  
Chief Administrative Officer

Attachment Number	Attachment Name
1	Road Projects 2021
2	Sidewalk & Pathway Projects 2021
3	CWATS Projects 2021

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Pre-Approval of 2021 Public Works & Environmental Services Capital Works Projects

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<b>Attachment Number</b>	<b>Attachment Name</b>
4	Bridge Projects 2021
5	Water Projects 2021
6	Wastewater Projects 2021
7	Storm Sewer Projects 2021
8	Municipal Drain Projects 2021
9	Major Project Summary – Oldcastle-North Talbot Sanitary Area
10	Major Project Summary – Oldcastle-8 <sup>th</sup> Concession Sanitary Area
11	Major Project Summary – County of Essex Initiated Projects
12	Major Project Summary – Other Projects



Drinking Water Quality Management System  
Water Division Operational Plan Version 11 (Endorsed February 23, 2021)

Town of Tecumseh Public Works Environmental Services 2021 Capital Works Plan						
Roads	Construction	Engineering	Contingency	Total	2020	2021
Paving	\$ 7,800,000	\$ -	\$ -	\$ 7,800,000	\$ 1,300,000	\$ 1,300,000
Traffic Signal Controller Upgrade (w/ County) CFWD	\$ 150,000	\$ -	\$ -	\$ 150,000	\$ 150,000	\$ -
PW Yard (North) Expansion/Improvements	\$ 60,000	\$ -	\$ -	\$ 60,000	\$ 30,000	\$ 30,000
TTMP Bicycle Sharrows	\$ 15,000	\$ -	\$ -	\$ 15,000	\$ -	\$ 15,000
Traffic Signal Upgrades/Maintenance	\$ 83,000	\$ 12,450	\$ 8,300	\$ 103,750	\$ -	\$ -
Traffic Signal Reconstruction (Lesperance/McNorton)	\$ 140,250	\$ 24,750	\$ -	\$ 165,000	\$ -	\$ -
CR42/43 Construction CFWD+	\$ 35,200	\$ 10,300	\$ 1,800	\$ 47,300	\$ 22,450	\$ -
Tecumseh Hamlet SPA EA FSR CFWD+	\$ -	\$ 98,000	\$ -	\$ 98,000	\$ 30,250	\$ 67,750
Tecumseh Sigange Project	\$ -	\$ 16,000	\$ -	\$ 16,000	\$ 16,000	\$ -
Tecumseh Road CIP - Phase 1 CFWD	\$ 10,131,900	\$ 1,665,360	\$ 946,000	\$ 12,743,260	\$ 350,000	\$ -
Tecumseh Road CIP - Phase 2 CFWD	\$ 5,579,980	\$ 846,540	\$ 538,020	\$ 6,964,540	\$ 50,000	\$ -
Tecumseh Road CIP - Phase 3	\$ 2,930,130	\$ 445,078	\$ 282,870	\$ 3,658,078	\$ -	\$ -
Tecumseh Road CIP - Phase 4	\$ 3,027,950	\$ 459,522	\$ 292,050	\$ 3,779,522	\$ -	\$ -
Tecumseh Road CIP - Phase 5	\$ 1,742,250	\$ 271,418	\$ 172,500	\$ 2,186,168	\$ -	\$ -
Manning Road/ETLD Relocation - Phase 2 CFWD+	\$ 686,100	\$ 122,000	\$ 34,300	\$ 842,400	\$ 4,500	\$ 787,900
Manning Road Reconstruction - Phase 3 CFWD+	\$ 5,719,900	\$ 898,000	\$ 286,000	\$ 6,903,900	\$ 45,500	\$ 100,000
Sylvestre Drive Sanitary Sewer Extension CFWD+	\$ 895,700	\$ 173,500	\$ 44,800	\$ 1,114,000	\$ -	\$ -
Brighton Road Traffic Improvements	\$ 30,000	\$ -	\$ -	\$ 30,000	\$ -	\$ 30,000
Roads Needs Study	\$ -	\$ 133,000	\$ -	\$ 133,000	\$ -	\$ -
Various Watermain Replacement Projects 2021	\$ 17,600	\$ 3,700	\$ 1,800	\$ 23,100	\$ -	\$ 23,100
Scully & St Mark's Storm PS/Riverside Drive CFWD+	\$ 1,183,000	\$ 227,000	\$ 118,000	\$ 1,528,000	\$ 43,600	\$ 84,000
CR46/Webster/Laval Sanitary Sewer(LRPCP) CFWD	\$ 1,769,300	\$ 245,000	\$ 88,500	\$ 2,102,800	\$ -	\$ -
Delduca Drive Sanitary Sewer (LRPCP) CFWD+	\$ 1,194,600	\$ 194,200	\$ 59,700	\$ 1,448,500	\$ -	\$ 20,000
Lanoue Street Improvements CFWD+	\$ 636,000	\$ 291,900	\$ 63,600	\$ 991,500	\$ 363,300	\$ 125,000
Tecumseh Road Sanitary Sewer CFWD	\$ 310,000	\$ 67,000	\$ 27,500	\$ 404,500	\$ 404,500	\$ -
Riverside Drive In-line Storage Trunk Sanitary	\$ 575,000	\$ 116,250	\$ 57,500	\$ 748,750	\$ -	\$ -
Ure Street Sanitary Sewer (LRPCP)	\$ 533,900	\$ 80,100	\$ 53,400	\$ 667,000	\$ -	\$ -
PJ Cecile Storm PS *	\$ 195,000	\$ 59,000	\$ 20,000	\$ 274,000	\$ -	\$ 14,000
O'Neil Street Sanitary Sewer (LRPCP)	\$ 617,500	\$ 92,600	\$ 61,800	\$ 772,000	\$ -	\$ -
Moynahan-Henin-Regal Sanitary Sewer (LRPCP)	\$ 755,300	\$ 113,300	\$ 75,500	\$ 944,000	\$ -	\$ -
CP/Lesperance Crossing Improvements	\$ -	\$ 30,000	\$ -	\$ 30,000	\$ -	\$ 30,000
Traffic Calming Guideline Study	\$ -	\$ 20,000	\$ -	\$ 20,000	\$ -	\$ -
Annual Project Contingency	\$ -	\$ -	\$ 1,500,000	\$ 1,500,000	\$ -	\$ 250,000
<b>Totals</b>	<b>\$ 47,905,960</b>	<b>\$ 7,004,268</b>	<b>\$ 4,788,540</b>	<b>\$ 59,698,368</b>	<b>\$ 2,965,100</b>	<b>\$ 4,156,050</b>

Town of Tecumseh Public Works Environmental Services 2021 Capital Works Plan						
Sidewalks/Pathways	Construction	Engineering	Contingency	Total	2020	2021
Sidewalk Repair Program	\$ 414,000	\$ -	\$ -	\$ 414,000	\$ 69,000	\$ 69,000
AODA Sidewalk Ramp Repair	\$ 500,000	\$ -	\$ -	\$ 500,000	\$ -	\$ -
Riverside Drive Trail (Lesperance-Manning) CFWD+	\$ 881,400	\$ 232,300	\$ 88,100	\$ 1,201,800	\$ -	\$ 351,800
Lesperance Road Trail (CR22 to CR42)	\$ 885,000	\$ 142,000	\$ 177,000	\$ 1,204,000	\$ -	\$ 137,500
Tecumseh Road Path (Arlington to DM Eagle) CFWD	\$ 92,500	\$ 5,000	\$ 2,500	\$ 100,000	\$ 100,000	\$ -
Riverside Drive Pathway (Arlington to Kensington)	\$ 120,000	\$ 18,000	\$ 18,000	\$ 156,000	\$ -	\$ -
CR34: Malden to CR19 (Multi-Use Trail)	\$ 350,000	\$ 52,500	\$ 52,500	\$ 455,000	\$ -	\$ -
Malden Road Pathway Extension	\$ 25,000	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000
Lesperance Road Trail (Riverside to McNorton)	\$ 350,000	\$ 52,500	\$ 52,500	\$ 455,000	\$ -	\$ -
CR42 / CR19 Roundabout (Sidewalks) CFWD	\$ 16,500	\$ -	\$ 2,500	\$ 19,000	\$ 19,000	\$ -
CR42: CR43 to Lesperance (Sidewalks)	\$ 352,000	\$ -	\$ 10,000	\$ 362,000	\$ -	\$ -
CR42: Lesperance to CR19 (Sidewalks) CFWD	\$ 50,000	\$ -	\$ 8,000	\$ 58,000	\$ 29,000	\$ -
<b>Totals</b>	<b>\$ 4,036,400</b>	<b>\$ 502,300</b>	<b>\$ 411,100</b>	<b>\$ 4,949,800</b>	<b>\$ 217,000</b>	<b>\$ 583,300</b>



Town of Tecumseh Public Works Environmental Services 2021 Capital Works Plan						
CWATS Projects	Construction	Engineering	Contingency	Total	2020	2021
CWATS Study - Pike Creek/Tecumseh Road	\$ -	\$ 6,000	\$ -	\$ 6,000	\$ 6,000	\$ -
CR42 / CR19 Roundabout (Bike Lanes) CFWD	\$ 11,000	\$ -	\$ -	\$ 11,000	\$ 11,000	\$ -
CR42: CR43 to Lesperance (Bike Lanes)	\$ 196,500	\$ -	\$ -	\$ 196,500	\$ -	\$ -
CR42: Lesperance to CR19 (Bike Lanes) CFWD	\$ 62,000	\$ -	\$ -	\$ 62,000	\$ 31,000	\$ -
<b>Total</b>	<b>\$ 269,500</b>	<b>\$ 6,000</b>	<b>\$ -</b>	<b>\$ 275,500</b>	<b>\$ 48,000</b>	<b>\$ -</b>

Town of Tecumseh  
Public Works Environmental Services  
**2021 Capital Works Plan**

Bridges	Construction	Engineering	Contingency	Total	2020	2021
Bridge & Culvert Condition Assessment (<3m Span)	\$ -	\$ 75,000	\$ -	\$ 75,000		
Bridge & Culvert Needs Study (>3m Span)	\$ -	\$ 117,000	\$ -	\$ 117,000	\$ 39,000	
Pike Creek at Baseline (1005)	\$ 659,300	\$ 131,900	\$ 98,900	\$ 890,100		
Culvert #37: Wolfe Drain at Outer - Improvements	\$ 100,000	\$ 25,000	\$ 30,000	\$ 155,000		
Culvert #34: Wolfe Drain at Pulleyblank - Improve.	\$ 70,000	\$ 17,500	\$ 21,000	\$ 108,500		
Townline Road Drain at 6th Concession Road (1014)	\$ 155,000	\$ 87,500	\$ 7,800	\$ 250,300		
Merrick Creek at 8th Concession Road (1013)	\$ 155,000	\$ 87,500	\$ 7,800	\$ 250,300	\$ 310,000	
Culvert #45: South Talbot Road (CR11/STR Works)	\$ 270,000	\$ 41,000	\$ 41,000	\$ 352,000		
Culvert #42: Snake Lane Road	\$ 416,200	\$ 71,200	\$ 62,400	\$ 549,800		\$ 62,300
Culvert #53: Snake Lane Road	\$ 492,500	\$ 71,200	\$ 73,900	\$ 637,600		\$ 65,100
Culvert #54: Snake Lane Road	\$ 492,500	\$ 71,200	\$ 73,900	\$ 637,600		\$ 65,100
Culvert #51: 8th Concession Road	\$ 80,000	\$ 60,000	\$ 10,000	\$ 150,000		
Culvert #70: 12th Concession Road	\$ 85,000	\$ 60,000	\$ 15,000	\$ 160,000		
Roadside Safety Improvements - Bridge #1010	\$ 50,000	\$ 10,000	\$ 10,000	\$ 70,000		
Culvert #48: Holden Road	\$ 422,000	\$ 64,000	\$ 64,000	\$ 550,000		
Colins Drain at Outer Drive (1016)	\$ 300,000	\$ 45,000	\$ 45,000	\$ 390,000		
<b>Totals</b>	<b>\$ 3,278,200</b>	<b>\$ 943,100</b>	<b>\$ 481,800</b>	<b>\$ 4,703,100</b>	<b>\$ 349,000</b>	<b>\$ 442,500</b>

Drinking Water Quality Management System  
Water Division Operational Plan Version 11 (Endorsed February 23, 2021)

Town of Tecumseh Public Works Environmental Services 2021 Capital Works Plan						
Watermains	Construction	Engineering	Contingency	Total	2020	2021
Water & Wastewater Master Plan Update (2016)	\$ -	\$ 57,500	\$ -	\$ 57,500	\$ -	\$ -
Tecumseh Road CIP - Phase 1	\$ 430,000	\$ 92,520	\$ 43,000	\$ 565,520	\$ -	\$ -
Tecumseh Road CIP - Phase 2	\$ 298,900	\$ 47,030	\$ 29,890	\$ 375,820	\$ -	\$ -
Tecumseh Road CIP - Phase 3	\$ 157,150	\$ 24,727	\$ 15,715	\$ 197,592	\$ -	\$ -
Tecumseh Road CIP - Phase 4	\$ 162,250	\$ 25,529	\$ 16,225	\$ 204,004	\$ -	\$ -
Tecumseh Road CIP - Phase 5	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Manning Road/ETLD Relocation - Phase 2 CFWD+	\$ 870,800	\$ 155,000	\$ 43,500	\$ 1,069,300	\$ 6,000	\$ 1,038,300
Fire Hydrant Reflectors	\$ 15,000	\$ -	\$ -	\$ 15,000	\$ -	\$ 15,000
Barwell Watermain-Intersection to South of CPR	\$ 443,200	\$ 161,800	\$ 133,000	\$ 738,000	\$ -	\$ 130,900
Various Watermain Replacement Projects 2021	\$ 734,600	\$ 219,200	\$ 131,200	\$ 1,085,000	\$ -	\$ 1,085,000
Hwy3-CR34 Water Valve Replacement	\$ 370,700	\$ 30,000	\$ 55,600	\$ 456,300	\$ -	\$ 456,300
Hwy#3/Walker Rd Watermain Replacement CFWD	\$ 1,422,300	\$ 304,000	\$ 100,000	\$ 1,826,300	\$ 1,691,700	\$ -
Westlake Drive - San, Str, Water	\$ 85,000	\$ 12,750	\$ 12,750	\$ 110,500	\$ -	\$ -
Watermain Anode Program - Inspection/Replacement	\$ 160,000	\$ 40,000	\$ -	\$ 200,000	\$ -	\$ 200,000
Water Loss Audit	\$ -	\$ 15,000	\$ -	\$ 15,000	\$ -	\$ -
Tecumseh Hamlet SPA EA FSR CFWD+	\$ -	\$ 98,000	\$ -	\$ 98,000	\$ 30,250	\$ 67,750
CR46/Webster/Laval Sanitary Sewer(LRPCP) CFWD	\$ 1,111,200	\$ 154,000	\$ 55,600	\$ 1,320,800	\$ -	\$ -
Delduca Drive Sanitary Sewer (LRPCP) CFWD	\$ 25,400	\$ 4,100	\$ 1,300	\$ 30,800	\$ -	\$ -
CR42/43 Construction CFWD	\$ 959,400	\$ 161,700	\$ 47,900	\$ 1,169,000	\$ 758,600	\$ -
Manning Trunk Water-CR22 to CPR (W-2B)	\$ 1,701,000	\$ 255,000	\$ 340,000	\$ 2,296,000	\$ -	\$ -
E Tecumseh Hamlet Watermain Connection (W-2A)	\$ 416,000	\$ 62,000	\$ 83,000	\$ 561,000	\$ -	\$ -
2020 Water and Wastewater Rates Study CFWD	\$ -	\$ 10,000	\$ -	\$ 10,000	\$ 10,000	\$ -
CR42 & CR43 Advanced Engineering	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -
Zone 2 Water Booster/Storage Site Select (W-9,10)	\$ -	\$ 280,000	\$ 70,000	\$ 350,000	\$ -	\$ -
Zone 2 Booster Station (W-9)	\$ 2,660,000	\$ 399,000	\$ 266,000	\$ 3,325,000	\$ -	\$ -
Zone 2 Water Storage Facility (W-10)	\$ 5,160,000	\$ 774,000	\$ 516,000	\$ 6,450,000	\$ -	\$ -
CR19 @ CR46 Advanced Construction	\$ 125,000	\$ 18,750	\$ 18,750	\$ 162,500	\$ -	\$ -
West Tecumseh Trunk Watermain (W-1)	\$ 2,040,000	\$ 408,000	\$ 306,000	\$ 2,754,000	\$ -	\$ -
CR19 @ CR34 Advanced Construction	\$ 40,000	\$ 6,000	\$ 6,000	\$ 52,000	\$ -	\$ -
<b>Totals</b>	<b>\$ 19,387,900</b>	<b>\$ 3,840,606</b>	<b>\$ 2,291,430</b>	<b>\$ 25,519,936</b>	<b>\$ 2,496,550</b>	<b>\$ 2,993,250</b>

Drinking Water Quality Management System  
Water Division Operational Plan Version 11 (Endorsed February 23, 2021)

Town of Tecumseh Public Works Environmental Services 2021 Capital Works Plan						
Wastewater Projects	Construction	Engineering	Contingency	Totals	2020	2021
Water & Wastewater Master Plan Update (2016)	\$ -	\$ 57,500	\$ -	\$ 57,500	\$ -	\$ -
Tecumseh Road CIP - Phase 1	\$ 400,000	\$ 92,520	\$ 40,000	\$ 532,520	\$ -	\$ -
Tecumseh Road CIP - Phase 2	\$ 298,800	\$ 47,030	\$ 29,890	\$ 375,820	\$ -	\$ -
Tecumseh Road CIP - Phase 3	\$ 157,150	\$ 24,727	\$ 15,715	\$ 197,592	\$ -	\$ -
Tecumseh Road CIP - Phase 4	\$ 162,250	\$ 25,529	\$ 16,225	\$ 204,004	\$ -	\$ -
Tecumseh Road CIP - Phase 5	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Manning Road/ETLD Relocation - Phase 2 CFWD+	\$ 9,000	\$ 2,000	\$ 500	\$ 11,500	\$ -	\$ -
Sylvestre Drive Sanitary Sewer Extension CFWD+	\$ 505,900	\$ 198,100	\$ 25,300	\$ 729,300	\$ -	\$ -
Pump Station Emergency Response Plan	\$ -	\$ 35,000	\$ -	\$ 35,000	\$ -	\$ -
SCADA Software/Server/Nodes Update	\$ 46,250	\$ -	\$ -	\$ 46,250	\$ -	\$ -
Manhole Restoration Program	\$ 125,000	\$ -	\$ -	\$ 125,000	\$ 25,000	\$ 50,000
Sylvestre Drive Sanitary PS Improvements	\$ 143,000	\$ -	\$ -	\$ 143,000	\$ -	\$ 15,000
Lakewood Sanitary PS Improvements	\$ 88,500	\$ -	\$ -	\$ 88,500	\$ -	\$ 25,000
St. Alphonse Sanitary PS Improvements	\$ 31,500	\$ -	\$ -	\$ 31,500	\$ -	\$ 31,500
Portable Generator for PS	\$ 75,000	\$ -	\$ -	\$ 75,000	\$ -	\$ -
Sanitary Metering Station Repairs	\$ 10,000	\$ -	\$ -	\$ 10,000	\$ -	\$ -
Westlake Drive - San, Stm, Water	\$ 132,000	\$ 20,000	\$ 20,000	\$ 172,000	\$ -	\$ -
Tecumseh Hamlet SPA EA FSR CFWD+	\$ -	\$ 113,000	\$ -	\$ 113,000	\$ 30,250	\$ 82,750
CR46/Webster/Laval Sanitary Sewer(LRPCP) CFWD	\$ 1,225,500	\$ 170,000	\$ 61,300	\$ 1,456,800	\$ -	\$ -
Scully & St Mark's Storm PS/Riverside Drive CFWD+	\$ 321,000	\$ 62,000	\$ 32,000	\$ 415,000	\$ 20,550	\$ 78,000
Delduca Drive Sanitary Sewer (LRPCP) CFWD+	\$ 1,019,000	\$ 165,700	\$ 51,000	\$ 1,235,700	\$ -	\$ 40,000
Sanitary Sewer Model Update	\$ -	\$ 315,000	\$ -	\$ 315,000	\$ 45,000	\$ 20,000
Riverside Drive In-line Storage Trunk Sanitary	\$ 1,645,000	\$ 246,750	\$ 164,500	\$ 2,056,000	\$ -	\$ -
CR42/43 Construction CFWD+	\$ 626,900	\$ 163,700	\$ 31,400	\$ 822,000	\$ 44,900	\$ 30,000
CR42 & CR43 Advanced Engineering	\$ -	\$ 16,000	\$ -	\$ 16,000	\$ -	\$ -
Tecumseh Road Sanitary Sewer CFWD	\$ 1,400,000	\$ 259,000	\$ 180,000	\$ 1,839,000	\$ 1,689,000	\$ -
Ure Street Sanitary Sewer (LRPCP)	\$ 407,500	\$ 61,100	\$ 40,800	\$ 509,000	\$ -	\$ -
West Tecumseh Trunk Sanitary (WW-1)	\$ 5,210,000	\$ 1,042,000	\$ 781,500	\$ 7,034,000	\$ -	\$ -
Diversion San Sewers (Intersection Rd) (WW-2)	\$ 840,000	\$ 168,000	\$ 126,000	\$ 1,134,000	\$ -	\$ -
Sylvestre Pumping Station Upgrade (WW-4)	\$ 591,000	\$ 103,000	\$ 89,000	\$ 783,000	\$ -	\$ -
MRSPA Sanitary Sewer (WW-12)	\$ 1,020,000	\$ 179,000	\$ 153,000	\$ 1,352,000	\$ -	\$ -
MRSPA Sanitary Lift Station (WW-13)	\$ 855,000	\$ 150,000	\$ 128,000	\$ 1,133,000	\$ -	\$ -
O'Neil Street Sanitary Sewer (LRPCP)	\$ 471,300	\$ 70,700	\$ 23,600	\$ 566,000	\$ -	\$ -
Moynahan-Henin-Regal Sanitary Sewer (LRPCP)	\$ 576,400	\$ 86,500	\$ 28,800	\$ 692,000	\$ -	\$ -
2020 Water and Wastewater Rates Study CFWD	\$ -	\$ 10,000	\$ -	\$ 10,000	\$ 10,000	\$ -
<b>Totals</b>	<b>\$ 18,393,050</b>	<b>\$ 3,883,856</b>	<b>\$ 2,038,530</b>	<b>\$ 24,315,986</b>	<b>\$ 1,864,700</b>	<b>\$ 372,250</b>

Drinking Water Quality Management System  
Water Division Operational Plan Version 11 (Endorsed February 23, 2021)

Town of Tecumseh Public Works Environmental Services 2021 Capital Works Plan						
Storm Sewers	Construction	Engineering	Contingency	Total	2020	2021
Tecumseh Road CIP - Phase 1	\$ 700,000	\$ -	\$ 70,000	\$ 770,000		
Tecumseh Road CIP - Phase 2	\$ -	\$ -	\$ -	\$ -		
Tecumseh Road CIP - Phase 3	\$ -	\$ -	\$ -	\$ -		
Tecumseh Road CIP - Phase 4	\$ -	\$ -	\$ -	\$ -		
Tecumseh Road CIP - Phase 5	\$ -	\$ -	\$ -	\$ -		
Pulleyblank-Crowder-Moro Sanitary Sewer	\$ 665,000	\$ 92,500	\$ 33,300	\$ 791,000		
Storm Drainage Master Plan	\$ -	\$ 600,000	\$ -	\$ 600,000		
Rossi Drive Sanitary Sewer	\$ 386,500	\$ 70,000	\$ 19,300	\$ 475,800		
Manning Road/ETLD Relocation - Phase 2 CFWD+	\$ 1,498,700	\$ 267,000	\$ 74,900	\$ 1,840,600	\$ 11,000	\$ 1,769,600
Manning Road Reconstruction - Phase 3 CFWD	\$ 266,800	\$ 42,000	\$ 13,300	\$ 322,100	\$ 2,500	
Gouin Street Storm Sewer Extension	\$ 140,000	\$ 25,000	\$ 35,000	\$ 200,000		
Riverside Drive Trail (Lesperance-Manning)	\$ 27,500	\$ 7,200	\$ 2,800	\$ 37,500		\$ 37,500
Lesperance/VIA Rail Improvements CFWD+	\$ 123,600	\$ 32,700	\$ 6,200	\$ 162,500	\$ 31,000	\$ 131,500
Sylvestre Drive Sanitary Sewer Extension CFWD	\$ 43,500	\$ 8,400	\$ 2,200	\$ 54,100		
Brighton Road Storm PS - Repairs	\$ 75,000	\$ -	\$ -	\$ 75,000		\$ 75,000
SCADA Software/Server/Nodes Update	\$ 5,250	\$ -	\$ -	\$ 5,250		
West St. Louis Storm PS - Repairs	\$ 51,000	\$ 7,650	\$ 7,650	\$ 66,300		
Lesperance Road Storm PS - Repairs	\$ 181,000	\$ 18,100	\$ 18,100	\$ 217,200		
(East) St. Louis Storm PS - Repairs	\$ 65,000	\$ 9,750	\$ 9,750	\$ 84,500		
Manhole Restoration Program	\$ 125,000	\$ -	\$ -	\$ 125,000	\$ 25,000	\$ 50,000
Westlake Drive - San. Stm. Water	\$ 120,000	\$ 18,000	\$ 18,000	\$ 156,000		
Oldcastle Storm Drainage Master Plan	\$ -	\$ 490,000	\$ -	\$ 490,000		\$ 40,000
Tecumseh Hamlet SPA EA FSR CFWD+	\$ -	\$ 496,000	\$ -	\$ 496,000	\$ 219,250	\$ 276,750
CR46/Webster/Laval Sanitary Sewer(LRPCP) CFWD	\$ 448,700	\$ 62,000	\$ 22,400	\$ 533,100	\$ 75,000	
Scully & St Mark's Storm PS/Riverside Drive CFWD+	\$ 11,694,000	\$ 2,245,000	\$ 1,168,000	\$ 15,107,000	\$ 733,100	\$ 338,000
MRSPA Pond Design and Construction CFWD	\$ 9,775,000	\$ 1,660,000	\$ 1,300,000	\$ 12,735,000	\$ 2,740,000	
Deiduca Drive Sanitary Sewer (LRPCP) CFWD+	\$ 932,500	\$ 151,600	\$ 46,600	\$ 1,130,700	\$ 75,000	\$ 40,000
Lanoue Street Improvements	\$ 35,600	\$ 16,300	\$ 3,600	\$ 55,500		
Shoreline Management Plan CFWD	\$ -	\$ 350,000	\$ -	\$ 350,000	\$ 350,000	
Stormwater Rate Study	\$ -	\$ 45,000	\$ -	\$ 45,000	\$ 45,000	
P. J. Cecile Storm PS *	\$ 6,733,000	\$ 1,346,500	\$ 1,346,500	\$ 9,426,000		\$ 486,000
Ure Street Sanitary Sewer (LRPCP)	\$ 328,800	\$ 49,300	\$ 32,900	\$ 411,000		
O'Neil Street Sanitary Sewer (LRPCP)	\$ 380,300	\$ 57,000	\$ 19,000	\$ 456,000		
CR42 & CR43 Advanced Engineering	\$ -	\$ 9,000	\$ -	\$ 9,000		
Breakwall Condition Assessment	\$ -	\$ 50,000	\$ -	\$ 50,000		
Moynahan-Henin-Regal Sanitary Sewer (LRPCP)	\$ 465,100	\$ 69,800	\$ 23,300	\$ 558,000		
TSDMP Implementation - CWB Inlet Improvements	\$ 100,000	\$ -	\$ -	\$ 100,000		
Turkey Creek Watershed Assessment - Phase 1	\$ -	\$ 60,000	\$ -	\$ 60,000		\$ 60,000
Tecumseh Storm Drainage Master Plan Update	\$ -	\$ 150,000	\$ -	\$ 150,000		
Olympia-Astor-Solar Sanitary Sewer	\$ -	\$ -	\$ -	\$ -		
<b>Totals</b>	<b>\$ 34,170,100</b>	<b>\$ 7,718,300</b>	<b>\$ 4,185,200</b>	<b>\$ 46,073,100</b>	<b>\$ 4,306,850</b>	<b>\$ 3,304,350</b>

Town of Tecumseh  
Public Works Environmental Services  
**2021 Capital Works Plan**

Municipal Drains	Construction	Engineering	Contingency	Total	2020	2021
Manning Road/ETLD Relocation - Phase 2 CFWD+	\$ 2,925,100	\$ 521,000	\$ 146,300	\$ 3,592,400	\$ 21,500	\$ 3,465,900
<b>Totals</b>	<b>\$ 2,925,100</b>	<b>\$ 521,000</b>	<b>\$ 146,300</b>	<b>\$ 3,592,400</b>	<b>\$ 21,500</b>	<b>\$ 3,465,900</b>

Town of Tecumseh  
Public Works Environmental Services  
**2021 Capital Works Plan**

Oldcastle - North Talbot - Sanitary Area	Construction	Engineering	Contingency	Total	2020	2021
Olympia-Astor-Solar Sanitary Sewer	\$ 649,500	\$ 97,400	\$ 65,000	\$ 812,000	\$ -	\$ -
County Road 11 (South) Sanitary Sewer	\$ 300,000	\$ 45,000	\$ 30,000	\$ 375,000	\$ -	\$ -

Town of Tecumseh  
Public Works Environmental Services  
**2021 Capital Works Plan**

<b>Oldcastle - 8th Concession - Sanitary Area</b>	<b>Construction</b>	<b>Engineering</b>	<b>Contingency</b>	<b>Total</b>	<b>2020</b>	<b>2021</b>
CR46/Webster/Laval Sanitary Sewer(LRPCP) CFWD	\$ 4,554,700	\$ 631,000	\$ 227,800	\$ 5,413,500	\$ 75,000	\$ -
Delduca Drive Sanitary Sewer (LRPCP) CFWD+	\$ 3,171,500	\$ 515,600	\$ 158,600	\$ 3,845,700	\$ 75,000	\$ 100,000
Ure Street Sanitary Sewer (LRPCP)	\$ 1,270,200	\$ 190,500	\$ 127,100	\$ 1,587,000	\$ -	\$ -
O'Neil Street Sanitary Sewer (LRPCP)	\$ 1,469,100	\$ 220,300	\$ 104,400	\$ 1,794,000	\$ -	\$ -
Moynahan-Henin-Regal Sanitary Sewer (LRPCP)	\$ 1,796,800	\$ 269,600	\$ 127,600	\$ 2,194,000	\$ -	\$ -

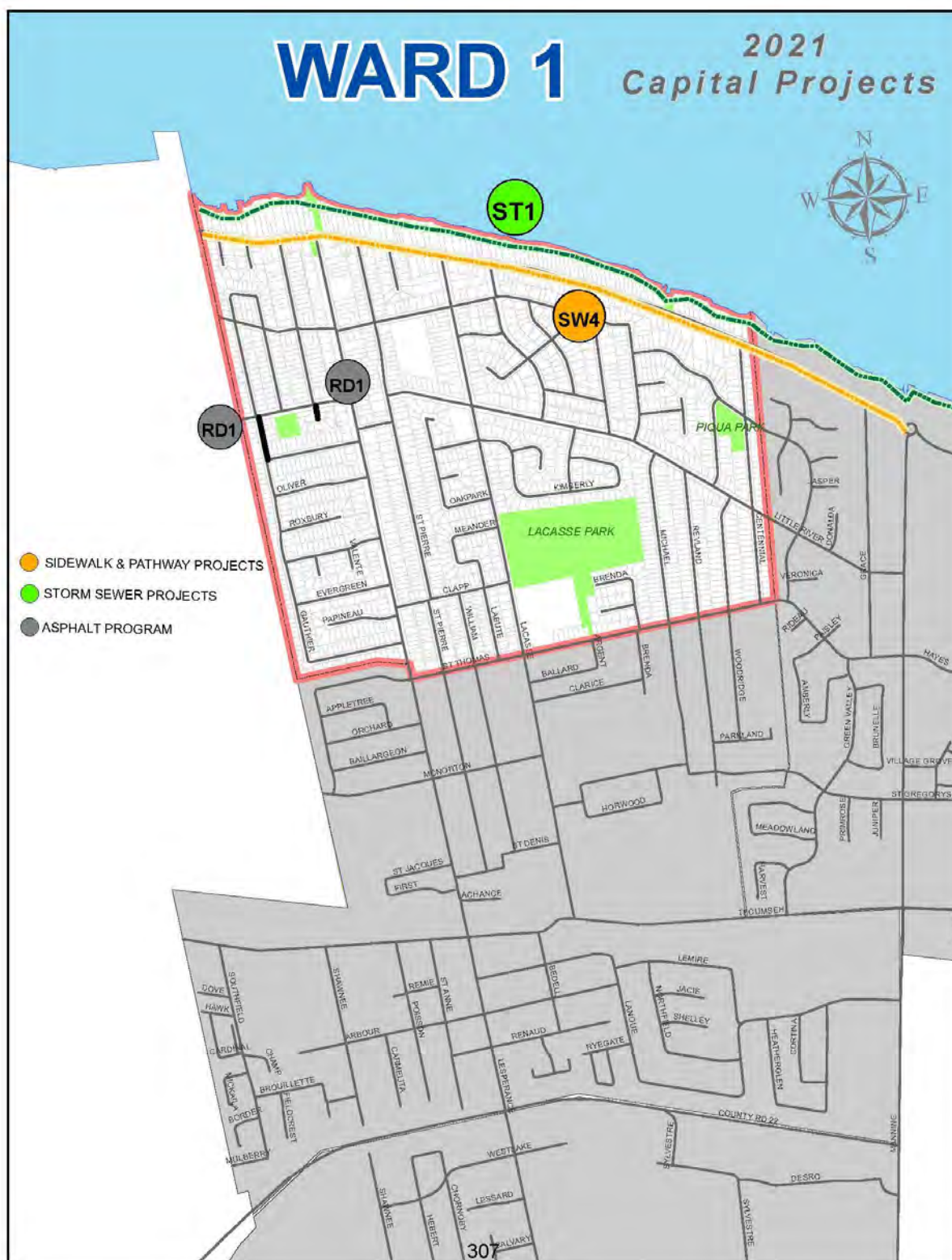


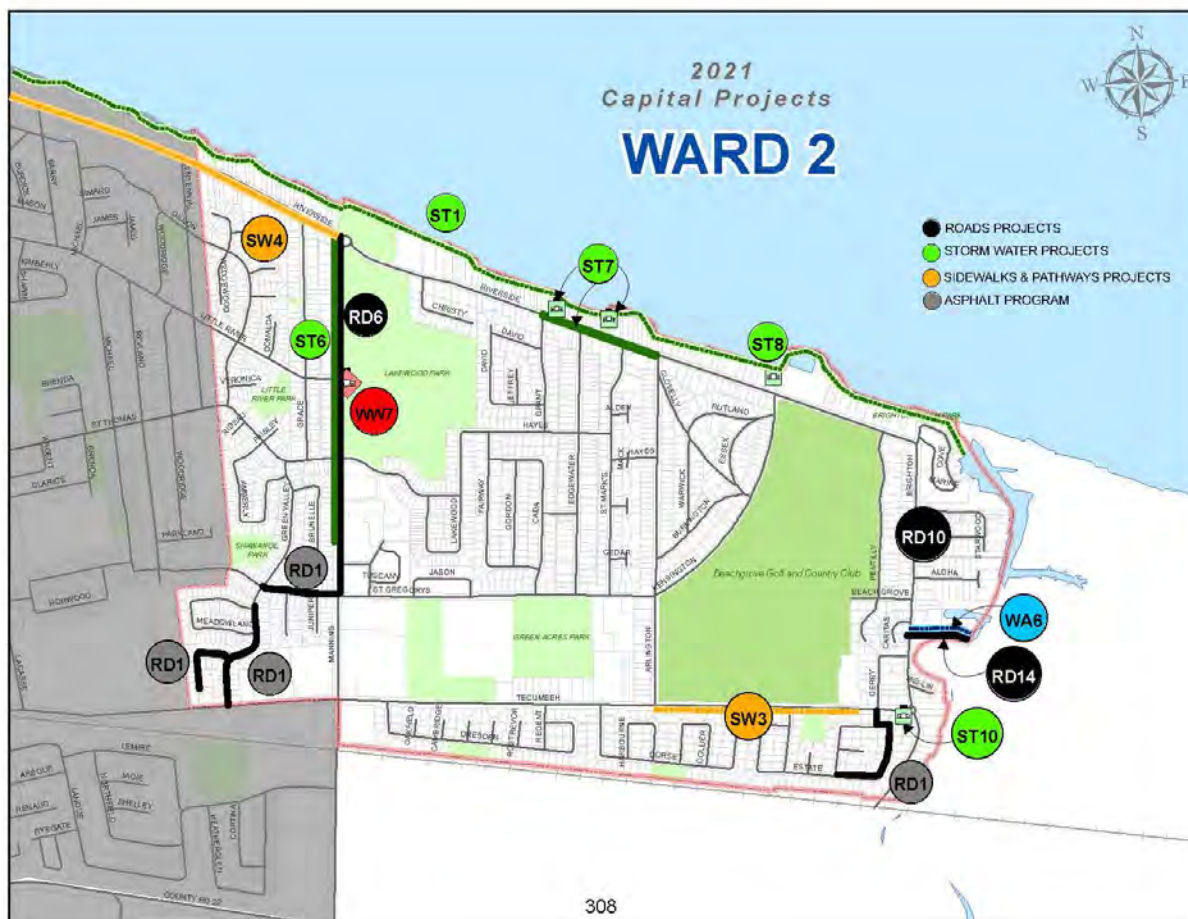
Town of Tecumseh Public Works Environmental Services 2021 Capital Works Plan						
County of Essex (Initiated) Projects	Construction	Engineering	Contingency	Total	2020	2021
Culvert #45, South Talbot Road (CR11/STR Works)	\$ 270,000	\$ 41,000	\$ 41,000	\$ 352,000	\$ -	\$ -
Westlake Drive - San, Storm, Water	\$ 337,000	\$ 50,750	\$ 50,750	\$ 438,500	\$ -	\$ -
CR42/43 Construction CFWD+	\$ 1,621,500	\$ 335,700	\$ 81,100	\$ 2,038,300	\$ 825,950	\$ 30,000
CR19 @ CR46 Advanced Construction	\$ 125,000	\$ 18,750	\$ 18,750	\$ 162,500	\$ -	\$ -
CR42: CR19 to CR43 (Sidewalks Bike Lanes) CFWD	\$ 688,000	\$ -	\$ 20,500	\$ 708,500	\$ 90,000	\$ -
CR19 @ CR34 Advanced Construction	\$ 40,000	\$ 6,000	\$ 6,000	\$ 52,000	\$ -	\$ -

Drinking Water Quality Management System  
Water Division Operational Plan Version 11 (Endorsed February 23, 2021)

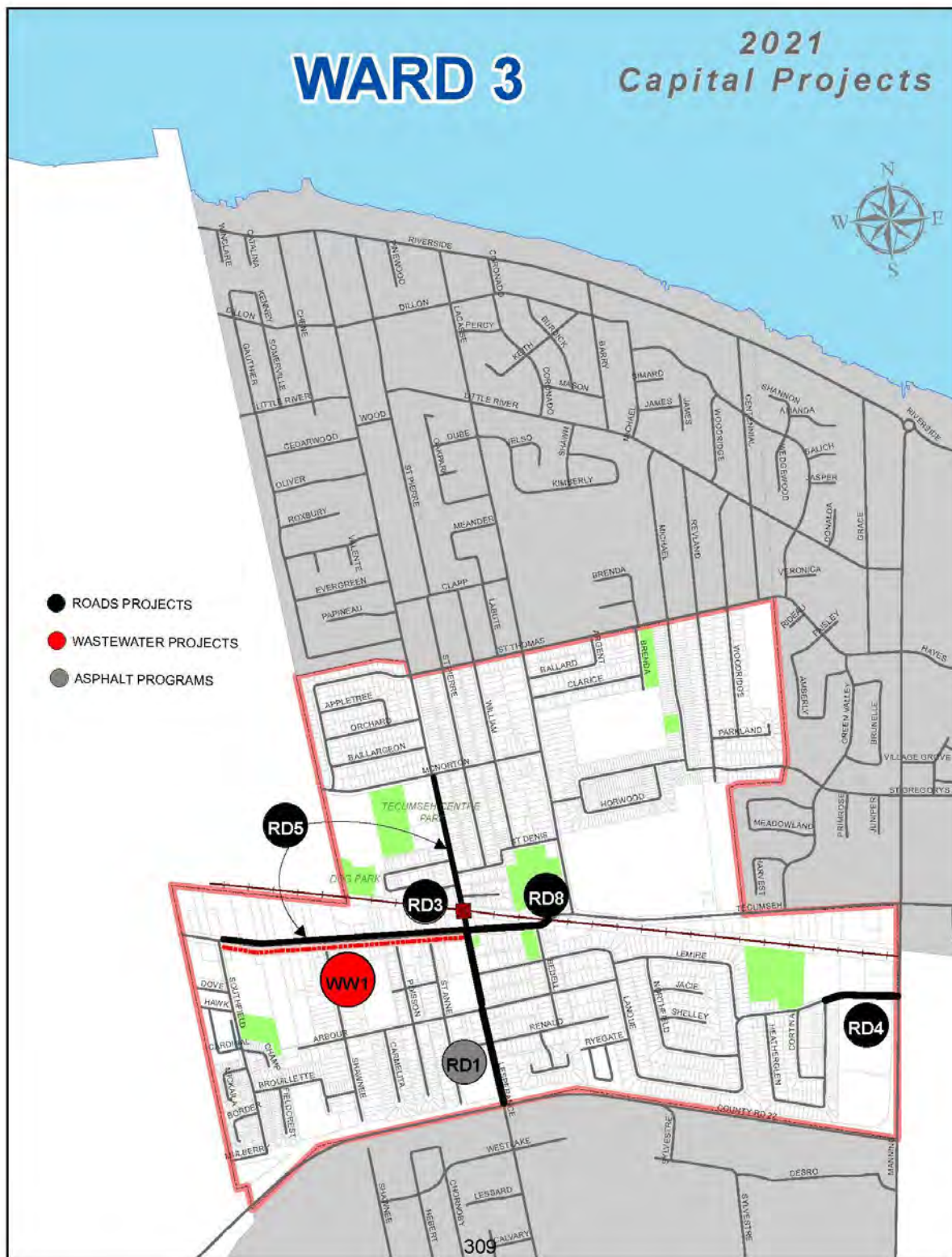
Town of Tecumseh Public Works Environmental Services 2021 Capital Works Plan						
Other	Construction	Engineering	Contingency	Total	2020	2021
Water & Wastewater Master Plan Update (2016)	\$ -	\$ 115,000	\$ -	\$ 115,000	\$ -	\$ -
Manning Road/ETLDRelocation - Phase 2 CFWD+	\$ 5,989,700	\$ 1,067,000	\$ 299,500	\$ 7,356,200	\$ 43,000	\$ 7,061,700
Manning Road Reconstruction - Phase 3 CFWD+	\$ 5,986,700	\$ 940,000	\$ 299,300	\$ 7,226,000	\$ 48,000	\$ 100,000
Tecumseh Road CIP - Phase 1 CFWD	\$ 11,661,900	\$ 1,850,400	\$ 1,099,000	\$ 14,611,300	\$ 350,000	\$ -
Tecumseh Road CIP - Phase 2 CFWD	\$ 6,177,780	\$ 940,600	\$ 597,800	\$ 7,716,180	\$ 50,000	\$ -
Tecumseh Road CIP - Phase 3	\$ 3,244,430	\$ 494,532	\$ 314,300	\$ 4,053,262	\$ -	\$ -
Tecumseh Road CIP - Phase 4	\$ 3,352,450	\$ 510,580	\$ 324,500	\$ 4,187,530	\$ -	\$ -
Tecumseh Road CIP - Phase 5	\$ 1,742,250	\$ 271,418	\$ 172,500	\$ 2,186,168	\$ -	\$ -
Riverside Drive Trail (Lesperance-Manning) CFWD+	\$ 908,900	\$ 239,500	\$ 90,900	\$ 1,239,300	\$ -	\$ 389,300
Lesperance Road Trail (CR22 to CR42)	\$ 885,000	\$ 142,000	\$ 177,000	\$ 1,204,000	\$ -	\$ 137,500
Riverside Drive Pathway (Arlington to Kensington)	\$ 120,000	\$ 18,000	\$ 18,000	\$ 156,000	\$ -	\$ -
Lesperance Road Trail (Riverside to McNorton)	\$ 350,000	\$ 52,500	\$ 52,500	\$ 455,000	\$ -	\$ -
Manhole Restoration Program	\$ 250,000	\$ -	\$ -	\$ 250,000	\$ 50,000	\$ 100,000
Hwy#3/Walker Rd Watermain Replacement CFWD	\$ 1,422,300	\$ 304,000	\$ 100,000	\$ 1,826,300	\$ 1,691,700	\$ -
Various Watermain Replacement Projects 2021	\$ 752,200	\$ 222,900	\$ 133,000	\$ 1,108,100	\$ -	\$ 1,108,100
Watermain Anode Program - Inspection/Replacement	\$ 160,000	\$ 40,000	\$ -	\$ 200,000	\$ -	\$ 200,000
Water Loss Audit	\$ -	\$ 15,000	\$ -	\$ 15,000	\$ -	\$ -
Zone 2 Water Booster/Storage Site Select (W-9,10)	\$ -	\$ 280,000	\$ 70,000	\$ 350,000	\$ -	\$ -
Zone 2 Booster Station (W-9)	\$ 2,660,000	\$ 399,000	\$ 266,000	\$ 3,325,000	\$ -	\$ -
Zone 2 Water Storage Facility (W-10)	\$ 5,160,000	\$ 774,000	\$ 516,000	\$ 6,450,000	\$ -	\$ -
Sylvestre Drive Sanitary Sewer Extension CFWD+	\$ 1,445,100	\$ 380,000	\$ 72,300	\$ 1,897,400	\$ -	\$ -
Sanitary Sewer Model Update	\$ -	\$ 315,000	\$ -	\$ 315,000	\$ 45,000	\$ 20,000
Lanoue Street Improvements CFWD+	\$ 671,600	\$ 308,200	\$ 67,200	\$ 1,047,000	\$ 363,300	\$ 125,000
Tecumseh Road Sanitary Sewer CFWD	\$ 1,710,000	\$ 326,000	\$ 207,500	\$ 2,243,500	\$ 2,093,500	\$ -
Riverside Drive In-line Storage Trunk Sanitary	\$ 2,220,000	\$ 363,000	\$ 222,000	\$ 2,804,750	\$ -	\$ -
MRSPA Pond Design and Construction CFWD	\$ 9,775,000	\$ 1,660,000	\$ 1,300,000	\$ 12,735,000	\$ 2,740,000	\$ -
Brighton Road Storm PS - Repairs	\$ 75,000	\$ -	\$ -	\$ 75,000	\$ -	\$ 75,000
West St. Louis Storm PS - Repairs	\$ 51,000	\$ 7,650	\$ 7,650	\$ 66,300	\$ -	\$ -
Lesperance Road Storm PS - Repairs	\$ 181,000	\$ 18,100	\$ 18,100	\$ 217,200	\$ -	\$ -
(East) St. Louis Storm PS - Repairs	\$ 65,000	\$ 9,750	\$ 9,750	\$ 84,500	\$ -	\$ -
Oldcastle Storm Drainage Master Plan	\$ -	\$ 490,000	\$ -	\$ 490,000	\$ -	\$ 40,000
TSDMP Implementation - CWB Inlet Improvements	\$ 100,000	\$ -	\$ -	\$ 100,000	\$ -	\$ -
Tecumseh Storm Drainage Master Plan Update	\$ -	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ -
Shoreline Management Plan CFWD	\$ -	\$ 350,000	\$ -	\$ 350,000	\$ 350,000	\$ -
Breakwall Conditions Assessment	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -
Scully & St Mark's Storm PS/Riverside Drive CFWD+	\$ 13,198,000	\$ 2,534,000	\$ 1,318,000	\$ 17,050,000	\$ 797,250	\$ 500,000
West Tecumseh Trunk Watermain (W-1)	\$ 2,040,000	\$ 408,000	\$ 306,000	\$ 2,754,000	\$ -	\$ -
West Tecumseh Trunk Sanitary (WW-1)	\$ 5,210,000	\$ 1,042,000	\$ 781,500	\$ 7,034,000	\$ -	\$ -
Diversion San Sewers (Intersection Rd) (WW-2)	\$ 840,000	\$ 168,000	\$ 126,000	\$ 1,134,000	\$ -	\$ -
P.J. Cecile Storm PS *	\$ 6,928,000	\$ 1,405,500	\$ 1,366,500	\$ 9,700,000	\$ -	\$ 500,000
2020 Water and Wastewater Rates Study CFWD	\$ -	\$ 20,000	\$ -	\$ 20,000	\$ 20,000	\$ -

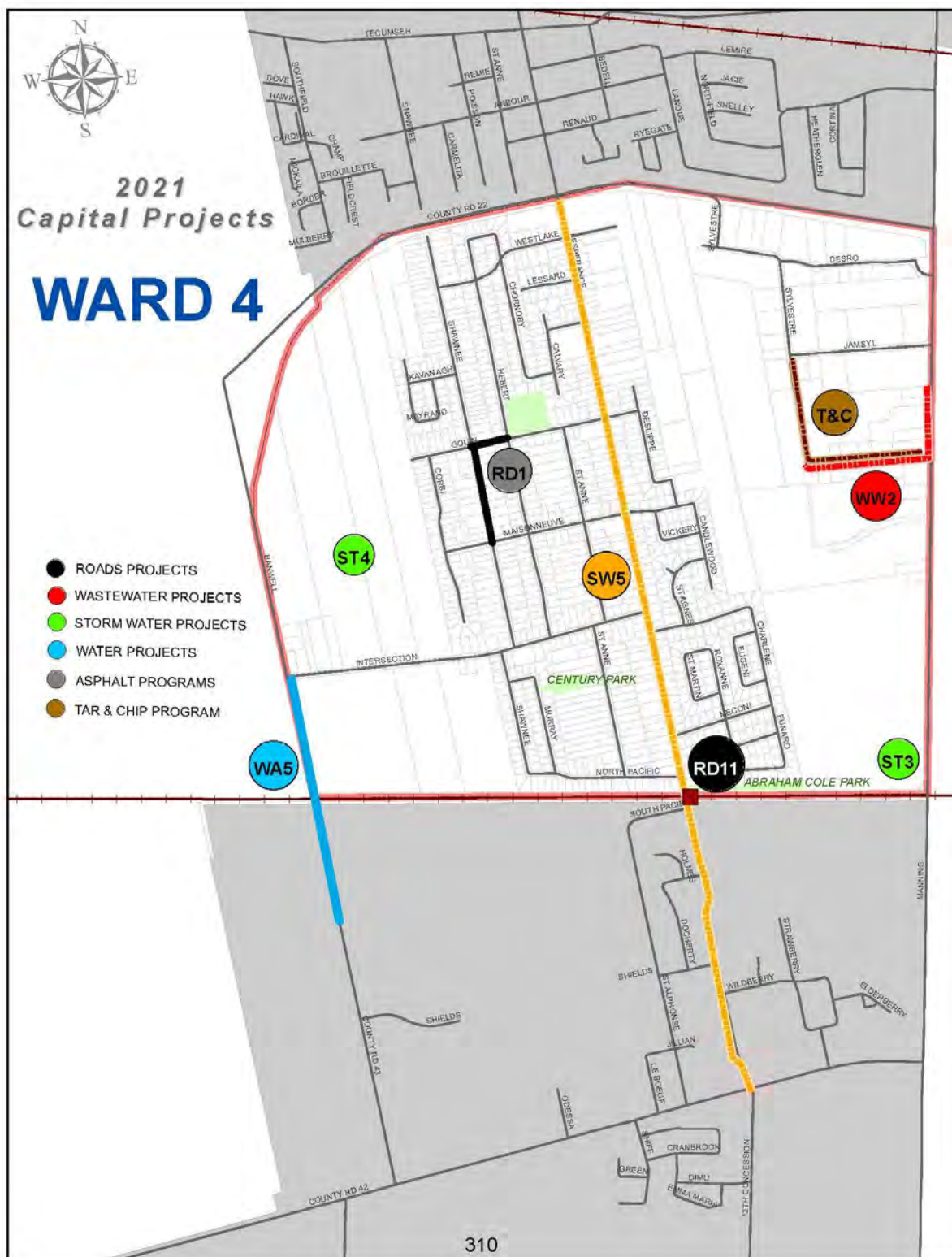
Summary of PWES 2021 Capital Works Projects		Wards
<b>Roads</b>		
RD 1	Tar & Chip, Asphaltting and Crack Sealing	All
RD 2	Tecumseh Signage Project	All
RD 3	Lesperance/VIA Rail Improvements	3
RD 4	Lanoue Street Improvements	3
RD 5	Tecumseh Road Community Improvement Plan (CIP) – Streetscape Plan & Design	3
RD 6	Manning Road Improvements Project, Phase 3	2
RD 7	Traffic Signal Controller Upgrades	All
RD 8	Expansion/Improvements to the Public Works Yard (North)	3
RD 9	TTMP Bicycle Sharrows	All
RD 10	Brighton Road Traffic Improvements	2
RD 11	CP/Lesperance Crossing Improvements	4 & 5
RD 12	Traffic Calming Guideline Study	All
RD 13	Annual Project Contingency	All
RD 14	CWATS Study for Facility Enhancements for Crossing at Pike Creek/Tecumseh Road	2
<b>Sidewalks and Pathways Projects</b>		
SW 1	2021 Sidewalk Repair Projects	All
SW 2	County Road 42 Sidewalks and Bike Lanes (2020 - CR19/CR42 Roundabout)	5
SW 3	Tecumseh Road Multi-Use Pathway Re-construction (Arlington to DM Eagle Public School)	2
SW 4	Riverside Drive Trail	1 & 2
SW 5	Lesperance Road Multi-Use Trail - CR22 to CR42	4 & 5
SW 6	Malden Road Pathway Extension	5
<b>Bridge Projects</b>		
BR 1	Snake Lane Road Culverts (with Spans < 3.0m) – Culverts No. 42, 53 & 54	5
BR 2	Bridges (with Spans > 3.0m) – Baseline Road/Pike Creek Bridge No.1005 Bank Stabilization	5
<b>Water Projects</b>		
WA 1	Highway No.3 / County Road 11 Watermain Replacement	5
WA 2	County Road 42 and County Road 43 Improvements	5
WA 3	2020 Water and Wastewater Rates Study	All
WA 4	Fire Hydrant Reflectors	All
WA 5	County Road 43/Banwell Watermain – Intersection Road to South of CPR	4 & 5
WA 6	2021 Various Watermain Replacement Project	2 & 5
WA 7	Hwy 3/CR34 Water Valve Replacement	5
WA 8	Watermain Anode Program – Inspection/Replacement	All
<b>Wastewater Projects</b>		
WW 1	Tecumseh Road Sanitary Sewer – Lesperance to Southfield	3
WW 2	Sylvestre Drive Sanitary Sewer Extension	4
WW 3	County Road 46, Webster and Laval Sanitary Sewer Extension	5
WW 4	Del Duca Drive Sanitary Sewer Extension	5
WW 5	Sanitary Sewer Model Update and Flow Monitoring	All
WW 6	Manhole Restoration Program	All
WW 7	2021 Sanitary Pump Station Improvements	2, 4 & 5
<b>Storm Sewer Projects</b>		
ST 1	Shoreline Management Plan	1 & 2
ST 2	Stormwater Rate Study	All
ST 3	Manning Road Secondary Plan Area – Stormwater Facility	4
ST 4	Tecumseh Hamlet EA and Functional Servicing Study	4 & 5
ST 5	Oldcastle Storm Drainage Master Plan	5
ST 6	Manning Road Improvement Project, Phase 2	2
ST 7	Scully & St. Mark's Storm Pump Station & Riverside Drive Storm Sewers	2
ST 8	P.J. Cecile (Kensington) Storm Pump Station	2
ST 9	Turkey Creek Watershed Assessment – Phase 1	5
ST 10	Brighton Road Storm Pump Station Repairs	2



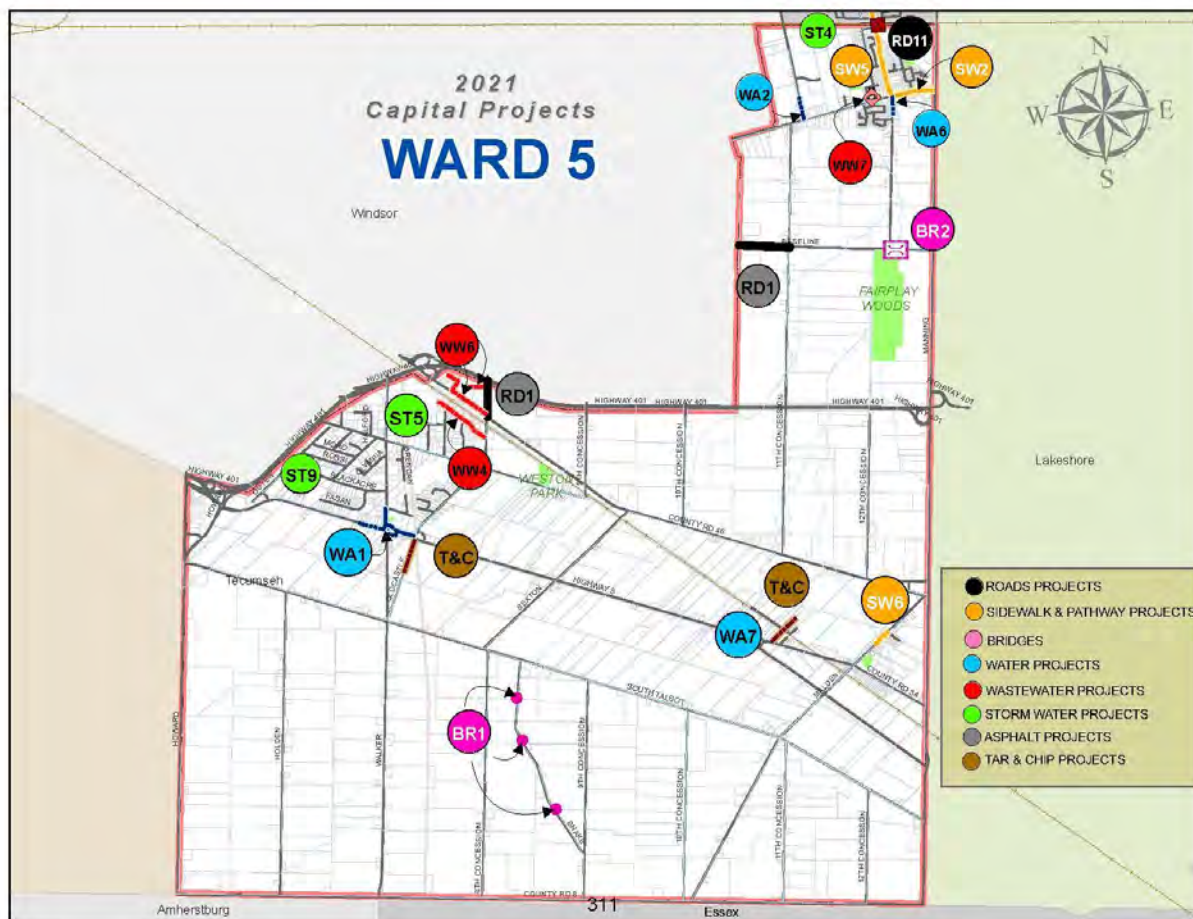














**Attachment 14 - 2021 Roads Lifecycle Reserve Projection**

<b>LC Road (1500)</b>	<b>2021</b>
Reserve Balance Start of Year	\$ 11,178,000
Budget Allocation	\$ 4,160,000
Sale of Electricity to Grid	\$ 10,000
CWATS	\$ -
County Connecting Link Agreement	\$ -
<b>Funds Available</b>	<b>\$ 15,348,000</b>
<b>Committed</b>	
IT GIS Tech % share	\$ 28,150
Traffic Signal Controller Upgrade (with County)	\$ 90,000
Lesperance/VIA Rail Improvements	\$ 155,000
Delduca Drive Sanitary Sewer (LRPCP)	\$ 76,450
Lanoue Street Improvements	\$ 272,400
Scully & St. Mark's Storm PS/Riverside Drive	\$ 26,100
<b>Balance Committed</b>	<b>\$ 648,100</b>
<b>Balance Uncommitted</b>	<b>\$ 14,699,900</b>
<b>Proposed</b>	
Road Paving - Asphaltting (Note 1)	\$ 1,300,000
PW Yard (North) Expansion/Improvements	\$ 30,000
TTMP Bicycle Sharrows	\$ 15,000
Tecumseh Hamlet SPA EA FSR	\$ 67,750
Lesperance/VIA Rail Improvements	\$ 1,279,300
Manning Road/ETLD Relocation - Phase 2	\$ 787,900
Manning Road Reconstruction - Phase 3	\$ 100,000
Brighton Road Traffic Circle Review	\$ 30,000
Various Watermain Replacement Projects 2021	\$ 23,100
Scully & St. Mark's Storm PS/Riverside Drive	\$ 84,000
Delduca Drive (Sanitary Sewer LRPCP)	\$ 20,000
Lanoue Street Improvements	\$ 125,000
PJ Cecile Storm PS	\$ 14,000
CP/Lesperance Crossing Improvements	\$ 30,000
Annual Project Allocation	\$ 250,000
<b>Balance Proposed</b>	<b>\$ 4,156,050</b>
<b>Balance Available</b>	<b>\$ 10,543,850</b>

**Notes:**

- 1) General allowance for asphaltting

**Attachment 15 - 2021 Bridges Lifecycle Reserve Projection**

<b>LC Bridges (1660)</b>	<b>2021</b>
Reserve Balance Start of Year	\$ 620,000
Budget Allocation	\$ 410,000
<b>Funds Available</b>	<b>\$ 1,030,000</b>
<b>Committed</b>	
N/A	\$ -
<b>Balance Committed</b>	<b>\$ -</b>
<b>Balance Uncommitted</b>	<b>\$ 1,030,000</b>
<b>Proposed</b>	
Culvert Condition Assessment (<3m Span)	\$ -
Bridge/Culvert Needs Study (>3m)	\$ -
Culvert #45: S. Talbot Road (CR11/STR Works)	\$ -
Culvert #42: Snake Lane Road	\$ 62,300
Culvert #53: Snake Lane Road	\$ 65,100
Culvert #54: Snake Lane Road	\$ 65,100
Culvert #51: 8th Concession	\$ -
Culvert #70: 12th Concession	\$ -
Roadside Safety Improvements - Bridge #1010	\$ -
Culvert #48: Holden Road	\$ -
Pike Creek Drain at Baseline Road (1005)	\$ 250,000
<b>Balance Proposed</b>	<b>\$ 442,500</b>
<b>Balance Available</b>	<b>\$ 587,500</b>

**Attachment 16 - 2021 Sidewalks Lifecycle Reserve Projection**

<b>LC Sidewalk (1550)</b>	<b>2021</b>
Reserve Balance Start of Year	\$ 401,000
Budget Allocation	\$ 74,000
<b>Funds Available</b>	<b>\$ 475,000</b>
<b>Committed</b>	<b>\$ -</b>
<b>Balance Committed</b>	<b>\$ -</b>
<b>Balance Uncommitted</b>	<b>\$ 475,000</b>
<b>Proposed</b>	
Sidewalk repair program (Note 1)	\$ 69,000
<b>Balance Proposed</b>	<b>\$ 69,000</b>
<b>Balance Available</b>	<b>\$ 406,000</b>

**Notes:**

- 1) General allowance

**Attachment 17 - 2021 Storm Lifecycle Reserve Projection**

<b>LC Storm Sewer (1650)</b>	<b>2021</b>
Reserve Balance Start of Year	\$ (1,129,400)
Budget Allocation	\$ 1,002,700
OCIF Grant	\$ 1,769,600
DMAF Grant	\$ 194,400
<b>Funds Available</b>	<b>\$ 1,642,900</b>
<b>Committed</b>	
Scully & St. Mark's Storm PS/Riverside Drive	\$ 557,100
Tecumseh Hamlet SPA EA FSR	\$ 131,550
MRSPA Pond Design and Construction	\$ 959,000
Shoreline Management Plan	\$ 237,100
CR#46/Webster/Laval Sanitary Ext. (LRPCP)	\$ 16,500
Delduca Drive (LRPCP)	\$ 22,500
Lesperance/VIA Rail Improvements	\$ 31,000
<b>Balance Committed</b>	<b>\$ 1,954,750</b>
<b>Balance Uncommitted</b>	<b>\$ (311,850)</b>
<b>Proposed</b>	
Manning Road/ETLD Drain Relocation - Phase 2	\$ 1,769,600
Lesperance/VIA Rail Improvements	\$ 131,500
Manhole Restoration Program	\$ 50,000
Tecumseh Hamlet SPA EA FSR	\$ 276,750
Scully & St. Mark's Storm PS/Riverside Drive	\$ 338,000
Riverside Drive Trail (Lesperance-Manning)	\$ 37,500
Brighton Road Storm PS - Repairs	\$ 75,000
Oldcastle Storm Drainage Master Plan	\$ 40,000
Delduca Drive (LRPCP)	\$ 40,000
Shoreline Management Plan	\$ -
P.J. Cecile Storm PS	\$ 486,000
Turkey Creek Watershed Assessment - Phase 1	\$ 60,000
<b>Balance Proposed</b>	<b>\$ 3,304,350</b>
PWES-2019-49	
<b>Balance Available</b>	<b>\$ (3,616,200)</b>

**Attachment 18 - 2021 Wastewater Sewers Reserve Fund Projection**

<b>RF Wastewater Sewers (2550)</b>	<b>2021</b>
Reserve Balance Start of Year	\$ (2,554,000)
Estimated Allocation	\$ 1,908,440
Estimated Interest	\$ (34,000)
Development Charges	\$ 150,000
Capital Sewer Connection Charges	\$ -
<b>Funds Available</b>	<b>\$ (529,560)</b>
<b>Committed</b>	
Debt payments - 2012 Non-DC debt	\$ 57,400
IT GIS Tech % share	\$ 28,700
2020 Water and Wastewater Rates Study	\$ 10,000
CR42/43 Construction	\$ 28,700
Tecumseh Hamlet SPA EA FSR	\$ 18,150
<b>Balance Committed</b>	<b>\$ 142,950</b>
<b>Balance Uncommitted</b>	<b>\$ (672,510)</b>
<b>Proposed</b>	
Manhole Restoration Program	\$ 50,000
Tecumseh Hamlet SPA EA FSR	\$ 82,750
Delduca Drive (Sanitary Sewer LRPCP)	\$ 40,000
Sanitary Sewer Model Update	\$ 20,000
CR42/43 Const. including 12th&Banwell Watermains	\$ 30,000
<b>Total Proposed</b>	<b>\$ 222,750</b>
<b>Balance Available</b>	<b>\$ (895,260)</b>

**Attachment 19 – 2021 Wastewater Facilities Reserve Fund Projection**

<b>RF Wastewater Facilities (2560)</b>	<b>2021</b>
Reserve Balance Start of Year	\$ 1,826,000
Estimated Allocation	\$ 400,000
Estimated Interest	\$ 20,000
<b>Funds Available</b>	<b>\$ 2,246,000</b>
<b>Committed</b>	
Scully & St. Mark's Storm PS/Riverside Drive	\$ 12,250
<b>Balance Committed</b>	<b>\$ 12,250</b>
<b>Balance Uncommitted</b>	<b>\$ 2,233,750</b>
<b>Proposed</b>	
Sylvestre Drive Sanitary PS Improvements	\$ 15,000
Lakewood Sanitary PS Improvements	\$ 25,000
St. Alphonse Sanitary PS Improvements	\$ 31,500
Scully & St. Mark's Storm PS/Riverside Drive	\$ 78,000
<b>Total Proposed</b>	<b>\$ 149,500</b>
<b>Balance Available</b>	<b>\$ 2,084,250</b>

Attachment 20 - 2021 Watermain Reserve Fund Projection


RF Watermain (2520)	2021
Reserve Balance Start of Year	\$ 5,512,000
Estimated Allocation	\$ 1,706,133
Estimated Interest	\$ 165,400
Development Charges	\$ 50,000
MMF Grant	\$ 53,000
<b>Funds Available</b>	<b>\$ 7,486,533</b>
<b>Committed</b>	
Tools	\$ 28,200
Meters	\$ 11,300
IT GIS Tech % share	\$ 28,700
Tecumseh Hamlet SPA EA FSR	\$ 18,150
2020 Water and Wastewater Rates Study	\$ 10,000
Hwy#3/Walker Rd Watermain Replacement	\$ 818,800
<b>Balance Committed</b>	<b>\$ 915,150</b>
<b>Balance Uncommitted</b>	<b>\$ 6,571,383</b>
Manning Road/ETLD Drain Relocation -Phase 2	\$ 1,038,300
Tecumseh Hamlet SPA EA FSR	\$ 67,750
Fire Hydrant Reflectors	\$ 15,000
Banwell Watermain-Intersection to South of CPR	\$ 130,900
Various Watermain Replacement Projects 2021	\$ 1,085,000
Hwy3-CR34 Water Valve Replacement	\$ 456,300
Watermain Anode Program - Inspection/Replacement	\$ 200,000
Oasis Payment Solution - MMF- cfwd	\$ 20,000
Oasis Payment Solution - MMF- additional funding	\$ 33,000
2021 Power Gate at the 1189 Lacasse yard.	\$ 35,000
<b>Total Proposed</b>	<b>\$ 3,081,250</b>
<b>Balance Available</b>	<b>\$ 3,490,133</b>

**Attachment 21 - 2021 Water Facilities Reserve Fund Projection**

<b>RF Water Facilities (2530)</b>	<b>2021</b>
Reserve Balance Start of Year	\$ 7,395,000
Estimated Allocation	\$ 175,000
Estimated Interest	\$ 100,000
<b>Funds Available</b>	<b>\$ 7,670,000</b>
<b>Committed</b>	<b>\$ -</b>
<b>Balance Committed</b>	<b>\$ -</b>
<b>Balance Uncommitted</b>	<b>\$ 7,670,000</b>
<b>Proposed</b>	
<b>Total Proposed</b>	<b>\$ -</b>
<b>Balance Available</b>	<b>\$ 7,670,000</b>





## Appendix 7- Continual Improvement Report

 <b>TOWN OF Tecumseh</b> ONTARIO - CANADA	<b>WATER DIVISION</b> <b>REQUEST FOR NEW OR CHANGED</b> <b>DWQMS DOCUMENT</b>								
***PLEASE PRINT ALL INFORMATION***									
	<table border="1" style="display: inline-table;"><tr><td style="padding: 2px;">Document Verified by (Initials Only)</td><td style="width: 50px; height: 20px;"></td></tr></table>	Document Verified by (Initials Only)							
Document Verified by (Initials Only)									
<i>When completed, submit this form to the DWQMS Representative or alternate. Please attach a printed hardcopy with all revisions when requesting changes to an existing DWQMS document.</i>									
DWQMS Document Title: _____									
DWQMS ID: _____									
Operator Name (print): _____									
Date of Submission: _____									
<b>Reason for Request:</b>									
<input type="checkbox"/> Enhances process control	<input type="checkbox"/> Reduce risk								
<input type="checkbox"/> Supports regulatory requirements	<input type="checkbox"/> Improve operational efficiency								
<input type="checkbox"/> Required by the DWQMS									
<b>Summary of Reason for Change / Addition:</b>									
_____ _____ _____ _____ _____ _____ _____ _____ _____ _____									
<table border="1" style="width: 100%;"><tr><td style="width: 30%;">Operator's Name (print)</td><td colspan="3"></td></tr><tr><td>Operator's Signature</td><td style="width: 30%;"></td><td style="width: 10%;">Date:</td><td style="width: 30%;"></td></tr></table>		Operator's Name (print)				Operator's Signature		Date:	
Operator's Name (print)									
Operator's Signature		Date:							

Page 1 of 1version 2

## Appendix 8 – Schedule C – Director's Directions for Operational Plans



Ministry of the Environment  
and Climate Change

**Schedule C – Director's Directions for  
Operational Plans (Subject System  
Description Form)**  
Municipal Residential Drinking Water System

Fields marked with an asterisk (\*) are mandatory.

Owner of Municipal Residential Drinking Water System \*

The Corporation of the Town of Tecumseh

Name of Municipal Residential Drinking Water System \*

Tecumseh Distribution System

**Subject Systems**

☐ Check here if the Municipal Residential Drinking Water System is operated by one operating authority. Enter the name of the operating authority in the below table.

	Name of Operational Subsystems (if Applicable)	Name of Operating Authority *	DWS Number(s) *
1		The Corporation of the Town of Tecumseh	260004969

Provide the information outlined in the 'Contact Information' section for each Operational Subsystem.

**Contact Information**

Last Name *	First Name *	Middle Initial
Dupuis	Brad	
Title *	Phone Number *	
Manager, Water & Wastewater	519 791-6509	
Email Address *		
bdupuis@tecumseh.ca		

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Page 1 of 1

# **The Corporation of the Town of Tecumseh**

## **By-Law Number 2021 - 10**

Being a By-law to adopt the new Town of Tecumseh Official Plan

**Whereas** the Council of the Corporation of the Town of Tecumseh deems it advisable to adopt the new Town of Tecumseh Official Plan;

**And whereas** the Council of the Corporation of the Town of Tecumseh deems it advisable to repeal By-law 73-1096 of the former Town of Tecumseh, adopting the previous Official Plan of the Town of Tecumseh on November 27, 1973;

**And whereas** the Council of the Corporation of the Town of Tecumseh deems it advisable to repeal By-law 89-1156 of the former Village of St. Clair Beach, adopting the previous Official Plan of the Village of St. Clair Beach on December 11, 1989;

**And whereas** the Council of the Corporation of the Town of Tecumseh deems it advisable to repeal By-law 97-24 of the former Township of Sandwich South, adopting the previous Official Plan of the Township of Sandwich South on June 23, 1997;

**And whereas** the Council of the Corporation of the Town of Tecumseh deems it advisable to adopt a new Official Plan;

**Now Therefore the Council of The Corporation of The Town of Tecumseh, in accordance with Section 17 and 21 of *The Planning Act, R.S.O. 1990 c. P.13*, enacts as follows:**

1. **That** the Town of Tecumseh Official Plan, consisting of the attached text and schedules is hereby adopted;
2. **That** the Clerk is hereby authorized and directed to make application to the County of Essex for the approval of the attached Official Plan for the Town of Tecumseh;
3. **That** By-law 73-1096 which adopted the Official Plan for the former Town of Tecumseh is hereby repealed;
4. **That** By-law 89-1156 which adopted the Official Plan for the former Village of St. Clair Beach is hereby repealed;
5. **That** By-law 97-27 which adopted the Official Plan for the former Township of Sandwich South is hereby repealed;
6. This By-law shall come into force and take effect on the date of approval of the Official Plan of the Town of Tecumseh in whole or in part by the County of Essex, as the Approval Authority, as defined under *The Planning Act, R.S.O. 1990 c. P.13*.

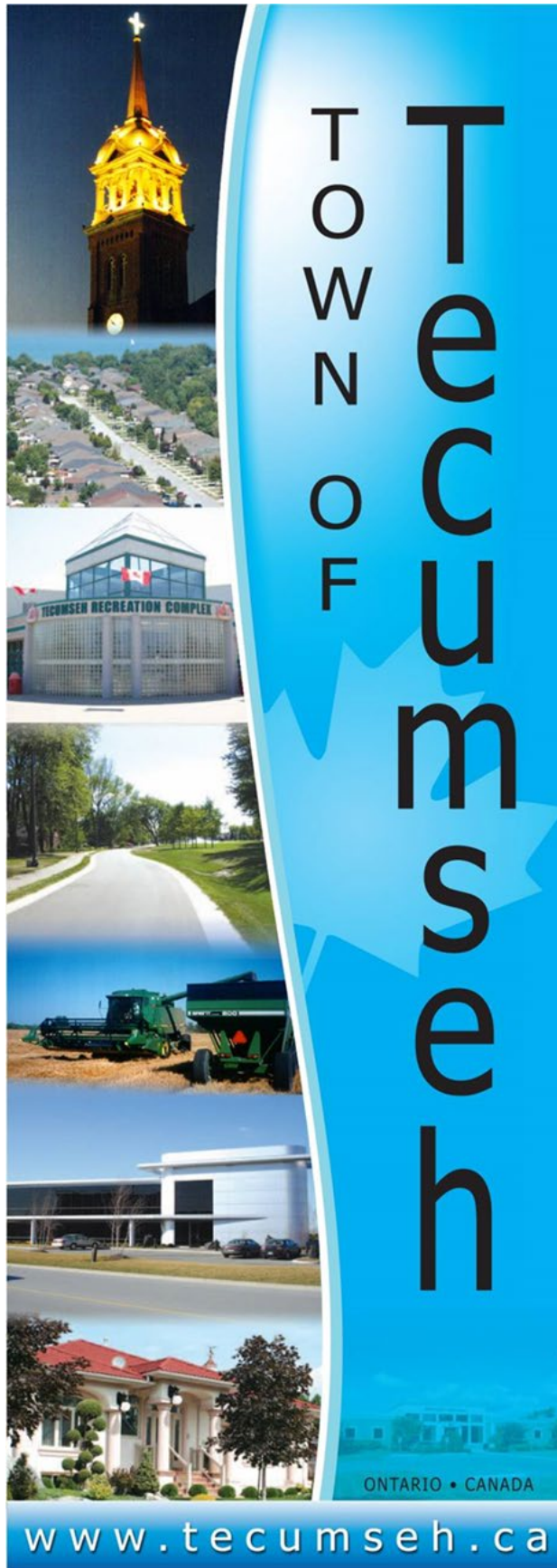
**Read** a first, second, third time and finally passed this 23rd day of February, 2021.

---

Gary McNamara, Mayor

---

Laura Moy, Clerk



# Official Plan

## February 2021



**Prepared by:**  
**Planning & Building Services Department**  
**Town of Tecumseh**

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## **Section 1 Purpose and Basis of the Plan**

### **1.1 Introduction**

This Plan, as approved by the County of Essex on Click or tap to enter a date. 2021 is known as the Official Plan for the Town of Tecumseh. The following text and Schedules “A”, “B-1”, “B-2”, “B-3”, “C”, “D”, “E-1”, “E-2”, “E-3”, “F” and “G” inclusive constitute the Official Plan. The policies and land use designations described in this Plan should not be considered static and will be reviewed and altered by way of amendment as required.

The designations and policies of this Plan are based on background research that was conducted prior to the formal adoption of this document. A major portion of this research is available in the form a Planning Context and Issues Report dated March 2010 and 11 Discussion Papers issued between May 2013 and August 2016 along with updated population and employment projections included in the 2019 Development Charges Background Study, Town of Tecumseh August 2019.

### **1.2 Legislative Authority**

Under Section 17 of the Planning Act, R.S.O. 1990, as amended, the Council of a municipality may provide for the preparation of a plan suitable for adoption as the Official Plan of the municipality. The following text and schedules constituting the Official Plan for the Town of Tecumseh apply to all the lands located within the Town's corporate limits.

An Official Plan is defined in the Planning Act as a document, approved by the County of Essex, containing goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the Town.

Section 24 of the Planning Act further provides that where an Official Plan is in effect, no public work shall be undertaken and no by-law passed for any purpose unless it is in conformity with the Official Plan.

### **1.3 Planning History**

Prior to the approval of this Plan, land use planning within the Town was governed by three separate Official Plans pertaining to the three former municipalities (the former Town of Tecumseh, the former Village of St. Clair Beach and the former Township of Sandwich South) that amalgamated on January 1, 1999 to form the new Town of Tecumseh. These Official Plans reflected the land use objectives of their respective former municipalities. A new, Town-wide Official Plan was needed to articulate a clear, cohesive

vision for the amalgamated Town of Tecumseh and to reflect the new policy objectives of the Provincial Policy Statement 2020 and the County of Essex Official Plan, 2014.

## **1.4 Purpose of the Plan**

This Official Plan sets out, in general terms, the future pattern of development for the Town of Tecumseh for a 25-year planning horizon. The Plan's purpose is to:

- i) provide direction and establish policies which will be used by Council, the Committee of Adjustment, municipal staff and other affected stakeholders when making decisions with respect to land use planning and growth in the Town while ensuring consistency the Provincial Policy Statement and conformity with the County of Essex Official Plan;
- ii) establish goals and policies that protect and enhance the quality of life and quality of place of the Town, while promoting a healthy, livable and complete community, wise use of its natural resources, community services, infrastructure, and a strong economy and addressing climate change mitigation and adaptation;
- iii) enhance the Town as a desirable place for living, working and playing by creating a healthy, safe, attractive and vibrant community;
- iv) establish a land use pattern that ensures a basic compatibility between and among the Town's various land uses;
- v) direct all future non-agriculture development to locate within designated urban areas, where a full range of municipal infrastructure and community facilities and services can be provided in an economically and environmentally sound manner which is sustainable over the long term;
- vi) ensure that good agricultural land is preserved and enhanced for agricultural use;
- vii) protect and enhance cultural heritage and natural heritage landscapes and resources;
- viii) to establish a policy framework for climate change mitigation and adaptation;
- ix) identify the present level of services available within the Town and identify expansion or extensions required to facilitate future development;

- x) encourage the provision of a broad range of housing forms, tenures, and sizes to meet the needs of all households, including households of low income levels;
- xi) establish and maintain a transportation network that is capable of providing for the safe, efficient, accessible and convenient movement of people and goods and offers viable transportation choices through the provision of a balanced transportation system that includes active transportation facilities;
- xii) improve accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society;
- xiii) ensure that future development does not place an unnecessary financial burden on existing ratepayers, occurs at a pace that is within the financial capability of the Town, and is financially sustainable over time;
- xiv) maintain a strong and vibrant local economy which is able to generate a broad range of employment opportunities;
- xv) inform the general public and the private sector of the type and standard of development that will be permitted within the Town in the future;
- xvi) establish a framework for public involvement in the implementation and review of the Official Plan's goals and policies;
- xvii) provide for the necessary capital works programs and municipal legislation to implement the Official Plan's goals; and
- xviii) provide a frame of reference for future detailed studies which may be undertaken when considered necessary by Council.

## 1.5 Basis of the Plan

The policies contained in this Plan are based on the research and analysis phase of the Official Plan Review as well as consultations and meetings that have taken place with representatives from various provincial ministries, the County of Essex, the Essex Region Conservation Authority and other local agencies. The research and analysis phase included the preparation of a document titled Planning Context and Issues Report, March 2010. This report was issued for public and government agency review and a public consultation process. Subsequently, the following 11 Discussion Papers were prepared and made available for review:

- Employment Lands, May 2013

- Growth Management / Urban Structure, July 2014
- Agricultural and Rural Issues, September 2014
- Community Improvement Planning, October 2014
- Housing and Residential Intensification, March 2015
- Urban Design, April 2015
- Commercial Development, June 2015
- Natural Heritage, December 2015
- Transportation, June 2016
- Parks and Open Space, July 2016
- Sustainability, August 2016

Open Houses were held at the beginning of the Official Plan review process and subsequent to the release of the final discussion paper. These open houses provided an opportunity for consultation, deliberation, sharing of ideas and articulation of a desired policy direction for the future. The Discussion Papers and the related public consultation process provided guidance toward the development of this Official Plan. The assumptions and conclusions that have been used to formulate the goals and policies of the Official Plan will be reviewed over time and, if necessary, amended by Council.

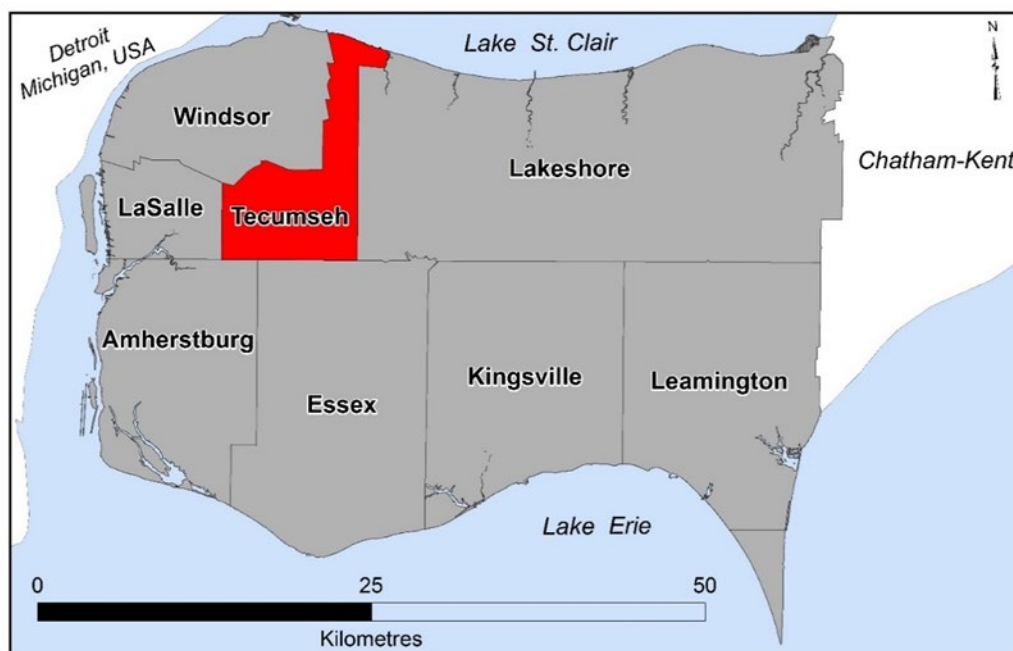
#### **1.5.1 Time Period of Plan**

This Plan provides direction for the Town over approximately the next 25 years to 2045. Council will review this Plan at least once every ten years to ensure that the policies and land use designations contained herein remain relevant to the Town's circumstances.

#### **1.5.2 Municipal Profile, Existing Development Pattern, Special Studies**

The Town of Tecumseh, located in the northwest corner of Essex County, extending south from Lake St. Clair to County Road 8, which bisects the County in an east-west direction has a combination of both urban and rural characteristics. The Town's current irregular shape is a function of a County-wide restructuring process which first resulted in the amalgamation of the former Town of Tecumseh, the former Village of St. Clair Beach and the former Township of Sandwich South into the Town of Tecumseh effective January 1, 1999. Subsequently, 2630 hectares of land were transferred from the Town to the City of Windsor, effective January 1, 2003, resulting in the

Town having a total land area of 9470 hectares. The Town's municipal boundary is shared with five other municipalities: the Municipality of Lakeshore, the Towns of Essex, Amherstburg, LaSalle, and the City of Windsor.



The Town continues to enjoy a distinct small town ambiance that includes a diversity of residential neighbourhoods, commercial services and parks; a vibrant industrial sector; and a strong agricultural landscape and rural character. The Town's identity is strong, notwithstanding its location adjacent to the City of Windsor and the rapidly urbanizing communities of the Town of LaSalle and Municipality of Lakeshore.

A majority of the Town's population and urban uses are distributed among three physically separate and distinct settlement areas:

**i. Tecumseh North Settlement Area**

This settlement area, situated in the northerly portion of the Town on the south shore of Lake St. Clair, comprises the former Town of Tecumseh, former Village of St. Clair Beach and former Tecumseh Hamlet. This is the main and most diversified settlement area of the Town. It is where a majority of the housing is located along with a number of employment and commercial areas, recreational facilities, parks, trails, schools and community facilities. Opportunities for residential and commercial intensification continue to exist in this settlement area, particularly north of County Road No. 22.



Significant growth is projected within two greenfield areas in the former Tecumseh Hamlet which is located south of County Road 22. The first greenfield area is located in the northeast quadrant of the former Hamlet and is delineated by County Road 22 to the north, Manning Road to the east, CP Railway to the south and the existing built up area to the west. These lands were designated for urban development under the previous official plan in accordance with the Manning Road Secondary Planning Area Study prepared in the 1990s. Although referred to as a secondary plan, it was never adopted by Council under the Planning Act but it was used to guide the designation of these lands in the former official plan. These lands continue to be designated for urban development in this Official Plan.

The second greenfield area is primarily located along Banwell Road in the western part of the Hamlet with a smaller portion along Manning Road south of the CP Railway in the eastern part of the Hamlet. This greenfield area is the subject of a planning and engineering process that is nearing completion (the Tecumseh Hamlet Secondary Plan and related Municipal Class Environmental Assessments). These planning and engineering processes will address the integration of existing and new development, land use distribution and related infrastructure requirements. In addition, the findings of a number of other studies will be incorporated into the process, primarily the City of Windsor's Banwell Road Municipal Class EA Study dated September 2016 and The Upper Little River Watershed Master Drainage and Stormwater Management Plan, September 2017. All of the lands that are the subject of the planning and engineering processes have been placed in a Future Development designation in the Official Plan pending the completion of these processes, after which new land use designations and policies will be incorporated into the Official Plan by way of a major amendment.

## **ii. Oldcastle Hamlet Settlement Area**

This settlement area is situated in the southwesterly portion of the Town adjacent to the southerly boundary of the City of Windsor (formerly a hamlet in the Township of Sandwich South). Over the past 50 years, it has evolved from a small agriculture-related hamlet to become an area characterized by a predominance of employment uses, primarily of a light industrial nature. It also includes commercial- and service-related uses and a number of residential clusters, recreational areas, trails and institutional uses.

The Official Plan includes an expansion to the Oldcastle Hamlet Settlement Area of approximately 57 hectares for employment lands easterly along Highway 401. This expansion is consistent with the Primary Settlement Area expansion included in the County of Essex Official Plan.

A number of parcels in the Oldcastle Hamlet Settlement Area, totaling 103.6 hectares, are designated Future Development in the Official Plan. Council has authorized the undertaking of the Oldcastle Hamlet Special Planning

Study for Future Development Lands in order to determine the preferred and appropriate mix of land uses for these Future Development lands. The planning study will include a public consultation process that engages with a range of stakeholders. Upon completion of the planning study, new land use designations and policies will be incorporated into the Official Plan by way of a major amendment.

### **iii. Maidstone Hamlet Settlement Area**

This settlement area, situated in the southeasterly portion of the Town in the vicinity of County Roads 19 and 34, comprises Maidstone Hamlet (formerly a hamlet in the Township of Sandwich South). It is a largely rural hamlet characterized by a single tier of housing that fronts both sides of County Road 34 and Malden Road. In addition, there are a number of institutional uses including a school, along with a park that contains a number of community amenities that serve the broader agricultural community. Future development on greenfield sites will be in accordance with the Maidstone Hamlet Settlement Area Secondary Plan land use designations and policies contained in this Plan.

## **1.5.3 Forecasted Residential Demand**

### **i. Population Forecasts**

Based on population forecasts in the County of Essex Official Plan, the Town of Tecumseh's anticipated increase in population is approximately 6,530 people over a 20-year planning period from 2011 to 2031, accounting for 19% of the County's growth.

The County of Essex projections were further analyzed and validated by way of the Town's 2019 Development Charges Background Study as part of its preparation of the 2019 Development Charges By-law. These projections use the growth rates from the County projections and validated a 20-year population increase of 6,880 people with a total population of 30,330 by 2040.

The growth rate that was used for the 20-year planning horizon in the Development Charges Background Study was applied to project an additional five years of population growth resulting in a 25-year population increase of 8,600 people and a total population of 32,050 by 2045.

The Town acknowledges that the County is initiating a review of its Official Plan which will include updates to regional population projections and an allocation of growth to the seven lower tier municipalities comprising the County. Once the County's Official Plan update is approved, the population forecasts in the Town's Official Plan will be re-evaluated and amended if necessary.

## **ii. Housing Demand Forecasts**

The foregoing total population forecast of approximately 8,600 people by 2045 translates into a demand for an additional 4,377 housing units during the planning period. Demographic, economic and migration factors which affect demand for housing should be reviewed periodically and, if necessary, these forecasts should be revised and updated.

In order to meet the existing and anticipated future needs of a growing senior population with smaller household sizes, a more diverse range of housing types, tenures and sizes will be required by the municipality. The housing mix is anticipated to comprise approximately 70% single detached and semi-detached, 17% multiples except apartments and 13% bachelor, one-bedroom and two-bedroom apartments. A portion of this housing mix is anticipated to be accommodated through intensification projects including the provision of second units within single, semi-detached and townhouse dwellings.

### **1.5.4 Forecasted Commercial and Industrial Demand**

Over the last three decades the town has been able to attract and maintain a healthy and diverse industrial sector. The approximate 316 hectares of existing developed industrial land town-wide has created thousands of employment opportunities for the residents of the Windsor-Essex County Region as a whole, and has contributed significantly to the tax base of the town, the County of Essex, and the county school boards.

Based on the employment growth projections identified in the County of Essex Official Plan, employment in the Town is anticipated to increase by 3,310 between 2006 – 2031, representing 24.4% of the County's overall growth.

The large proportion of job growth forecast for Tecumseh is based on its proximity to the City of Windsor and the international border crossing, transportation infrastructure, supply of employment land, forecast population growth and existing employment base. The presence of a skilled labour force capable of producing a high quality product at competitive prices is another important factor that has kept the town's industrial sector globally competitive. The tool and die and mold makers from the town and the Windsor-Essex County Region have been recognized as being world leaders in their industry.

The County of Essex projections were further analyzed and validated by way of the Town's 2019 Development Charges Background Study as part of its preparation of the 2019 Development Charges By-law. These projections use the growth rates from the County projections and validated updated projections of 2,760 jobs to be added over the 20-year planning period to 2040. As with the population projections, the growth rate that was used for

the 20-year planning horizon in the Development Charges Background Study was applied to project an additional five years of employment growth resulting in an increase of 3,450 jobs over the 25-year planning period to 2045.

The Town acknowledges that the County is initiating a review of its Official Plan which will include updates to regional employment projections and an allocation of that growth to the seven lower tier municipalities comprising the County. Once the County's Official Plan update is approved, the employment forecasts in the Town's Official Plan will be re-evaluated and amended if necessary.

The Employment Lands Discussion Paper included analysis that supported a 57-hectare (141 acre) expansion to the Oldcastle Hamlet for employment land purposes. The lands identified for this expansion are included in this Plan and are delineated by King's Highway 401 to the north, the 9th Concession Road to the east and the former Canada Southern Railway line to the south. This expansion was approved by the County of Essex and incorporated into the County of Essex Official Plan in 2014. This 57 hectare area, along with existing vacant lands within the Town's three employment land areas, are intended to address the employment land needs for the Town of Tecumseh over the 25-year planning horizon of the Town's new Official Plan.

### **1.5.5 Agricultural Lands and Production**

It is expected that agriculture will remain one of the Town's primary activities and that the present level of land under agricultural production will remain approximately the same or reduce slightly as non-agricultural development proceeds within the expanded urban area boundaries. Agricultural industry analysts suggest a continuation of the present trend towards fewer farmers owning larger or a greater number of farms and requiring even less labour because of increased mechanization. Based on existing soil and drainage characteristics cash-crop farming will likely continue to be the preferred agricultural activity Town-wide. However, as market conditions, farm practices, farm products (including cannabis) and technological improvements change over time, more intensive and diverse forms of agricultural uses will likely evolve in the coming decades. This Plan contains goals and policies that recognize these changing conditions.

Based on the Town's residential and non-residential growth forecasts, the Town has an adequate supply of land for future urban growth. It is therefore important for the Town and County to protect its remaining farmland for agricultural purposes given its value and significance.

The challenges for the Town are more focused on establishing a policy environment that addresses the strategic directions of the Provincial Policy Statement 2020, County of Essex Official Plan and the finding(s) of the

County's Agricultural Lot Study while establishing an appropriate balance between encouraging diversification of the agricultural sector through the promotion of secondary and value-added businesses and protecting the valuable agricultural resource. The policies pertaining to on-farm diversified and secondary uses and minimum farm lot size in this Plan reflect that balance.

## **1.6 Organization of the Official Plan**

In preparing the new Official Plan for the Town of Tecumseh, the Provincial Policy Statement, 2020 and updates to the Planning Act are reflected along with the results of other supporting planning documents and related background studies completed since amalgamation.

This Plan has several interrelated components, which must be read together in order to determine those components and policies that have an impact on land within the Town of Tecumseh. The goals, objectives, and policies of the Plan represent a balanced approach to planning, designed to promote the vital link between community, economy and environment.

All sections and schedules of the Plan, excluding any Appendices, constitute the Official Plan for the Town of Tecumseh. The Plan is organized into the following sections:

- Section 1: Purpose and Basis of the Plan
- Section 2: Community Structure and Growth Management
- Section 3: General Development Policies
- Section 4: Land Use Policies
- Section 5: Natural Resources and Hazards
- Section 6: Land Division Policies
- Section 7: Urban Design Principles
- Section 8: Municipal Services
- Section 9: Transportation
- Section 10: Implementation and Interpretation
- Section 11: Secondary Plans

Schedules: The Schedules included at the end of the Plan form part of the Plan and describe the policies and enhance the understanding of the Plan. The Schedules include:

Schedule "A":	Community Structure Plan
Schedule "B"	Land Use Plan
Schedule "B-1"	Tecumseh North Settlement Area Land Use Plan
Schedule "B-2"	Oldcastle Hamlet Settlement Area Land Use Plan
Schedule "B-3"	Maidstone Hamlet Settlement Area Land Use Plan
Schedule "C"	Natural Heritage System
Schedule "D"	Natural Hazards
Schedule "E-1"	Road Classification
Schedule "E-2"	Active Transportation Network
Schedule "E-3"	Maidstone Hamlet Settlement Area Road Classification
Schedule "F"	Natural Resources
Schedule "G"	Intake Protection Zones

## Section 2 Community Structure and Growth Management

### 2.1 Community Structure

It is the intent of this Plan to ensure that development takes place in an orderly and sustainable fashion. The Town of Tecumseh's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting economic growth within a well-defined community structure. The community structure is the physical framework that binds the municipality together while having regard to the relationship and influence created by land uses in adjacent municipalities. Given the unique shape of the Town and the distance between its settlement areas, land use is also influenced by the built form of adjacent municipalities.

Ultimately, the community structure provides the physical context for future developments and ongoing changes in existing developed areas. The various components of the urban structure and their means of interaction are an important determinant in how one defines and relates to the community as a place to live, work and play. Ultimately, the Community Structure provides the basis for the establishment of land use designations within the Town. Generally, urban structure comprises three fundamental elements which take into account existing and proposed future features:

- **Points** or relatively tight **Clusters** of common uses/features;
- **Lines** include man-made movement corridors such as the road network, highways and rail linkages and natural movement corridors such as creeks or hedgerows; and
- **Surfaces** that have some level of commonality and are situated between the points and lines.

The Town's community structure is identified on Schedule A: Community Structure and comprises the following elements:

- **Points and Clusters** which include:
  - the Tecumseh Road Main Street CIP Area;
  - the Tecumseh Road/Manning Road Commercial Area;
  - the Sylvestre Business Park,
  - the Oldcastle Business Park;
  - the Ciociaro Club;

- St. Mary's Roman Catholic Church/Community Hall/Elementary School/Park Area in Maidstone Hamlet
- McAuliffe Woods Conservation Area and Park;
- Lakewood Park North and South;
- Beach Grove Golf and Country Club;
- Various Smaller Commercial Nodes throughout the Town
- **Lines** which include:
  - Provincial Highway Nos. 401 and 3 and the Major Roadways, including the future Lauzon Extension;
  - the Chrysler Canada Greenway – Existing and Potential Future (former CASO Railway);
  - the Hydro One Linear Facilities;
  - the VIA and CN Railways;
  - Natural Linkages (main creek corridors associated with the upper reaches of the Canard River and the Pike Creek)
- **Surfaces** which include:
  - Residential Neighbourhoods;
  - Future Growth Areas; and
  - Agricultural and Natural Areas.

## 2.2 Growth Management Strategy

It is anticipated that the Town may grow to a population of up to 47,755 residents, with an objective of 23,430 jobs at full build out. However, growth in Tecumseh (and in the broader Windsor-Essex Region) over the past number of years has been modest, notwithstanding that significant development in the Town's greenfield areas within the former Tecumseh Hamlet has been anticipated for quite some time.

The Town has lands available for significant development potential, including both greenfield and infill opportunities. One of the main drivers of where this development will take place will be the capacity of the transportation network, the availability of municipal piped water and municipal sanitary sewers and treatment capacity, as well as the provision of appropriate stormwater



management facilities. In greenfield areas, stormwater management facilities are to be regional in nature in order to limit their number.

The specific location of new development will depend on strategic decisions by the Town on key infrastructure investments along with developer willingness to proceed. The Town will work with the development community to ensure public and private investment in infrastructure improvements and that they proceed in accordance with the various Master Plans, including the Town's Asset Management Plan, in effect. The Growth Management Strategy is predicated on the following:

- i) the Urban Areas shall be the focus of growth and public/private investment and all significant development shall be within the Urban Areas;
- ii) the Town shall strive to maintain a supply of residentially designated lands that exceeds the ten-year demand;
- iii) growth opportunities in the Town over the next 25 years, subject to the provision of municipal services, will include:
  - a. new Residential Neighbourhoods in the greenfield areas of:
    - the Tecumseh North Settlement Area, which includes currently designated residential lands in the area described as the Manning Road Secondary Plan Area as well as the lands that are the subject of the Tecumseh Hamlet Secondary Plan currently being undertaken and nearing completion at the time of adoption of this Plan;
    - the Oldcastle Hamlet, which currently includes 20 hectares of designated residential land and the potential for additional lands, the location and amount of which will be determined through a special study to be undertaken by the Town; and
    - Maidstone Hamlet, which includes currently designated residential lands;
  - b. higher density residential dwelling units and commercial uses within the Tecumseh Road Community Improvement Plan Area;
  - c. new infill and other forms of intensified housing located within the existing Residential Neighbourhoods, including Second Units;

- d. new employment uses in designated employment lands, including the 57 hectare expansion of the Business Park designation extending easterly along King's Highway 401 as an expansion to the Oldcastle Hamlet Settlement Area; and
  - e. new diversified rural employment opportunities within the Agricultural Area;
- iv) population and job targets align with those established in the County of Essex Official Plan. The Provincial Policy Statement, the County of Essex Official Plan and this Plan provide a guiding policy framework for the review and assessment of applications for development on an application by application basis. Development phasing and the corresponding approval of development applications will be considered on the basis of the ability of the Town, the County, land developers, and development charge related revenue to pay for infrastructure development costs, as required, and through the application of the principles contained in subsection 2.3 of this Plan.

## 2.3 Planning Principles

The long-term prosperity and social well-being of the Town depends on maintaining strong, sustainable and resilient communities, a clean and healthy environment and a strong economy. To this end, the policies of this Plan are based on the following planning principles:

- i) to direct urban development to settlement areas where a broad range of community and commercial facilities, services, housing and employment opportunities are available;
- ii) to preclude new urban type development outside of designated settlement areas;
- iii) to create more mixed-use, compact, pedestrian-oriented development within designated and fully serviced settlement areas;
- iv) to provide a broad range of housing, employment and leisure opportunities for a growing and aging population in a sustainable manner;
- v) to promote opportunities for intensification and redevelopment within built-up areas that are supported by adequate infrastructure and public service facilities;
- vi) to promote and protect town centres and main streets as focal points for civic, commercial, entertainment and cultural activities where a broad range of employment, housing, civic, shopping and leisure

activities are available in a compact, attractive, pedestrian-scale, safe and welcoming environment;

- vii) to promote economic development and competitiveness by planning for and protecting existing employment areas and their expansion;
- viii) to protect prime agricultural areas for agricultural, agricultural-related and on-farm diversified uses;
- ix) to protect and encourage the restoration and enhancement of remaining natural heritage features and other natural resources and, where possible, to enhance and expand them by exploring opportunities for linkages through innovative means that may include public/private partnerships;
- x) to link wildlife habitat and natural areas to each other, human settlements to other human settlements and people to nature;
- xi) to protect and enhance the quality and quantity of ground and surface water and the function of sensitive ground water recharge/discharge areas;
- xii) to protect the quality of human sources of drinking water through the consideration of the Clean Water Act and associated Source Water Protection efforts;
- xiii) to encourage cultural heritage preservation and restoration efforts;
- xiv) to develop an accessible, sustainable, interconnected and multi-modal transportation infrastructure system that supports walking, cycling, transit and private vehicles;
- xv) to provide cost effective, sustainable and environmentally sound municipal services that promote energy efficiency, reuse and recycling;
- xvi) to buffer sensitive land uses from those land uses that would have an adverse effect;
- xvii) to direct development away from natural and manmade hazard areas;
- xviii) to ensure development is in accordance with long term servicing strategies for sanitary sewage treatment, the provision of potable water and storm water management;
- xix) to encourage energy efficient designs and the adoption and use of alternative and renewable energy sources;

- xx) to ensure cooperative inter-municipal consultation and coordination in the provision of joint services and the review and staging of development and associated infrastructure improvements;
- xxi) to ensure that development and infrastructure, both public and private, is in accordance with the Accessibility for Ontarians with Disabilities Act, so that all of the elements of the Town are accessible for everyone;
- xxii) to address Climate Change implications, both mitigation and adaptation, in reviewing development proposals and public sector initiatives; and
- xxiii) to encourage the development of an equitable, diverse and inclusionary community that meets the needs of all its citizens through broad-based stakeholder engagement and the provision of appropriate physical and social infrastructure.

## **Section 3      General Development Policies**

The policies in this section apply to development proposals in all designations shown on Schedules “B”, “B-1”, “B-2”, “B-3”, “C”, “C-1” and “D” of this Plan. Many of the policies contained in this section are included at the request of Provincial Ministries and Agencies and are required to be consistent with the current Provincial Policy Statement and conform to the County of Essex Official Plan.

### **3.1      General**

Adequate safeguards, in the form of planning policies and regulations, will be maintained to ensure that new uses are developed in harmony with existing uses and that they are properly serviced.

Provincial, County and/or local agency consultation shall be undertaken where mandated and/or appropriate. In the event of a conflict between a policy of the Provincial Policy Statement or the County of Essex Official Plan and any policy of this Plan, the Provincial Policy Statement and/or the County of Essex Official Plan policy shall prevail.

### **3.2      Site Suitability**

Prior to the approval of any development or amendment to this Plan or the Zoning By-law, it shall be established to the satisfaction of Council and all other bodies having jurisdiction that:

- i)      soil and drainage conditions are suitable to permit the proper siting of buildings;
- ii)     the services and utilities, whether they be municipal or private, can adequately accommodate the proposed development;
- iii)    the road system is adequate to accommodate projected increases in traffic;
- iv)    the land fronts on a public road which is of a reasonable standard of construction;
- v)     adequate measures will be taken to alleviate or prevent any adverse effects that the proposed use may possibly have upon any existing or proposed adjacent use.

### **3.3      Minimum Distance Separation**

Because livestock operations may pose compatibility problems if located too closely to other types of land uses, the Zoning By-law will ensure that a buffer area is maintained between the uses in all designations.

To achieve this objective, the location of new and the expansion of existing livestock operations shall comply with the Minimum Distance Separation (MDS) II. To ensure that the Minimum Distance Separation (MDS) is used reciprocally, livestock operations will also be protected from encroachment by residential and other types of uses in the Zoning By-law through the use of the Minimum Distance Separation (MDS) I.

### **3.4 Cultural Heritage and Archeological Resources**

It is the policy of this Plan to encourage the restoration, protection and maintenance of the Town's heritage resources which include buildings and structures, and landscapes of historical and/or architectural value.

All new development or redevelopment permitted by the policies and designations of this Plan shall, as far as possible, have regard to heritage resources. It shall be the policy of the Town to use all relevant legislation and programs whenever possible to encourage the preservation and enhancement of heritage resources and to develop a greater awareness of the value of heritage conservation in the community. When appropriate and necessary the Town will use the provisions of the Ontario Heritage Act to conserve, protect and enhance the Town's heritage.

The Town may establish a Local Architectural Conservation Advisory Committee (LACAC) pursuant to the Ontario Heritage Act, for the purposes of identifying locally significant heritage resources, designating heritage resources under Parts IV and V of the Ontario Heritage Act, advising the municipality on matters related to heritage conservation, and assisting in the conservation of these resources.

The Town may require a Heritage Impact Assessment based on policy requirements from the Ontario Heritage Act and the Provincial Policy Statement. The Heritage Impact Assessment shall be required for any proposed alteration, construction, or development involving or adjacent to a designated heritage resource to demonstrate that the heritage property and its heritage attributes are not adversely affected. Mitigation measures and/or alternative development approaches shall be required as part of the approval conditions to ameliorate any potential adverse impacts that may be caused to the designated heritage resources and their heritage attributes.

The Town recognizes the importance of its archaeological resources, and in managing them in a responsible manner. Council shall ensure that development on lands containing significant archaeological resources shall avoid the destruction or alteration of these resources. Where this is not possible, significant archaeological resources shall be conserved through removal and documentation in advance of land disturbances, and in accordance with archaeological licensing provisions of the Ontario Heritage Act.

The Town will ensure the interests of Indigenous communities are considered in conserving heritage and archaeological resources, and in undertaking an Archaeological Management Plan or Cultural Heritage Plan.

### **3.5 Electric Power Facilities**

In accordance with Section 62 of the Planning Act, R.S.O. 1990 any electric power facility use of lands, buildings or structures by Hydro One Inc. or Ontario Power Generation Inc. that satisfies the Environmental Assessment Act shall be exempt from the policies of this Plan and the provisions of the Town's Zoning By-law. However, any executive, administrative and retail use of lands, buildings or structures by Hydro One Inc. or Ontario Power Generation Inc. that is not subject to approval under the Environmental Assessment Act shall comply with the policies of this Plan and the provisions of the Zoning By-law.

Other electric power facilities, including buildings and facilities not used directly for the generation, supply or distribution of electric power (such as administrative or retail offices), shall conform to the relevant policies of this Plan and the provisions of the implementing Zoning By-law for the zone in which they are located.

The above policies, however, do not preclude the Town's right to participate in discussions on the location of new power facilities, within the context of the PPS. Wherever practical, single footing narrow base tower construction and existing rights-of-way should be used for new electrical power transmission lines. Secondary land uses may also be permitted on utility company lands where deemed by Council to be compatible with adjacent land uses and the principal function of the property.

### **3.6 Hydro One Right-Of-Way**

Within the urban designated areas of the Town, the Hydro One Inc. right-of-way is depicted on Schedules "B-1" and "B-3" of this Plan, and is designated "Hydro Right-of-Way". These lands shall only be used for transmission lines, pipelines, recreational uses and stormwater management facilities that do not conflict with the use of this corridor for transmission line purposes. Permitted recreational uses (such as walking trails, bicycle paths, and other parkland uses) and stormwater management facilities within this corridor will only be allowed once written approvals have been obtained from both Hydro One Inc. and the Town.

### **3.7 Utilities and Telecommunications**

The following is the policy of the Town:

- i) all existing facilities and the development of any new facilities associated with a public utility, a telephone, television, cable transmission or other similar communications company, or a gas distribution or transmission company, shall be permitted in any land use designation;
- ii) existing communication and transmission corridors and networks will be protected and enhanced;
- iii) the Town will work to ensure that communication and transmission corridors are constructed, maintained and operated to minimize their impact on the community;
- iv) the Town will promote and encourage the shared and multiple use of telecommunications towers and corridors for utility uses. Additionally, the Town will support the use of corridors for transportation and trail uses;
- v) public and private utilities will be permitted in all land use designations and will be installed, where possible, within public road allowances or within appropriate easements;
- vi) the Town will ensure that adequate utility networks are, or will be, established to serve the anticipated development and that these networks can be phased in a manner that is cost-effective and efficient;
- vii) the Town will ensure that all large, above-ground utility infrastructure is located and designed to be compatible with its environment;
- viii) the Town will support the coordinated planning and installation of utilities in common trenches, wherever possible, to avoid unnecessary over-digging and disruption of municipal rights-of-way; and
- ix) all buildings and facilities not used directly for the transmission or reception of an electrical current or signal, a liquid or gas or similar substance, shall conform to the other provisions of this Plan and the Zoning By-law.

### **3.8 Institutional Uses**

Existing schools, churches and community halls associated with churches and all other existing community facilities located outside the Agricultural designation are designated Community Facility in this Plan, and shall be zoned accordingly in the implementing Zoning By-law. Existing institutional uses located within the Agricultural designation will be zoned appropriately in the Town's Zoning By-law.



The development of new institutional uses such as schools and churches shall only be permitted within the Community Facility designation. On those lands designated Agricultural, expansions to existing institutional uses may be permitted, without an amendment to this Plan, subject to the following policies:

- i) adequate precautions shall be taken to ensure that the proposed expansion does not have adverse effects on adjacent land uses;
- ii) adequate parking, vehicular access, landscaping, tree planting, buffering and site and building design shall be required where necessary to create an attractive appearance and ensure compatibility with surrounding land uses;
- iii) suitable arrangements will be made for water supply, sewage disposal, storm drainage and all other similar services; and
- iv) the Zoning By-law is amended to permit the proposed expansion.

### **3.9 Bed and Breakfast Establishments**

Bed and breakfast operations are permitted in single-detached dwellings, subject to a Zoning By-law amendment. The following requirements must be met to the satisfaction of the Town in order to support a Zoning By-law amendment for the establishment of a bed and breakfast establishment:

- i) the owner and operator resides in the building;
- ii) the property has access from a public road;
- iii) the Zoning By-law limits the number of guest rooms and sets standards for parking, landscaping and buffering;
- iv) no other commercial operation, such as a restaurant, is permitted and food preparation is for guests only;
- v) the requirements of the Ontario Building Code; and
- vi) signage for all bed and breakfast operations will meet the requirements of the Sign By-law.

### **3.10 Mobile Homes**

Mobile homes shall not be permitted in the Town except for the accommodation of seasonal farm labourers. Mobile homes used for this purpose shall specifically be listed as permitted uses in the Agricultural zone.

### **3.11 Development Along Railways**

Prior to their approval, applications for Official Plan amendments, Zoning By-law amendments, plans of subdivision or condominium or any development that is subject to site plan control on lands that are within 300 metres of a rail right-of-way shall be circulated to the appropriate rail company for comments with regard to the recommended noise, vibration and impact mitigation measures. A study may have to be undertaken to analyze noise, vibration and/or safety and to recommend abatement measures necessary to achieve the noise level limits set by the Ministry of Environment, Conservation and Parks.

Generally, lands within 300 metres of rail rights-of-way are considered noise sensitive areas and lands within 100 metres of rail rights-of-way are considered vibration sensitive areas. All lands abutting rail rights-of-way are considered safety sensitive areas and setbacks, berming, fencing and other measures may be required to the satisfaction of the municipality in consultation with the appropriate rail company. When considering development applications for lands in proximity to rail rights-of-way, the Town shall have regard to the Guidelines for New Development in Proximity to Railway Operations.

### **3.12 Development Abutting Provincial Highways**

King's Highways No. 3 and 401 are provincial highways within the Town of Tecumseh. All development which falls within the MTO's permit control areas under the Public Transportation and Highway Improvement Act is subject to the requirements of the Ministry of Transportation. New entrances or the upgrading of entrances and the location of buildings, signs and encroachments within the MTO's permit control area of a provincial highway (within 800 metres) shall be subject to the approval of the MTO.

The Town and the MTO will work cooperatively with respect to the planning of land development and associated access connections within the MTO's permit control area adjacent to all provincial highways within the Town, in order to protect for the future safety, operation and capacity of both the provincial highway network and the Town's transportation corridors for the movement of people and goods.

### **3.13 Development Near Former Waste Disposal Sites**

Schedules 'B-1' and 'B-2' identify the location of all known active or former waste disposal sites (as of date of approval of this Plan) within the Town of Tecumseh and/or in adjoining municipalities within 500 metres of the Town. Proponents of development, within 500 metres of an existing or closed waste disposal site, shall prepare a report, to the satisfaction of the Town, in accordance with the MECP guidelines, that demonstrates that there is no

evidence of leachate, methane gas migration or other contaminants present in the soils or groundwater. Development will be restricted if the active or former waste disposal site has any adverse environmental effects or risk to public health and safety.

Where development is located or proposed on a waste disposal site, no Official Plan amendment, Zoning By-law amendment, or building permit will be adopted or granted until approval from the MECP is obtained in accordance with the Environmental Protection Act.

### **3.14 Energy Conservation, Climate Change and Air Quality**

Climate change and air pollution impacts are caused primarily by burning fossil fuels, resulting in the emission of greenhouse gases and air pollutants. These impacts can be reduced through sustainable, effective and efficient land use and transportation policies that reduce air and greenhouse gas emissions. In order to achieve a sustainable community, and human and ecosystem health, climate change and air pollution must be addressed.

#### **3.14.1 Mitigation**

The Town will work to improve air quality and energy efficiency, to reduce greenhouse gas and fuel emissions, and to mitigate climate change by:

- i) maintaining the settlement area boundaries and striving for a compact built form within these areas;
- ii) promoting mixed use development to encourage active transportation and the use of transit;
- iii) locating intensification in areas which are served by existing or planned transit;
- iv) promoting and encouraging modal shift towards transit and active transportation, using tools such as transportation demand management;
- v) addressing parking management, primarily through the Zoning By-law, that does not undermine transit and active modes of transportation;
- vi) maintaining, restoring and enhancing the Natural Heritage System;
- vii) protecting, enhancing and expanding the urban forest, including street trees, by encouraging the planting of native or non-native non-invasive tree species and vegetation that are resilient to climate change and provide high levels of carbon sequestration, particularly through new development and on municipally-owned land. Given the importance of

existing mature trees to the urban forest, Council may consider the development of a Tree Preservation Plan;

- viii) encouraging energy generation from renewable sources;
- ix) encouraging sustainable, energy efficient and low carbon buildings;
- x) addressing air quality impacts through land use compatibility policies;
- xi) developing and implementing, in conjunction with other local municipalities in the County of Essex and the Essex Region Conservation Authority, a Regional Energy Plan with energy conservation measures and carbon reduction targets;
- xii) developing and implementing a Corporate Climate Action Plan;
- xiii) supporting local agriculture and food production.
- xiv) promoting water conservation and efficient use of water to reduce demand for municipal water and wastewater treatment and associated energy consumption;
- xv) advancing environmentally responsible outdoor lighting and retrofits that reduce energy usage, light pollution and glare, to restore unobscured views of the night sky, while maintaining sufficient light levels for a safe built environment;
- xvi) focus freight-intensive land uses to areas well served by major highways, rail facilities and airports.

### **3.14.2 Adaptation**

The Town will work to adapt to the impacts of climate change in order to minimize its vulnerability and build resiliency by:

- i) increasing the proportion of permeable surfaces to reduce flood risk and strain on sanitary sewer and stormwater infrastructure;
- ii) promoting tree planting and innovative green spaces, such as green roofs, in new and existing development;
- iii) promoting the installation of artificial shade, such as covered walkways, awnings and canopies, in appropriate locations;
- iv) promoting landscaping that protects buildings and infrastructure from the effects of excessive wind and sun;
- v) protecting public safety and collaborating with the County of Essex and local municipalities on Emergency Management coordination;

- vi) undertaking infrastructure planning that prepares for a changing climate in connection with the municipal asset management plan;
- vii) developing and implementing a Corporate Climate Action Plan; and
- viii) finalizing and implementing the Town's Shoreline Management Plan and updating floodplain mapping in coordination with the Essex Region Conservation Authority.

### **3.15 Accessibility/ Universal Design**

Development will be consistent with the standards and regulations of the Accessibility for Ontarians with Disabilities Act, 2005, and the Ontario Building Code.

Accessible features will be well-integrated within the function and design of sites and continuous barrier-free access will be provided to buildings and features from public sidewalks and parking areas.

### **3.16 Crime Prevention Through Environmental Design (CPTED)**

Site development and public realm projects will incorporate crime prevention design standards such as the principles of Crime Prevention Through Environmental Design (CPTED) to ensure that new developments are designed to address safe living and working environments and reduce potential hazardous situations through the:

- i) consideration of natural surveillance of outdoor spaces;
- ii) avoidance of the creation of secluded areas;
- iii) clear demarcation of access and egress areas; and
- iv) appropriate placement and use of lighting.

### **3.17 Urban Farming**

Urban farming shall mean the growing of produce (i.e., fruits and vegetables) and flowers in community gardens, and smaller scale gardening on public and private land, yards, and structures, such as rooftops, but shall exclude the raising of livestock or poultry other than backyard hens.

The Town's goal is to promote agriculture activities within urban areas that are compatible with planned land uses, while enhancing access to locally grown produce, lowering energy consumption, reducing transportation costs

and greenhouse gas emissions, and augmenting supplies of fresh and preserved foods.

To achieve this goal, the Town shall:

- i) promote the growing and sharing of a wide variety of local produce and preserved foods and flowers year-round;
- ii) encourage the establishment of community gardens in suitable locations having maximum exposure to sunlight. Community gardens shall not be permitted in areas contaminated by existing or previous land uses. Community gardens and associated accessory structures, such as garden sheds, shall be minor in scale and secondary to the primary permitted land use(s);
- iii) encourage community gardens to be designed to capture and infiltrate surface runoff;
- iv) support the establishment of seasonal or year-round marketplaces in key locations where locally grown and preserved foods can be sold, and function as places of social interaction; and
- v) consider establishing permanent agricultural easements to secure lands for community gardens in perpetuity.

### **3.18 Land Use Compatibility**

In order to foster a sustainable development pattern, some land uses need to inter-relate while others are best separated. Further development and redevelopment in the Town will be guided by principles of land use compatibility that respect the quality and stability of existing areas and provide for suitable transition between areas of differing use, sensitivity, urban design treatment and intensity in order to avoid or mitigate adverse effects. Land use compatibility does not mean “the same as” but to coexist harmoniously with one another.

#### **3.18.1 Matters to be Assessed**

Development and/or land use change must demonstrate that the resultant form, function and use of land are compatible with surrounding land uses. The demonstration of compatible development and land use change must consider the potential for impacts related to the character, planned function and/or ecological integrity of an area as well as the health and safety of humans. Where there exists a potential for negative impacts, the following land use compatibility matters shall be assessed:

- i) shadowing;

- ii) loss of privacy due to intrusive overlook;
- iii) increased levels of light pollution, noise, odour, dust or vibration;
- iv) increased level of traffic that can disrupt the intended function or amenity of a use or area or cause a decrease in the functionality of active transportation or transit;
- v) reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas or setting;
- vi) visual intrusion that disrupts the streetscape or buildings;
- vii) built form in terms of scale and massing; and
- viii) the loss or impairment of significant views of natural features and areas to residents.

### **3.18.2 Mitigation Measures**

Mitigation measures may be used to achieve development and land use compatibility. Such measures may include one or more of the following:

- i) ensuring adequate setbacks and minimum yard requirements;
- ii) establishing appropriate transition in building heights, coverage and massing;
- iii) requiring fencing, walls, landscaping or berming to create a visual screen;
- iv) designing the building in a way that minimizes adverse effects;
- v) maintaining mature vegetation and/or adding new landscaping features;
- vi) controlling access locations, driveways, service areas and activity areas; and
- vii) regulating location, treatment and size of accessory uses and structures, lighting, parking areas, garbage storage facilities and signage.

Planning Act tools including Zoning By-law standards, site plan control, development agreements and other measures will be used to implement mitigative measures that achieve compatible land use change and development.

## **3.19 Human-Made Hazards**

### **3.19.1 Potentially Contaminated Sites**

The historic use of land in the Town has resulted in the potential for some land to be contaminated as a result of previous activities. These sites represent a potential hazard to human health, ecological health and the natural environment, but also represent opportunities for potential redevelopment and reintegration into the community, if they are properly remediated to suit a new use of the site. The following is the policy of the Town:

- i) the Town encourages the identification of contaminated sites, or land adjacent to known or suspected contaminated sites, their remediation, and appropriate redevelopment, in accordance with Provincial regulations and procedures and the policies of this Plan;
- ii) for land with an historic use which may have resulted in site contamination or land adjacent to known or suspected contaminated sites, Environmental Site Assessments (ESAs) will be prepared in accordance with the Environmental Procedures for Potentially Contaminated Sites policies of Section 3.17.2 of this Plan, as part of the development approvals process to determine whether contamination exists, its extent where it does exist, and to determine remediation requirements; and
- iii) the Town will encourage owners of potentially contaminated sites to remediate their sites so that they may be reintegrated into the community.

### **3.19.2 Environmental Procedures for Potentially Contaminated Sites**

The development or redevelopment of potentially contaminated sites will be assessed and remediated in a manner consistent with the Environmental Protection Act and relevant regulations, and the relevant MECP guidelines and procedures. Provincial regulations, as amended from time to time, establish the required criteria for site remediation and/or standards for Risk Assessments. Provincial regulations also specify the circumstances under which Records of Site Condition (RSC) are required for certain changes of land use. Proponents of application(s) for Official Plan amendment, Zoning By-law amendment, plan of subdivision and/or condominium or site plan approval will be required to document the previous uses of the subject property and/or any properties that may have been impacted by or have impacted the subject property, to assist in the determination of the potential for site contamination. At the Town's discretion, applications for minor variance and consent may also be required to document previous uses to assist in the determination of the potential for site contamination.



To demonstrate that the site is suitable for the proposed use, the Town will require an RSC, or a Phase I Environmental Site Assessment (ESA) for the land subject to the application(s), if in the Town's opinion (or as required by Provincial regulation) the previous uses on the subject land, or in the vicinity of the subject land, present the potential for site contamination and where there is a land use change proposed to a more sensitive use. Similarly, where permitted under Provincial regulation, the RSC/ESA requirement may be waived if, in the Town's opinion, the RSC/ESA is not necessary due to the previous uses on the subject land and in its vicinity do not represent a change as specified in the legislation, and that the proposed use will not result in adverse effects. Proponents will submit all information related to the RSC/ESA to the Town for a peer review prior to the scheduling of a public meeting under the Planning Act. The development proponent will pay for the cost of the peer review. In the case of an application for site plan approval, the RSC or ESA will be submitted with the application. The following process will be followed:

- i) the proponent will submit the RSC or the Phase 1 ESA report by a Qualified Person (as defined by the Environmental Protection Act and as prescribed by the Regulations), to the Town for review and concurrence by a peer reviewer, who is a Qualified Person, prior to the scheduling of a Public Meeting under the Planning Act. If the RSC demonstrates that there is no actual contamination, or if the Phase 1 ESA demonstrates that there is no potential for contamination, then no further action is required;
- ii) if the site has already been remediated, the proponent will provide the Town with a RSC to provide verification to the satisfaction of the Town from a Qualified Person, that the property or properties in question do not require any further remediation in accordance with Provincial legislation and regulations, or the property or properties in question have been remediated and made suitable for the proposed use in accordance with Provincial legislation and regulations;
- iii) if the site has not yet been remediated for the proposed development, the proponent will submit a RSC or a Phase I ESA report by a Qualified Person, to the Town for review and concurrence by a peer reviewer, who is a Qualified Person, prior to the scheduling of a Public Meeting under the Planning Act;
- iv) if the Phase I ESA report identifies actual or potential contamination, the proponent will submit a Phase II ESA report, prepared by a Qualified Person, to the Town for review and concurrence by a peer reviewer, who is a Qualified Person, prior to the scheduling of a Public Meeting under the Planning Act. If the Phase II ESA report confirms actual contamination the proponent will also submit a Soil and Groundwater Remedial Plan and/or Risk Assessment prepared by a

Qualified Person, to the Town for review and concurrence by a Qualified Person prior to the scheduling of a Public Meeting under the Planning Act;

- v) if an approval for Official Plan amendment, Zoning By-law amendment, plan of subdivision and/or condominium or site plan approval is granted by the Town, the Town may impose/establish conditions of approval for planning applications, including but not limited to the following:
  - a. conditions of draft plan approval;
  - b. conditions of site plan approval; or
  - c. holding provisions of the Zoning By-law, to ensure that satisfactory verification of suitable environmental site condition is received prior to the issuance of any Building Permits for the site; and
- vi) The Town will not consider an RSC as acknowledged by the MECP until the applicant provides evidence that either the MECP has confirmed that the RSC is acknowledged or if the MECP has confirmed the RSC is acknowledged subject to an audit that it has passed the audit.

## Section 4 Land Use Policies

This section contains the goals and policies that pertain to the various land use designations depicted on Schedules "B", "B-1", "B-2" and "B-3" of this Plan.

### 4.1 Agricultural

The Agricultural designation is shown on Schedule "B" of this Plan.

#### 4.1.1 Goals

The following goals are established for the Agricultural area:

- i) i) to preserve good agriculture land for agricultural purposes, and to encourage and support normal farm practices and agricultural land uses which are sustainable over the long-term;
- ii) ii) to allow farm operators to engage in a wide range of agricultural activities;
- iii) iii) to maintain the viability of farm units by discouraging the unnecessary fragmentation of existing farms;
- iv) iv) to recognize the potential of diversification of the agricultural economy through value-added, small-scale agricultural industries and commercial uses;
- v) v) To ensure new farm and non-farm uses comply with the Minimum Distance Separation Formulae, as amended by the Province from time to time.
- vi) vi) To encourage the retention of woodlots as integral components of the farm operation for agroforestry and the other benefits woodlands provide.

#### 4.1.2 Policies

The following policies shall apply to those lands designated Agricultural on the Land Use Schedules of this Plan:

- i) the predominant use of land shall be agricultural, including the growing of crops and the raising of livestock, agriculture-related uses, on-farm diversified uses, forestry, conservation uses, wildlife and fisheries management, watershed management and flood and erosion control projects carried out or supervised by a public agency, and passive recreational uses such as pedestrian/cycling trails;

- ii) agriculture-related uses are farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. These uses shall be permitted, subject to a Zoning By-law amendment and site plan control review where deemed appropriate by the Town. The following requirements must be met to the satisfaction of the Town in order to support a Zoning By-law amendment for the establishment of an agriculture-related use:
  - a. the use shall be compatible with and not hinder surrounding agricultural uses;
  - b. the use shall be appropriate to the rural service level available including road access, water and waste water, and fire protection service;
  - c. the use shall comply with the Sign By-law;
  - d. the use will not change the agricultural character of the area;
  - e. the use will not create a safety hazard or become a public nuisance, particularly in regard to traffic, parking, noise, noxious odours or other emissions; and
  - f. adequate limits on outdoor storage are established.
- iii) on-farm diversified uses are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. These uses shall be permitted in accordance with the following criteria:
  - a. the use shall be compatible with and not hinder surrounding agricultural uses;
  - b. the use shall be appropriate to the rural service level available including road access, water and waste water, and fire protection service;
  - c. the amount of land and size of the building devoted to the use is limited in proportion to the principal use and buildings on the property such that the use is clearly secondary to the principal use on the lot. As a general guideline, the amount of land area devoted to the use should not exceed two percent of the farm parcel to a maximum area of one hectare and the gross floor

area of buildings used for on-farm diversified uses should not exceed 20 percent of the two percent;

- d. limits are established on the total number of employees, as well as the number of outside employees that do not reside on the property;
  - e. the use shall comply with the Sign By-law;
  - f. the use will not change the agricultural character of the area;
  - g. the use will not create a safety hazard or become a public nuisance, particularly in regard to traffic, parking, noise, noxious odours or other emissions;
  - h. adequate limits on outdoor storage are established;
  - i. home occupations which are ancillary to the principal use of the property and which are carried out for remuneration and as defined in the Zoning By-law are permitted in the Agricultural designation. Home occupations that are totally contained within the dwelling unit, including attached garages, will be permitted without an amendment to the Zoning By-law. However, any home occupation that requires the use of anything other than the dwelling, including attached garages, except for parking, will require a By-law amendment. The implementing Zoning By-law will contain specific regulations pertaining to the size, number of employees, parking, signage and other matters associated with a home occupation use;
- iv) greenhouse operations including packing and shipping facilities and on-site housing are permitted in the Agricultural designation and the agricultural zones of the Zoning By-law. The aforementioned uses, buildings, and structures are subject to site plan control;
  - v) cannabis greenhouse operations including the growing, harvesting, cleaning, packaging, and shipping of cannabis and any other uses related to cannabis production are also permitted in the Agricultural designation but require an amendment to the Zoning By-law and are subject to site plan control. When an application for a by-law amendment to allow a cannabis operation is made, Council shall have due regard to the following:
    - a. the proximity of the proposed operation to existing residential uses and zones;
    - b. the location of the proposed operation and other existing uses with respect to the prevailing winds;

- c. the introduction of appropriate design details mitigating potential adverse impacts from odour and night light, with the ability to include appropriate terms in a site plan agreement to address such issues; and
  - d. comments and recommendations of the Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment, Conservation and Parks;
- vi) mushroom operations including the growing, harvesting, cleaning, packaging, and shipping of mushrooms and any other uses related to mushroom production are also permitted in the Agricultural designation but require an amendment to the Zoning By-law and are subject to site plan control. When an application for a by-law amendment to allow a mushroom operation is made, Council shall have due regard to the following:
  - a. the proximity of the proposed operation to existing residential uses and zones;
  - b. the location of the proposed operation and other existing uses with respect to the prevailing winds;
  - c. the introduction of appropriate design details mitigating potential adverse impacts from odour, with the ability to include appropriate terms in a site plan agreement to address this issue; and
  - d. comments and recommendations of the Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment, Conservation and Parks;
- vii) livestock intensive agricultural uses, as defined in the Zoning By-law, are permitted in the Agricultural designation without an amendment to the Zoning By-law provided the proposed location is in compliance with the Minimum Distance Separation (MDS) II;
- viii) tree farms and retail nursery outlets are permitted in the agricultural designation without an amendment to the Zoning By-law provided that a majority of goods and materials for sale are grown or produced on site;
- ix) existing residential uses and new agriculture-related residential uses shall also be permitted. The Zoning By-law shall only permit one residence per lot (lot as defined in the Zoning By-law). However, more than one residence on a lot for the purposes of housing farm help may be allowed once the need for such housing has been adequately demonstrated in terms of the following: the farm helps'

working activity is primarily, but not necessarily exclusively, devoted to the farm operation; and the farm operation requires the help to be accommodated close to the farm. This additional residence should use the same access as the principal residence, be located within the cluster of farm buildings and will not be eligible for severance in the future; and

- x) all development in the Agricultural designation shall be in accordance with the land division policies contained in Section 6 of this Plan.

## **4.2 Residential**

The Residential designation is shown on Schedule "B-1" and "B-2" of this Plan.

### **4.2.1 Goals**

The following goals are established for the Residential area:

- i) to encourage the provision of an adequate supply of new residential building lots to meet the anticipated demand for additional housing units over the next 25 years. To accomplish this, the Town will attempt to have a three-year supply of residential lots in either draft or final approved plans of subdivision and a 15-year supply of land designated for residential development available at all times;
- ii) to encourage the development of a greater variety of housing types in the Town to meet the future housing needs of all households, and to meet the provincial housing objectives as set out in the Provincial Policy Statement and County of Essex Official Plan;
- iii) to ensure that new residential development occurs in a manner in keeping with the capacity of the services available and the financial capability of the municipality;
- iv) to encourage the infilling and rounding out of the existing development pattern in urban areas of the Town where a full range of municipal infrastructure (including a piped sanitary sewer system), community facilities, and goods and services can be provided in a cost-effective and environmentally sound manner;
- v) to ensure that existing and new residential areas are walkable and, to the greatest extent possible, are supported by all modes of transportation;
- vi) to promote and encourage residential intensification activities in areas of the Town where a full range of municipal infrastructure, community facilities, and goods and services are readily available. Residential

intensification includes infilling, second units, conversions and redevelopment; and

- vii) to protect the existing views of Lake St. Clair from residential properties on the north side of Riverside Drive.

#### **4.2.2 Policies**

The following policies shall apply to those lands designated Residential on the Land Use Schedules of this Plan:

- i) the use of lands designated Residential shall be for all forms of housing, including special needs housing, in accordance with subsections 4.2.2.1, 4.2.2.2 and 4.2.2.3;
- ii) group homes shall also be permitted. For the purposes of this Plan, group homes are defined as a single housekeeping unit in a residential dwelling in which three to ten residents, (excluding staff) live as a unit under responsible supervision consistent with the requirements of its residents. Such homes shall be licensed or approved under provincial statute and in compliance with all municipal by-laws. Existing facilities that do not comply with the requirements of the zoning by-law will be allowed to continue but will not be permitted to expand without a minor variance or by-law amendment;
- iii) home occupations may be permitted, provided they do not alter the residential character and amenity of the area;
- iv) day care centres may also be permitted within the Residential designation subject to a Zoning By-law amendment;
- v) the intensification of residential lands shall be encouraged and standards of development that will assist in achieving this objective shall be a priority for the Town. A minimum of 15 percent of all new housing within the Town should be provided through residential infill and/or intensification, as identified as a target in the County of Essex Official Plan. Residential intensification shall be defined as a net increase in residential units or accommodation within a given property, site or area and includes:
  - a. redevelopment, including the redevelopment of brownfield sites;
  - b. the development of vacant or underutilized lots within previously developed areas;
  - c. infill development;



- d. the conversion or expansion of existing commercial and institutional buildings for residential use; and
  - e. the conversion or expansion of existing residential buildings to create new residential units or accommodation, including second units;
- vi) within existing stable residential areas, applications for infill or redevelopment must be located and organized to fit with neighbouring properties and must satisfactorily address the criteria contained in Section 3.18 of this Plan. In fully serviced areas, intensification through moderate increases in building height or density, and gradual transition to more intense forms of housing may be approved in neighbourhoods that are adjacent or in close proximity to such items as transit routes, commercial areas, community facilities and/or significant areas of open space;
- vii) the addition of a second dwelling unit shall be permitted within a single unit detached, semi-detached or townhouse dwelling unit subject to the following provisions:
  - a. the gross floor area of the second dwelling unit is equal to or less than the floor area of the principle dwelling unit on the lot;
  - b. the dwelling fronts on and has access to/from a municipal road or municipal laneway;
  - c. there are full municipal services and no servicing constraints; and
  - d. adequate access and off-street parking is provided;
- viii) a stand-alone second dwelling unit, as an ancillary use to a single unit detached, semi-detached or townhouse dwelling unit, shall be permitted subject to a Zoning By-law amendment and appropriate zoning regulations being in place. The following criteria will be considered as the basis for all Zoning By-law amendments to permit a stand-alone second dwelling unit:
  - a. the use is subordinate to the main dwelling on the lot;
  - b. the use can be integrated into its surroundings with negligible visual impact to the streetscape;
  - c. the use is compatible in design and scale with the built form on the lot and the surrounding residential neighbourhood in terms of massing, height and visual appearance;

- d. there are full municipal services and no servicing constraints; and
  - e. other requirements such as servicing, parking, access, stormwater management, tree preservation, landscaping and the provision of amenity areas are adequately addressed;
- ix) garden suites shall be permitted as a temporary use in accordance with the terms of the Planning Act and subject to the following provisions:
  - a. a maximum of one garden suite per single detached dwelling lot;
  - b. sufficient parking, landscaping and buffering are provided;
  - c. the property owner must reside in the principal dwelling on the lot;
  - d. the property owner has entered into an agreement with the Town with respect to such matters as installation, maintenance, removal and occupancy of the garden suite and has posted suitable financial security with respect to the agreement in accordance with the Planning Act;
  - e. a certificate of occupancy will be required prior to occupancy;
  - f. there are no servicing constraints and, where the property is served by individual on-site sewage services, approval of a garden suite is subject to approval of the Town's Building Department;
  - g. the garden suite shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in removing the garden suite or converting it to a permitted use;
- x) the Town shall encourage and facilitate affordable housing initiatives designed to provide a full range of housing, in terms of tenure and affordability within all residential designations, with a specific focus to produce housing for low income residents of the Town. In accordance with the County of Essex Official Plan, a minimum of 20 percent of all new housing units shall be affordable. Town initiatives to facilitate affordable housing initiatives may include:
  - a. waiving (in full or in part) municipal development charge and/or community benefit charge fees to encourage the development of affordable housing;

- b. supporting strategies that create opportunities to increase the supply of affordable housing consistent with the Windsor Essex Housing and Homelessness Plan;
  - c. discouraging the demolition or conversion of affordable rental housing in order to maintain the rental housing stock;
  - d. promoting the development of non-profit housing projects by cooperative and non-profit housing organizations; and
  - e. promoting all forms of housing to meet the social, health and well-being requirements of current and future residents including special needs requirements;
- xi) the Town shall include adequate provisions in the Zoning By-law that have the effect of reasonably protecting existing views of Lake St. Clair from residential properties on the north side of Riverside Drive;
  - xii) the creation of new lots for residential purposes will primarily occur by plan of subdivision. However, consents for residential lots will be permitted in accordance with the policies contained in Section 6 of this Plan; and
  - xiii) some of the undeveloped lands that are designated Residential and have servicing constraints, shall be placed in a holding zone in the implementing Zoning By-law at the time development applications are being considered by the Town or at such time prior to development applications as Council deems appropriate. The holding symbol will be removed when appropriate sewage, water and any other necessary infrastructure is available to the satisfaction of the Town and a plan of subdivision is approved, where required. Existing uses and agricultural uses, excluding livestock intensive operations, greenhouse operations and mushroom farms, shall be permitted in the interim.

#### **4.2.2.1 Low Density Residential Policies**

Low density residential land uses include single detached dwellings, semi-detached dwellings and duplexes that have a density of up to 20 units per gross hectare. The residential goals and policies contained in subsection 4.2 of this Plan shall apply to low density residential development.

#### **4.2.2.2 Medium Density Residential Policies**

Medium density residential land uses shall be subject to a Zoning By-law amendment and shall include townhouses, stacked townhouses, row houses, multiple dwelling conversions, walk-up or small-scale apartments, and mixed

use buildings with commercial on the ground floor. Nursing homes, rest homes and retirement homes may also be permitted. The maximum height for medium density residential buildings shall be four storeys.

The residential goals and policies contained in subsection 4.2 of this Plan shall apply to medium density residential development. In addition, the following policies shall apply to medium density residential development:

- i) the density range for medium density extends from 20 to 50 units per gross hectare;
- ii) when considering any new medium density residential land uses by way of a Zoning By-law amendment, the following criteria shall apply:
  - a. availability of adequate municipal services;
  - b. availability of adequate outdoor amenity areas, which may include public recreation areas, common areas and/or private areas to the satisfaction of the Town;
  - c. adequate on-site parking for each residential unit and for visitors, either in surface parking areas, individual driveways and garages, or in above or below grade parking structures, as the Town deems appropriate; and
  - d. protection of adjacent low density residential areas from adverse effects;
- iii) new medium density residential developments must address the criteria of Section 3.18 Land Use Compatibility and the Urban Design policies of Section 7 of this Plan, which refer to such matters as siting and designing the building to be compatible with adjacent land uses in terms of function and design, and avoidance of undue adverse effects on adjacent land uses; and
- iv) all new medium density residential development shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

#### **4.2.2.3 High Density Residential Policies**

High density residential land uses shall be subject to a Zoning By-law amendment and shall include apartments, nursing homes, rest homes and retirement homes. The maximum height for high density residential buildings shall be six storeys.

The residential goals and policies contained subsection 4.2 of this Plan shall apply to high density residential development. In addition, the following policies shall apply to all high density residential development:

- i) the density range for high density is above 50 units per gross hectare;
- ii) when considering any new high density residential land uses by way of a Zoning By-law amendment, the following criteria shall apply:
  - a. availability of adequate municipal services;
  - b. availability of adequate outdoor amenity areas, which may include public recreation areas, common areas and/or private areas to the satisfaction of the Town;
  - c. adequate on-site parking for each residential unit and for visitors, either in surface parking areas, individual driveways and garages, or in above or below grade parking structures, as the Town deems appropriate;
  - d. protection of adjacent low density residential areas from adverse effects;
  - e. adjacent to, or in close proximity to, commercial areas;
  - f. on or within close proximity to an Arterial Road or Commercial Main Street;
  - g. in close proximity to public transit; and
  - h. in close proximity to parkland or open space;
- iii) new high density residential developments must address the criteria of Section 3.18 Land Use Compatibility and the Urban Design policies of Section 7 of this Plan, which refer to such matters as siting and designing the building to be compatible with adjacent land uses in terms of function and design, and avoidance of undue adverse effects on adjacent land uses; and
- iv) all new high density residential development shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

#### **4.2.3 Special Residential Policies**

The following special policies shall apply to those site-specific lands identified below and designated Residential on the Land Use Schedules of this Plan:

i) Special Policy Affecting the Property on the North-East Corner of the 8th Concession Road/North Talbot Road Intersection

Notwithstanding any other policy of the Plan to the contrary and having regard to OMB Decision dated January 17, 2018 (Case No.: PL160967), the 21.6 hectare property situated at the north-east corner of the 8th Concession/North Talbot Road intersection (Del Duca lands) designated Residential on Schedule “B-2” of this Plan shall be subject to the following additional policies:

- a. a mixture of single-unit detached dwellings and semi-detached dwellings at a maximum of 18 units per gross hectare and townhouse dwellings to a maximum of 30 units per gross hectares shall be permitted;
- b. a retirement home with a maximum density of 60 units per gross hectare and a maximum height of four stories shall also be permitted;
- c. a 30-metre (98-foot) wide buffer strip along the western boundary of the property adjacent to the 8th Concession Road and extending from the commercial block to the northern limit of the subject property shall be required. The buffer strip shall comprise:
  - a berm with tree plantings;
  - a multi-use pathway; and
  - a drainage feature/swale for the conveyance of stormwater subject to the completion of a stormwater management study for the entire subject property to the satisfaction of the Town and the Essex Region Conservation Authority.

Lands associated with the multi-use pathway included as part of the buffer strip shall be included in the calculation of any required parkland dedication or cash-in-lieu, in accordance with the Planning Act;

- d. a stormwater drainage corridor along the northern extent of the property and along the northeastern portion of the property where it abuts the former railway lands may be a feature considered as part of the stormwater management study. This stormwater drainage corridor, if deemed appropriate by the stormwater management study as approved by the Town and the Essex Region Conservation Authority, shall also provide for

a multi-use pathway that will provide a linkage between the residential areas, commercial areas and adjacent parkland; and

- e. it is anticipated that a stormwater management facility addressing quality and quantity control for the subject property will be located at the easterly extent of the property. The final location and design of the stormwater management facility will be subject to the completion of a stormwater management study to the satisfaction of the Town and the Essex Region Conservation Authority and will be designed so as provide a visual amenity and passive recreational opportunities and be an integral component of the development.

- ii) Special Policy Affecting the 0.66 Hectare Property on the Northeast Corner of the County Road 42/Lesperance Road Intersection

Notwithstanding any other policy of this Plan to the contrary, the 0.66 hectare parcel of land located on the northeast corner of the County Road 42/Lesperance Road intersection (12300 County Road 42) and designated "Medium Density Residential" on Schedule "A-1" of this Plan shall be subject to the following specific policies:

- a. the permitted uses for the subject property shall consist of a maximum of four, six-unit, three-storey dwellings, along with accessory uses;
- b. the maximum lot density shall be 36 units per hectare; and
- c. the lands be made subject to Site Plan Control, in accordance with Section 41 of the Planning Act, R.S.O. 1990.

## **4.3 General Commercial**

The General Commercial designation is shown on Schedules "B-1" and "B-2" of this Plan.

### **4.3.1 Goals**

The following goals are established for the General Commercial area:

- i) to strengthen and enhance the Town's existing economic base by recognizing existing commercial districts and by allowing for their continued development and redevelopment;
- ii) to ensure that suitable sites are available within the designated urban areas to accommodate a full range of commercial goods and services to meet the needs of the surrounding neighbourhoods, the community at large, and the travelling public;

- iii) to recognize that commercial areas are dynamic in nature, and must be able to evolve, adapt and redevelop as market conditions, consumer needs and preferences, and retail trends change over time, and to provide a corresponding policy environment which will permit these changes to occur in a manner which is beneficial to Town ratepayers.

#### **4.3.2 Policies**

The following policies shall apply to those lands designated General Commercial on the Land Use Schedules of this Plan:

- i) the permitted uses shall include all types of retail, office and service commercial uses, places of entertainment, assembly halls, eating establishments, recreational commercial uses, clinics, funeral homes, financial service establishments, automobile sales and service establishments, gas bars, automotive service stations, car washes, automobile repair shops excluding automobile body shops and towing compounds, hotels, motels, laundry and dry cleaning establishments, and other similar commercial businesses that serve the needs of Town residents;
- ii) all new uses locating within this designation will be required to conform to high performance standards relating to parking, loading, lighting, landscaping, buffering and outside storage as set out in the implementing Zoning By-law and site plan control agreements. Development in this designation shall also have regard to the Urban Design policies contained in Section 7 of this Plan;
- iii) no outdoor storage of goods, materials, parts, derelict vehicles or parts thereof, is permitted in conjunction with automobile service stations and specialty automotive repair shops; and
- iv) all development in the General Commercial designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

#### **4.3.3 Special General Commercial Policies**

The following special policies shall apply to those site-specific lands identified below and designated General Commercial on the Land Use Schedules of this Plan:

- i) Special Policy Affecting those Lands Located on the North Side of Tecumseh Road between the single tier of residential development along the west side of Harvest Lane and Meadowland Crescent and the food processing plant on Schedule “B-1” of this Plan



Notwithstanding any other policy of this Plan to the contrary, development shall be in accordance with the following specific policies:

- a. development is subject to the Ministry of the Environment, Conservation and Parks setback requirements relative to the lagoon facility located on the industrial lands to the west. Accordingly, the subject property shall be subject to the following specific policies:
  - the permitted use for those areas which are situated within the area subject to the MECP setback requirement, generally described as the northerly portion of the subject area, shall be restricted to those commercial uses not having any human occupation for any extended period of time, such as self-storage units, and as more specifically determined in the implementing Zoning By-law;
  - the permitted uses for those areas which are situated beyond the MECP setback requirement, generally described as the southerly portion of the subject area, shall be in accordance with subsection 4.3.2 i) of this Plan, excluding eating establishments, taverns, hotels and residential uses;
  - the implementing Zoning By-law shall zone the northerly and southerly portions of the subject land in distinct, site specific commercial zones. The location of the delineation between the restricted use allowed on the northerly portion and the range of commercial uses allowed on the southerly portion of the subject land shall be established in the implementing zoning by-law in consultation with the MECP;
- b. appropriate zone regulations and site plan control will be used to ensure that issues concerning access, parking, setbacks and buffering to reduce the potential for compatibility problems are adequately addressed, as well as addressing other servicing matters; and
- c. the construction of a municipal road, which will consist of the southerly extension of Revland Drive to Tecumseh Road along the westerly portion of the subject property, is an integral part of development proceeding on the subject land. Development will be subject to the execution of those agreements deemed necessary by the Town in order to ensure the construction of

this road. The subject land will be placed in appropriate holding zones in accordance with subsection 10.3 of this Plan.

- ii) Special Policy Affecting the Property east of Brighton Road, south of Marine Drive - Sailing Club

Notwithstanding any other policy of the Plan to the contrary, the uses permitted on this 1.5 hectare site shall be limited to a marina and any other existing use of the Sailing Club as of the date of adoption of this Plan. Any use other than a marina or existing uses shall require an amendment to the Official Plan.

- iii) Special Policy Affecting the 0.23 Hectare Property Located on the Northwest Corner of the Lesperance Road/Westlake Drive Intersection

Notwithstanding any other policy of this Plan to the contrary, the lands located immediately northwest of the Lesperance Road and Westlake Drive intersection, being Part of Lot 151, Concession II, and having a frontage of 43.73 metres on Lesperance Road and a total lot area of 0.23 hectares, and designated "General Commercial" on Schedule "A-1" of this Plan shall be subject to the following policies:

- a. the permitted uses shall be restricted to a parking lot providing parking for the commercial use on the lands to the immediate north, along with associated landscaping and site design details only. The parking lot shall be designed such that it is fully interconnected and integrated with the parking lot and commercial development on the abutting lands to the north. No driveway shall be permitted interconnecting the parking lot with Westlake Drive to the south. The subject property shall be under the same ownership as the abutting lands to the north and further shall be added to the abutting lands to the north such that they form one contiguous property;
- b. in addition to interconnecting with the parking lot and commercial development on the abutting lands to the north, the existing commercial driveway connecting the abutting commercial development to the north with Lesperance road shall be improved in accordance with the provisions of a site plan control agreement to be executed between the Owner and the Town;
- c. all development on the subject property shall be subject to site plan control in accordance with Section 41 of the Planning Act, R.S.O. 1990. In addition to the items noted in subparagraph b) above, appropriate design standards shall be required to be

provided in order to achieve a development that appropriately integrates and is compatible with surrounding uses, including the provision of a landscape drawing prepared by a qualified Landscape Architect that provides for the necessary landscaping on-site to ensure compatibility and adequate screening for adjacent residential land uses. In addition, the site plan agreement shall require, for road widening purposes and at no expense to the Town, a 3 metres dedication of land along the north side of Westlake Drive and a 5 metre by 5 metre dedication of land at the intersection of Lesperance Road and Westlake Drive; and

- d. the property shall be zoned in a site specific commercial zone establishing the restricted uses to be permitted in accordance with subparagraph a) above along with zone provisions regarding the setback of the parking lot from lot lines, including an increased setback from the lot line to the west to ensure an adequate separation of the parking lot from the residential use to the west and sufficient area for landscaping.
- iv) Special Policy Affecting the 4.25 Hectare on the North Side of King's Highway No. 3 and the South Side of McCord Lane east of Walker Road (Town Lands)

Notwithstanding any other policy of the Plan to the contrary, the uses permitted on this site shall also include the uses permitted in the Community Facility designation by virtue of subsection 4.7.2 i).

## **4.4 Main Street Mixed Use**

The Main Street Mixed Use designation is shown on Schedule "B-1" of this Plan.

### **4.4.1 Goals**

- i) to provide retail and other commercial services for surrounding neighbourhoods and the broader community in a setting that is street-oriented and pedestrian focused, including a mix of compatible residential and office or community uses and services;
- ii) to provide for a range of commercial activity that is suitable to the main street setting, in order to support the traditionally diverse role and pedestrian-oriented activity focus of the Town's downtown/historic core;
- iii) to promote a mix of commercial, institutional and higher density residential uses that will create a compact and walkable main street

that promotes street-edge buildings with on-site parking to the side and rear of the buildings; and

- iv) to assist in enhancing the traditional main street area of the Town by working with the community in the establishment of a clear vision along with appropriate regulations, guidelines and incentives to make the downtown more sustainable and attractive to investment while enhancing its role in providing the municipality with its identity and a sense of place.

#### **4.4.2 Policies**

The following policies shall apply to those lands designated Main Street Mixed Use on the Land Use Schedules of this Plan:

- i) permitted commercial uses include retail, eating establishments, hotels, service and office uses that are suitable for a main street pedestrian format, and are intended to serve the surrounding neighbourhoods and broader community. For properties within the Main Street Mixed Use designation, land use fronting the street on the ground floor is encouraged to be commercial including live-work units;
- ii) complementary uses such as cultural, recreational, entertainment, institutional, community or municipal services, medium and high density residential, open space facilities, and parking lots and structures shall be permitted;
- iii) within the Main Street Mixed Use designation, medium and high density residential uses are permitted and are encouraged in upper-storey locations or to the rear of commercial buildings provided that they contribute to the pedestrian activity and amenity of the street and complement the commercial storefront design and character of the street;
- iv) height and density provisions for medium and high density residential uses shall be in accordance with Sections 4.2.2.2 and 4.2.2.3 of this Plan;
- v) new automotive uses and other uses such as large format retail uses that interrupt pedestrian flow and are visually incompatible with the main street commercial setting are prohibited. Existing automotive sales and/or service establishments are anticipated to be phased out over time;
- vi) the Tecumseh Road Main Street Community Improvement Plan is a major guiding document for development within the Main Street Mixed Use designation. It is intended to be used as a tool to achieve a pedestrian-oriented form of development that will provide support for

more sustainable means of growth. All development within the Main Street Mixed Use designation shall, to the greatest extent possible, be in accordance with the Tecumseh Road Main Street Community Improvement Plan, as amended from time to time;

- vii) new drive-through facilities will not be permitted in the Main Street Mixed Use designation in order to protect and enhance the pedestrian environment; and
- viii) all development in the Main Street Mixed Use designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

#### **4.4.3 Special Main Street Mixed Use Policies**

The following special policies shall apply to those lands identified below and designated Main Street Mixed Use on the Land Use Schedules of this Plan:

- i) Special Policy Affecting the 0.37 Hectare Property Located at 11957 Tecumseh Road

Notwithstanding any other policy of this Plan to the contrary, the following specific policies shall apply:

- a. No buildings or structures shall be constructed within 6.6 metres of the subject property's westerly side lot line. This area shall be used exclusively as a mutual vehicular access lane combined with a pedestrian pathway. The mutual vehicular access lane is intended to provide access to the subject property's parking area from Tecumseh Road along with access to the property abutting to the west. In addition, a pedestrian pathway is to be provided in this 6.6 metre corridor to provide for the movement of pedestrians from Tecumseh Road to the north to the interior of the subject property, the abutting property to the west and ultimately to other lands farther to the south and south/west. An easement for public pedestrian access shall be granted to the Town respecting the pedestrian pathway at such time as development occurs on 11941 Tecumseh Road and on the lands immediately abutting 11941 Tecumseh Road to the south, warranting a pedestrian connection or as otherwise determined by the Town. The easement and any related development agreements shall contemplate that the pedestrian pathway is constructed by the owner and maintained by the Town. Details with respect to this mutual vehicular access lane and pedestrian pathway shall be addressed in the associated plan of condominium approval and/or site plan control agreement. The mutual vehicular

access lane and pedestrian pathway required by this policy shall be combined in the future with a similar facility along the easterly lot line of the subject property to the west so that a single cross-access corridor will result having a total width of approximately 10.9 metres (with 6.6 metres being contained on the subject property and 4.3 metres being contained on the property abutting to the west);

ii) Special Policy Affecting the 0.43 Hectare Property Located at 11941 Tecumseh Road

Notwithstanding any other policy of this Plan to the contrary, the following specific policies shall apply:

- a. The permitted use for the northerly portion of the subject property shall be a multi-unit apartment building of up to five storeys in height and up to 51 residential dwelling units and one live-work unit (a dwelling unit that will accommodate a commercial work space, with the types of commercial uses permitted to be as established in the zoning by-law) on the first floor of the building, fronting Tecumseh Road, along with associated surface parking. The majority of on-site parking shall be located to the south of the apartment building on the southerly portion of the subject property with access from Tecumseh Road to be by way of a driveway proposed along the east side of the property;
- b. No buildings or structures shall be constructed within 4.3 metres of the subject property's easterly side lot line. This area shall be used exclusively as a mutual vehicular access lane combined with a pedestrian pathway. The mutual vehicular access lane is intended to provide access to the subject property's parking area from Tecumseh Road along with access to the property abutting to the east. In addition, a pedestrian pathway is to be provided in this 4.3 metre corridor to provide for the movement of pedestrians from Tecumseh Road to the north to the interior of the subject property, the abutting property to the east and ultimately to other lands farther to the south and south/west. An easement for public pedestrian access shall be granted to the Town respecting the pedestrian pathway at such time as development occurs on the subject property and on the lands immediately abutting the subject property to the south, warranting a pedestrian connection or as otherwise determined by the Town. The easement and any related development agreements shall contemplate that the pedestrian pathway is constructed by the owner and maintained by the Town. Details with respect to this

mutual vehicular access lane and pedestrian pathway shall be addressed in the associated plan of condominium approval and/or site plan control agreement. The mutual vehicular access lane and pedestrian pathway required by this policy shall be combined in the future with a similar facility along the westerly lot line of the subject property to the east so that a single cross-access corridor will result having a total width of approximately 10.9 metres (with 4.3 metres being contained on the subject property and 6.6 metres being contained on the property abutting to the east).

c. The site-specific zone provisions shall be established within the implementing zoning by-law amendment. The zone provisions shall ensure, among other things, that:

- the minimum front yard depth for the first four storeys of the apartment building shall be nil;
- the minimum rear yard depth for the first four storeys of the apartment building shall be 42.0 metres;
- the fifth storey of the apartment building shall be set back a minimum of 9.0 metres from the northerly face of the fourth storey of the building and a minimum of 9.0 metres from the southerly face of the fourth storey;
- the minimum westerly side yard width for the apartment building shall be 4.7 metres;
- the minimum easterly side yard width for the apartment building shall be 4.3 metres; and
- The maximum lot density shall be 119 units per net hectare.

d. The permitted use for the southerly portion of the subject property shall be primarily for a parking lot and related laneways and accessory structures associated with the multi-unit apartment building.

iii) Special Policy Affecting the 1.08 Hectare Property Located at 11870 Tecumseh Road

Notwithstanding any other policy of this Plan to the contrary, development on these lands shall be in accordance with the following specific policies:

- a. The permitted use for the subject property shall be a multi-unit apartment building of up to six storeys in height, containing up to 99 residential dwelling units and accessory uses;
  - b. A maximum height of three storeys shall be permitted for that portion of the building designed to front/face onto Tecumseh Road;
  - c. As part of the residential development, a municipal parkette shall be constructed and conveyed to the Town. The size, location and design of the municipal parkette shall be to the satisfaction of the Town, and in keeping with the Tecumseh Road Main Street Community Improvement Plan, adopted January 12, 2016, and implemented through a corresponding site plan control agreement;
  - d. The site-specific zone provisions shall be established within the implementing Zoning By-law amendment. The zone provisions shall ensure that the development is constructed in accordance with the special policy affecting the subject property; and
  - e. A Noise and Vibration Study will be required prior to and as part of any application for site plan control or condominium on the subject property. Any required mitigation will be included as a condition of draft condominium approval and will be included as a specific requirement in a site plan control agreement.
- iv) Special Policy Affecting the 4.4 Hectare Area of Land Situated Southeast of the Tecumseh Road/Southfield Drive Intersection (11873 and 11917 Tecumseh Road)

Notwithstanding any other policy of this Plan to the contrary, development on these lands shall be in accordance with the following specific policies:

- a. the permitted uses for the subject area shall be:
  - one six-storey, multiple-unit dwelling containing a total of 149 units;
  - one seven-storey, multiple-unit dwelling containing a total of 98 units;
  - one multiple-unit dwelling no greater than four-storeys in height and containing no greater than 150 units; and
  - accessory uses;



- b. in the event of future lot severances, a combined maximum of 397 dwelling units shall be permitted within this special policy area; and
- c. a Noise and Vibration Study will be required prior to and as part of an application for site plan control on the subject property. Any required mitigation will be included as a specific requirement in a site plan control agreement.
- v) Special Policy Affecting the 0.65 Hectare Property Located at the westerly terminus of First Street, immediately north of the VIA Railway right-of-way (12219-12229 First Street and 1106 Laramie Street)

Notwithstanding any other policy of this Plan to the contrary, the permitted uses shall be restricted to the uses identified in 4.2.2 i) and ii) excluding residential uses and those light type industrial uses compatible with adjacent residential uses including workshops, service shops, processing, manufacturing, assembling and warehousing.

## 4.5 Business Park

The Business Park designation is shown on Schedules "B-1" and "B-2" of this Plan.

### 4.5.1 Goals

The following goals are established for the Business Park area:

- i) to provide suitable areas for a broad range of employment uses that include manufacturing, research and development, warehousing, construction and transportation activities and other employment uses with similar operating characteristics and locational requirements;
- ii) to support a strong and diversified economic base within the Town, allowing for an expansion of the assessment base and providing a choice of jobs for its citizens while supporting the existing infrastructure networks;
- iii) to promote a high standard of design which will create an aesthetically pleasing and functional environment for both employees and visitors;
- iv) to encourage industrial uses to locate in proximity to major transportation infrastructure and in areas that could, over time, be efficiently serviced by public transit;
- v) to ensure the protection, enjoyment and use of nearby properties from the adverse impacts of incompatible uses by enhancing compatibility between industrial and sensitive uses (i.e. residential and recreational)

through the use of mitigation measures such as: distance separation, landscaping, buffering, and screening;

- vi) to establish an orderly and coordinated vehicular and pedestrian circulation system; and
- vii) to encourage a development pattern that reflects modern subdivision and engineering practices, and does not place an undue financial burden on the municipality to provide the necessary municipal infrastructure and services.

#### **4.5.2 Policies**

The following policies shall apply to those lands designated Business Park on the Land Use Schedules of this Plan:

- i) lands designated Business Park shall be used for a range of light industrial uses including manufacturing, assembling, processing, fabricating, repairing, warehousing and wholesaling along with accessory office and retail uses. In addition, contractor and construction facilities and yards, automobile body repair shops and truck and automobile service and rental shops shall also be permitted. All permitted light industrial uses shall meet the requirements of and, where necessary, obtain the approval of the Ministry of the Environment, Conservation and Parks with respect to any and all emissions to the environment (including waste water, odours, noise, dust, vibrations, etc.);
- ii) other permitted uses include research and development facilities, public and private sports facilities, exhibition halls, transportation depots and wholesale establishments;
- iii) the following additional uses are permitted as complementary uses which are intended to serve the industrial areas and the broader community and shall be permitted on properties adjacent to County Road 11 (Walker Road), North Talbot Road, County Road 46, County Road 22, Jamsyl Drive and County Road 42:
  - a. offices;
  - b. restaurants, convenience retail stores, financial institutions;
  - c. automobile sales and service establishments, automobile service stations or gas bars;
- iv) the processing, packaging and shipping of cannabis products is also permitted however the growing and/or harvesting of cannabis shall be prohibited;

- v) notwithstanding any other policies in this Plan, unless specifically zoned in the implementing Zoning By-law, the following uses shall not be permitted in the Business Park designation: waste processing, disposal and storage including transfer stations, packing and bailing sites, and liquid and hazardous waste processing and disposal facilities;
- vi) the Town will provide for, facilitate, and support industrial development initiatives through the provision of infrastructure and infrastructure improvements and the protection of industrial establishments from incompatible land uses that may jeopardize the viability and efficiency of industrial operations;
- vii) it is the intent of the Town to utilize appropriate setback, buffering and mitigation techniques to maximize compatibility between new light industrial uses and nearby sensitive land uses such as existing and future residential areas. The Ministry of the Environment, Conservation and Parks D-1, "Land Use Compatibility" and D-6, "Compatibility between Industrial Facilities", or their successors, will be used as guidelines;
- viii) some of the undeveloped lands that are designated Business Park and have servicing constraints, shall be placed in a holding zone in the implementing Zoning By-law. The holding symbol will be removed when appropriate sewage, water and any other necessary infrastructure is available to the satisfaction of the Town and a plan of subdivision is approved, where required. Existing uses and agricultural uses, excluding livestock intensive operations, greenhouse operations and mushroom farms, shall be permitted in the interim.
- ix) all development in the Business Park designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

## **4.6 Highway Service Centre**

The Highway Service Centre designation is shown on Schedule "B" of this Plan.

### **4.6.1 Goals**

The following goal is established for the Highway Service Centre area:

- i) to provide a convenient, accessible and fully integrated highway transportation-related service centre at a location along the Highway 401 corridor which is capable of providing a broad range of services and amenities to meet the growing and evolving needs of the North American trucking industry and the motoring public.

#### 4.6.2 Policies

The following policies shall apply to those lands designated “Highway Service Centre” on the Land Use Schedules of this Plan:

- i) this 46 hectare site will be developed, managed and operated as a single, comprehensive and integrated highway service centre facility;
- ii) the permitted use at this location shall be a highway transportation related service centre which shall consist of: truck and trailer repair garages, service stations, towing services, washing establishments; sales, leasing and rental establishments; fuel depots; restaurants; hotels and motels; overnight accommodations for truck and recreational vehicles; warehousing and load transfer facilities; customs facilities; and other similar commercial businesses that serve the needs of the North American trucking industry and the motoring public including uses ancillary to the principle uses such as health and fitness facilities, medical and personal service establishments and financial services;
- iii) an autonomous vehicle testing facility shall also be a permitted use on lands designated Highway Service Centre;
- iv) all development shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O., 1990;
- v) all development within the Highway Service Centre designation shall be serviced by municipal piped water and a sanitary sewage treatment facility approved in accordance with the requirements and associated guidelines of the Ministry of the Environment, Conservation and Parks and the Town;
- vi) lands designated Highway Service Centre shall be zoned in an appropriate holding zone in the Town’s Zoning By-law pending Council approval of a comprehensive development and servicing plan for the site. Prior to the removal of the holding zone symbol on all or a portion of the lands designated Highway Service Centre, Council, as well as the agencies noted below, shall have regard to the following policies:
  - a. a comprehensive development and servicing plan for the entire site shall be completed to the satisfaction of Council, the Essex Region Conservation Authority, and the Ministry of the Environment, Conservation and Parks;
  - b. a quantity and quality stormwater management plan for the entire site shall be completed to the satisfaction of the Essex Region Conservation Authority, the Ministry of the Environment,

Conservation and Parks, the Ministry of Transportation, the County of Essex, and the Town. The recommendations of this study shall be implemented through appropriate clauses in the associated site plan control and development agreements;

- c. a traffic impact study shall be completed to the satisfaction of the Ministry of Transportation, the County of Essex, and the Town to ensure that safe and efficient vehicular access is provided to the site. The recommendations of the study shall be implemented through appropriate clauses in the associated site plan control and development agreements and as conditions attached to the required access permits;
  - d. a development agreement shall be prepared and executed to the satisfaction of the Essex Region Conservation Authority, the Ministry of Transportation, the Ministry of the Environment, Conservation and Parks, the County of Essex, and the Town; and
- vii) it is the policy of this Plan that the further subdivision of land designated Highway Service Centre shall be prohibited.

## **4.7 Community Facility**

The Community Facility designation is shown on Schedules "B-1", "B-2" and "B-3" of this Plan.

### **4.7.1 Goals**

The following goals are established for the Community Facility area:

- i) to facilitate and support public and private sector projects and programs that will expand the range of facilities and community services that are available for use by Town residents;
- ii) to encourage and support school board and parent initiatives that will ensure that adequate educational facilities are available to meet the needs of existing and future Town ratepayers;
- iii) to ensure that community facility uses are situated in areas of the Town which are suitable for their intended use, and minimize land use conflicts with other uses;
- iv) to encourage community facilities to be co-located in community hubs to promote cost effectiveness and facilitate service integration, access to transit and active transportation; and

- v) to ensure that community facilities are strategically located to support the effective and efficient delivery of emergency management services and to ensure the protection of public health and safety.

#### **4.7.2 Policies**

The following policies shall apply to those lands designated Community Facility on the Land Use Schedules of this Plan:

- i) the permitted uses shall include schools, places of worship, nursing homes, rest homes, retirement homes, community centres, cemeteries, private clubs, places of assembly, libraries, and other buildings and facilities used by the Town, the County and other levels of government;
- ii) wherever possible, schools should be considered and used as multi-purpose facilities, and should be available for use by the surrounding neighbourhood and broader community for leisure, recreational, educational, and other community sponsored events and activities;
- iii) joint use agreements may be used by the Town to maximize the benefits associated with shared facilities and services owned by other public agencies, boards, non-profit organizations or clubs, and operated and maintained for the enjoyment and well-being of the community at large;
- iv) wherever possible, new school sites should be located adjacent to park sites to enable a sharing or joint-use of facilities and programs;
- v) wherever possible, new school sites should be located centrally within neighbourhoods or groups of neighbourhoods to promote walking and cycling;
- vi) adequate precautions shall be taken to ensure that the community facility uses do not have adverse impacts on adjacent land uses;
- vii) that the Town assess opportunities for the purchase of excess school lands from the relevant school board with a view to retaining and/or expanding parkland for existing and future populations in under-serviced areas of the Town; and
- viii) all development in the Community Facility designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990;

### **4.7.3 Special Policies**

- i) Special Policy Affecting the 12.1 Hectare Property Located on the Southeast Corner of the Banwell Road/Shields Avenue Intersection (Tecumseh Vista School)

Notwithstanding any other policy of this Plan to the contrary, development on these lands shall be in accordance with the following specific policy:

- a. a buffer area, within which no buildings or structures or human occupancy are permitted, shall be established on the subject lands within a 46 metre radius of the rear lot line of the abutting property located at 11684 County Road 42 upon which is located a wholesale and retail fireworks establishment subject to licensing from Natural Resources Canada. The implementing Zoning By-law shall zone the buffer land accordingly. The corresponding site plan control agreement shall establish that this buffer area shall be enclosed by a barrier fence with a minimum height of 1.8 metres. Notwithstanding this requirement for a buffer area, alternative mitigation measures between the subject lands and the wholesale and retail fireworks establishment at 11684 County Road 42 may be implemented and the buffer area rezoned to permit buildings, structures and uses permitted by the Community Facility designation subject to the approval of Natural Resources Canada and the Town. If the abutting wholesale and retail fireworks establishment ceases to operate from its current location, the foregoing buffer area would no longer be required and the Zoning By-law may be amended accordingly.

## **4.8 Recreational**

The Recreational designation is shown on Schedules "B-1", and "B-2" of this Plan. The Parks and Recreation Master Plan provides the community with a long range planning document that helps guide investment in the Town's parks, recreation, trails and sports system. The goals and policies of this Section reflect the recommendations of the Town's Parks and Recreation Master Plan.

### **4.8.1 Goals**

The following goals are established for the Recreational area:

- i) to ensure that the Town maintains an adequate supply of parks, open space and recreational facilities to meet the needs of its residents;

- ii) to ensure that recreational uses are located in suitable locations so as to maximize their accessibility to area residents and minimize their conflicts with other uses;
- iii) to design, create and maintain a continuous linear open space system, connecting various parks, residential neighbourhoods, commercial areas, employment areas and remaining natural heritage sites with each other;
- iv) to obtain the support of and cooperation of local school boards, ratepayer groups, and local school councils to maximize the use of school and Town properties for recreational and educational purposes; and
- v) to work with local service clubs, interested groups and agencies to acquire, develop and maintain the park and open space areas in keeping with evolving community needs.

#### **4.8.2 Policies**

The following policies shall apply to those lands designated Recreational on the Land Use Schedules of this Plan:

- i) the permitted uses shall include indoor and outdoor, public and private recreational uses such as parks, playgrounds, golf courses, arenas and clubs. Wherever possible, recreational uses serving the community at large should be part of a multi-use, larger, more visible and adaptable facility and/or site;
- ii) it shall be the policy of Council to acquire additional parkland, as funds are available, in order to generally maintain the following standards:
  - a. Neighbourhood parks: 1.0 hectare per 1,000 population.
  - b. Community parks: 2.0 hectares per 1,000 population
  - c. Specialized parks and open space: 3.5 hectares per 1,000 population
- iii) wherever possible, new neighbourhood parks should be sited adjacent to elementary school sites or other complementary land uses to encourage a sharing or joint-use of facilities and programs;
- iv) the following locational criteria should be applied when siting new neighbourhood park facilities in the Town:



- a. they should be centrally located and within easy walking distance of the persons who will use the park on a regular basis;
  - b. park sites should be visible and accessible to the neighbourhood, and should have at least 25 percent of the perimeter of the site fronting onto neighbourhood streets; and
  - c. where possible, neighbourhood park sites should be connected with and be designed as part of an overall “greenway system” via existing and new trails natural corridors, and walkway/bikeway features;
- v) the Town supports the reuse of abandoned railway rights-of-way for recreational uses, such as walking, cycling and other physical and leisure activities. The permitted uses within these corridor areas shall include public and private recreational uses. Existing major utility corridors as shown on Schedules “B-1” and “B-3” of this Plan should also be considered for these types of recreational uses;
- vi) the Town will require a 5% parkland dedication as a condition of the approval of every future residential development proposal. Land to be conveyed to the Town for park purposes shall be accepted only if the property is suitable for park purposes and needed in the immediate area. As an alternative parkland dedication standard, the Town may require land to be dedicated on the basis of one hectare for each 300 residential units as required under the Planning Act;
- vii) The Town may request cash-in-lieu for all or part of any required land dedication under the Planning Act under the following circumstances:
  - a. where the parcel of land is either too small or poorly located to meet parkland needs;
  - b. in an area that has excess parklands;
  - c. where the condition of the land is unsuitable for park purposes;
  - d. where no opportunity exists to enlarge existing neighbourhood parks; and
  - e. where a large development project is within reasonable walking distance to an existing park, provided that the trip does not involve crossing an arterial road;
- viii) in assessing parkland dedication for a development proposal, natural heritage features, which may include floodplain areas in some locations, shall not normally be used in calculating the cash-in-lieu

payment or for the purposes of fulfilling the parkland dedication requirement;

- ix) where possible, parkland should be located in conjunction with and adjacent to stormwater management facilities to achieve maximum area of open space;
- x) that the Town assess opportunities for the purchase of excess school lands from the relevant school board with a view to retaining and/or expanding parkland for existing and future populations in under-serviced areas of the Town; and
- xi) all development in the Recreational designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

## 4.9 Natural Heritage System

The Town supports the establishment of a Natural Heritage System, which builds upon the natural heritage system established in the County Official Plan and the Essex Region Natural Heritage System Strategy, 2013 (ERNHSS). The Natural Heritage System contains potential linkages and corridors as well as expansions to the core existing natural heritage features. It reinforces the protection, restoration and enhancement of identified natural heritage features, and promotes the overall diversity and interconnectivity of natural heritage features, functions and areas. The policies of this Plan support a combined approach to the Town's natural heritage system which includes protection for both the natural heritage features that are linked together as well as natural heritage features and areas that are geographically isolated from the linked system. An additional component of the Natural Heritage System is aquatic and fish habitat and the Plan also provides policies intended to ensure their protection.

The natural heritage features that comprise the Natural Heritage System are mapped on Schedule "C" to this Plan and include:

- i) **Natural Environment** – includes significant wetlands, significant woodlands, significant habitat of endangered species and threatened species, significant natural heritage features, and high priority natural heritage features in the Town that meet at least 5 of the 11 natural heritage feature criteria outlined in the ERNHSS or other lands deemed appropriate by the Town and ERCA;
- ii) **Natural Environment Overlay** - includes secondary priority natural heritage features in the Town that meet 1 to 4 of the 11 natural heritage feature criteria outlined in the ERNHSS; and

- iii) **Restoration Opportunities Overlay** - includes secondary restoration lands that meet 1 to 2 of the 5 restoration opportunity criteria outlined in the ERNHSS.

#### 4.9.1 Goals

The following goals are established for the Natural Heritage System:

- i) to facilitate and support the preservation, protection and enhancement of existing natural heritage features;
- ii) to recognize the Essex Region Natural Heritage System Strategy as a means of providing technical direction towards the location and establishment of the Town's Natural Heritage System as per the Provincial Policy Statement 2020;
- iii) to work with private property owners to support the preservation and enhancement of natural features and to develop implementation mechanisms to protect high priority restoration opportunity areas including, but not limited to, voluntary landowner stewardship policies, financial programs, and attaching conditions to development approvals;
- iv) to increase the size of core natural areas and to create and protect linkages and corridors as part of a linked Natural Heritage System connecting wildlife habitat areas to each other, human settlements to human settlements and people to nature. Inter-municipal co-ordination to accomplish this goal is encouraged;
- v) to support partnerships with the Essex Region Conservation Authority, local municipalities, and other partners, that result in plans to appropriately manage ecologically sensitive lands that are in public ownership, discourage the introduction and spread of invasive species, and promote a high level of biodiversity;
- vi) to encourage private individuals and businesses to participate in tree planting, restoration and stewardship programs and opportunities that will ultimately enhance the Natural Heritage System;
- vii) to maintain and enhance vegetated buffers along municipal drains, where feasible, in order to support the Natural Heritage System and to identify options for implementation of restoration opportunities adjacent to streams and municipal drains;
- viii) to support the creation of new or expanded linkages between natural heritage features, where feasible. Corridors that link isolated natural heritage features or enhance existing linkages improve or enhance the

ecological functions of designated natural heritage features and strengthen the overall Natural Heritage System;

- ix) to support the development of policies and programs to protect and enhance natural heritage features and natural heritage systems. This work may include partnerships with conservation organizations such as ERCA and regional municipal partners to encourage the regional protection and implementation of a natural heritage system

#### **4.9.2 Policies**

The following policies apply to the Town's Natural Heritage System identified on Schedule "C" to this Plan:

- i) the Town will work with private property owners and agencies toward preserving and enhancing natural features;
- ii) the Town will encourage opportunities that may arise with development proposals for creating new habitats, natural vegetation regeneration, conserving natural landforms and functions for protecting and enhancing groundwater and surface water resources, and for promoting environmental education and interpretation;
- iii) the Town will encourage that, wherever possible and appropriate, trees be replanted to replace trees removed if a development proceeds. The Town will encourage the conservation or replanting of roadside and fence-line shrubs and trees, and riparian area vegetation, wherever possible and appropriate in the context of new development. Financial compensation for tree loss is not considered the preferable means of appropriate mitigation for development;
- iv) the Town will support the development of a policy for restoration and compensation where avoiding an impact to the natural heritage feature or natural heritage system is unavoidable. This framework will be supportive of the natural heritage system goals and ensure that the approach to no negative impact reflects the principle of a net gain or benefit to the natural heritage system;
- v) in recognizing that vegetated buffers along municipal drains enhance the Natural Heritage System, the Town will work with the Drainage Superintendent and the Drainage Engineer during the preparation of drainage reports under Sections 4 and 78 of the Drainage Act to incorporate vegetated buffers that are within the Restoration Opportunities Overlay on Schedule "C", where feasible;
- vi) the Town, in consultation with ERCA, nongovernment organizations and private landowners, will identify and establish corridors or linkages

over time through initiatives such as reforestation or regeneration projects;

- vii) the Town recognizes that a natural heritage system would benefit from public ownership to ensure protection of the features and to provide for public access, where appropriate. The Town will consider all options, including the acquisition of land or the placement of conservation easements on land associated with natural heritage features, functions and linkages. Notwithstanding the options for the acquisition of lands as part of a natural heritage system strategy, the County, Town or any other public agency will not be obligated to acquire or purchase any land;
- viii) the significant habitat of endangered species and threatened species is not shown on the Land Use Schedules; however, it can occur in the natural heritage features and areas mapped on the Official Plan Schedules. Species at Risk are identified as extirpated, endangered, threatened or species of special concern on the Species at Risk in Ontario List. The Ministry of Environment, Conservation and Parks (MECP) administers the Endangered Species Act, 2007 (ESA) to protect and conserve species at risk and their habitats. Under the ESA, the MECP is responsible for identifying and approving general and regulated habitat, as well as giving technical advice on species at risk and their habitats. The technical advice provided under the ESA supports the implementation of natural heritage policies found within the Provincial Policy Statement 2020. For the purposes of the PPS, MECP is responsible for approving the delineation of significant habitat of endangered species and threatened species. Environmental Impact Assessments or other planning reports may help with identifying the extent of the significant habitat of endangered species and threatened species. The significant habitat of endangered species and threatened species will be based on a consideration of the following:
  - a. assessments reviewed and approved by the MECP regarding the extent of the species' habitat;
  - b. habitats or areas delineated by MNR and/or regulated under the ESA; and
  - c. habitat that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle.

- ix) the extent and diversity of natural heritage features in an area, and the natural connections between them, should be preserved and enhanced where possible. Natural connections will generally follow watercourses with their associated flood and erosion susceptible areas, unstable lands, steep slopes and other physical conditions that create hazards and will also generally follow the natural heritage features in the rural areas of the Town. Riparian buffering and other similar initiatives are encouraged;
- x) natural heritage features are recognized as viable components of farming operations;
- xi) on lands designated Agricultural that have significant natural heritage features or are adjacent to areas with significant natural heritage features, the construction of greenhouses and other agricultural buildings is strongly discouraged. In most instances the construction of greenhouses and large agricultural buildings within such areas will have a negative impact and therefore would not be permitted. Other locations on the farm can be used for such purposes;
- xii) the participation of natural heritage feature owners in voluntary stewardship agreements, and where eligible, in conjunction with compensation programs such as Ecogifts, the Managed Forest Tax Incentive Program and the Conservation Land Tax Incentive Program will be encouraged;
- xiii) the natural heritage features under private ownership continue to be private and their identification as natural heritage features in no way increases their accessibility to the public or their eligibility for public acquisition;
- xiv) in addition to the above policies, the Town may undertake the following in consultation with the Essex Region Conservation Authority:
  - a. cooperate in identifying and protecting inter-municipal natural connections regarding multi-purpose (recreational/utility/natural) connections and linkages which cross municipal boundaries;
  - b. establish goals and strategies to increase the amount of natural heritage area. One way to achieve this is to have a “State of the Environment Report” prepared and presented to Council on a regular basis; and
  - c. require that when considering development proposals, the approval authority may require the land owner to enter into an agreement regarding the preservation and enhancement of the

trees and vegetation on the property. Where forest cover is to be provided as a condition of a development approval, the use of a variety of indigenous species of vegetation is encouraged.

### **4.9.3 Natural Environment**

The Natural Environment designation is shown on Schedules “B”, “B-2” and “C” of this Plan. Natural Environment features are the most significant components of the Natural Heritage System and include significant wetlands, significant woodlands, significant habitat of endangered species and threatened species, significant natural heritage features, and high priority natural heritage features in the Town that meet at least 5 of the 11 natural heritage feature criteria outlined in the ERNHSS or other lands deemed appropriate by the Town and ERCA.

#### **4.9.3.1 Policies**

The following policies shall apply to those lands designated Natural Environment on the Land Use Schedules of this Plan:

- i) development and site alteration is not permitted on lands designated Natural Environment; and
- ii) permitted uses on lands designated Natural Environment shall be limited to passive recreational uses and activities that create or maintain infrastructure authorized under an environmental assessment process or work subject to the Drainage Act.

### **4.9.4 Natural Environment Overlay**

The Natural Environment Overlay is shown on Schedules “B-1”, “B-2” and “C” of this Plan and includes secondary priority natural heritage features in the Town that meet 1 to 4 of the 11 natural heritage feature criteria outlined in the ERNHSS

#### **4.9.4.1 Policies**

The following policies apply to those lands identified as Natural Environment Overlay on the Land Use Schedules of this Plan:

- i) development and site alteration is not permitted on lands within the Natural Environment Overlay unless it has been demonstrated to the satisfaction of the approval authority and/or the Town, in consultation with the Essex Region Conservation Authority, that there will be no negative impacts on the natural features or their ecological functions;
- ii) prior to the consideration of any Planning Act application, an environmental impact assessment shall be completed in accordance

with the Environmental Impact Assessment Guidelines published by ERCA and endorsed by the County and Town as updated from time to time;

- iii) permitted uses on lands within the Natural Environment Overlay shall be in accordance with the underlying land use designation; and
- iv) activities that preserve and enhance the features contained within the Natural Environment Overlay, such as tree preservation, tree planting, and establishing and improving linkages, are encouraged.

#### **4.9.5 Restoration Opportunities Overlay**

The Restoration Opportunities Overlay is shown on Schedule “C” of this Plan and includes secondary restoration lands that meet 1 to 2 of the 5 restoration opportunity criteria outlined in the ERNHSS. The Restoration Opportunities Overlay applies to lands that do not contain existing natural heritage features, however they have been identified as potential ecological restoration areas to enhance the fragmented system in the Town and within the region.

##### **4.9.5.1 Policies**

The following policies apply to those lands identified as being a Restoration Opportunities Overlay as identified on Schedule “C” to this Plan, and outlined in the Essex Region Natural Heritage System Strategy (ERNHSS) prepared by the Essex Region Conservation Authority:

- i) prior to the approval of any Official Plan Amendment or Secondary Plan, Zoning By-law Amendment, plans of subdivision/condominium, or during the preparation of any Environmental Assessment for infrastructure, an Environmental Impact Assessment shall be undertaken that evaluates the following:
  - a. opportunities to restore and enhance the natural heritage features in the area, including the establishment of linkages;
  - b. the incorporation of Low Impact Development elements into the project where suitable site conditions permit;
  - c. opportunities to establish buffers into the project design that would promote the natural restoration of an area;
  - d. opportunities to set aside strategic areas for restoration and enhancement;



- e. opportunities for local stewardship, naturalization, and education about the benefits of enhancing the area natural heritage system;
  - f. opportunities for public acquisition; and
  - g. if lands are not acquired then the lands will be placed in a protected designation and zone.
- ii) prior to the construction of any new municipal drains under Section 4 of the Drainage Act or any work completed under Section 78 of the Drainage Act within the Restoration Opportunities Overlay as shown on Schedule “C” of this Plan, a Drainage Report shall be prepared in accordance with the Drainage Act that may consider, where feasible and as recommended by the Drainage Engineer, the establishment of vegetated buffers to enhance the Natural Heritage System. This approach is in keeping with best management practices recommended by OMAFRA and Agriculture and Agri-Food Canada (AAFC).

#### **4.9.6 Aquatic and Fish Habitat**

The Town recognizes that the health of the aquatic environment is a fundamental indicator of the health of the overall ecosystem. Aquatic and fish habitat restoration opportunities may be implemented through subwatershed studies, Secondary Plans, and on an individual lot basis. Development and site alteration shall not be permitted in aquatic and fish habitat except in accordance with provincial and federal requirements. Waters supporting aquatic species at risk (fishes and mussels), and their residences and critical habitats, as listed in the federal Species at Risk Act are considered natural heritage features and areas. The location of such waters and habitats are identified by the Department of Fisheries and Oceans (DFO) on the Fisheries and Oceans Canada aquatic species at risk distribution and critical habitat maps and in documents available on the federal Species at Risk Act Public Registry.

##### **4.9.6.1 Policies**

When considering impacts to aquatic and fish habitat areas, the following policies shall apply:

- i) development and site alteration shall not be permitted in waters supporting aquatic species at risk (fishes and mussels), and their residences and critical habitats as identified by the Department of Fisheries and Oceans (DFO) unless an assessment demonstrates that there will be no negative impacts on natural heritage features and areas and ecological functions, and Species at Risk Act provisions have been addressed, in accordance with provincial and federal

requirements. An EIA may be required if there may be potential impacts that may contravene the federal Species at Risk Act from activities occurring in adjacent areas, within 120 metres of the boundary of such waters, residences or critical habitats. Through an EIA and fish habitat mitigation/compensation assessment, in consultation with the Town and the DFO, it is the Town's objective to secure no net loss of productive capacity of fish habitat, and where possible, secure a net gain of productive capacity of fish habitat. The EIA shall indicate how the project will be carried out to remain in compliance with the Species at Risk Act, which may include: modifying the project to avoid impact, development of appropriate mitigation, or acquiring a Species at Risk Act permit to carry out the activities;

- ii) any development or change in land use near or adjacent to an existing or potential fish habitat area will be reviewed by the Town in consultation with the DFO with respect to the potential impact. Any such proposal will be subject to an EIA to determine if it will result in a reduction of the fish habitat;
- iii) the Town may determine the minimum vegetative buffer zone adjacent to existing or potential fish habitat areas where development is proposed;
- iv) where it has been determined by the Town, in consultation with the DFO, that the development or change in land use will affect the natural functions of the fish habitat, the preparation of a fish habitat mitigation/compensation assessment will be required. The assessment will typically be required to include the following information:
  - a. identify the nature and extent of potential impacts;
  - b. determine appropriate mitigative measures to protect the affected fish habitat;
  - c. specify compensation for loss of fish habitat through near-site replacement of habitat, off-site replacement of fish habitat or an on-site increase of fish habitat capacity;
  - d. determine appropriate buffering and how such buffering will be protected in the future; and
  - e. address other matters as determined by the DFO;
- v) any requirements imposed through a fish habitat mitigation/compensation assessment will be implemented by the

proponent with input from, and to the satisfaction of the Town and/or the DFO;

- vi) where it is determined by the Town and/or the DFO, that any development will cause negative impacts to fish habitat, such development may not be permitted; and
- vii) subwatershed studies may be prepared to provide additional policy guidance related to the protection and enhancement of fish habitat and the specification of protective or mitigative measures.

#### **4.9.7 Environmental Impact Assessments**

##### **4.9.7.1 Policies**

The following general policies apply to the areas adjacent to those lands designated as Natural Environment as well as all other areas that have significant natural heritage features (i.e. Natural Environment Overlay) or are adjacent to areas containing significant natural heritage features and Restoration Opportunity Overlay as shown on Schedule “C”.

- i) the purpose of an Environmental Impact Assessment is to:
  - a. collect and evaluate information to provide a more complete understanding of the boundaries, attributes and functions of natural heritage features and associated ecological and hydrological functions that exist;
  - b. determine whether there are any additional natural heritage features on the lands and adjacent lands; and
  - c. make an informed decision as to whether the proposed development and/or site alteration will have an impact on the natural heritage features and ecological and hydrological functions;
- ii) the preparation of all environmental impact assessments referred to in this Plan shall be the responsibility of the landowner and shall be carried out by a qualified environmental professional. The environmental impact assessment is to be prepared in accordance with the Environmental Impact Assessment Guidelines published by ERCA and endorsed by the Town and County on the basis of the natural features or the ecological function for which the area has been identified;
- iii) when conducting the environmental impact assessment, the environmental professional must acknowledge in the report any new information, such as findings of rare or significant species not

previously known to exist on the site, and the impact which may result from any proposed development. The County, Town and/or other approval authority shall have regard to such new information in its decisions regarding planning applications. If, based on the new information, the approval authority, in consultation with the Essex Region Conservation Authority, concludes that the natural environment classification should be altered, this Official Plan will be amended to implement the change;

- iv) removal of a natural heritage feature for the purpose of lowering the natural environment classification in this Plan and/or otherwise affecting the environmental impact assessment, will not be sufficient grounds for amending the planning documents to a lower classification and will invalidate the environmental impact assessment;
- v) in areas other than those designated Natural Environment on Schedule “C” of this Plan, altering the state of the natural heritage features as a result of conducting permitted uses (i.e. clearing lands for agricultural uses) will not be considered negatively by the approval authority. To assist with determining the alteration of a natural heritage feature over time, the Town will use the April 2000 and most recent aerial photography as one of the tools to establish the alteration in relation to the enlargement or retraction of a feature. This does not invalidate the application of policy iv) above; and
- vi) new development proposed within 120 metres of an adjacent municipal boundary will include a review of applicable planning policies and documents and field verification of natural heritage features, if any, in the abutting municipality. This information will then inform the Environmental Impact Assessment.

## **4.10 Future Development**

The Future Development designation is shown on Schedules “B-1” and “B-2” of this Plan.

### **4.10.1 Goals**

The following goals are established for the Future Development area:

- i) to provide suitable locations for additional residential, commercial, employment, recreational and institutional land uses in the Oldcastle and Tecumseh Hamlet settlement areas;
- ii) to ensure future urban land uses take place in an orderly manner, are appropriately integrated into the existing community and that they maintain and strengthen community identity; and

- iii) to ensure future urban land uses develop in an orderly fashion and are serviced with full municipal services.

#### **4.10.2 Policies**

The following policies shall apply to those lands designated Future Development on the Land Use Schedules of this Plan:

- i) lands designated Future Development are intended to accommodate future urban land uses including additional residential, commercial, employment, recreational and institutional land uses where deemed appropriate and as more specifically determined by further planning studies to be undertaken by the Town. The further planning studies will determine the preferred land uses along with transportation and servicing policies, among other matters, and will comprise the following two separate processes:
  - a. the Town will complete the previously initiated “Tecumseh Hamlet Secondary Plan” and incorporate its findings and recommendations into this Plan by way of an amendment;
  - b. the Town will initiate the “Oldcastle Hamlet Special Planning Study for Future Development Lands” and incorporate its findings and recommendations into this Plan by way of an amendment;
- ii) it is the policy of this Plan that individual, privately initiated, site specific Official Plan amendments on lands designated Future Development will not be permitted, rather these lands will only be considered for redesignation as part of the Town’s planning studies and associated Town-initiated Official Plan amendments;
- iii) all new urban land uses will be required to develop on the basis of full municipal sanitary sewage and water services and with the introduction of stormwater management facilities;
- iv) permitted uses in the Future Development designation shall comprise existing uses and agricultural uses as set out in Section 4.1 of this Plan, with the exception of intensive livestock operations, mushroom farms and greenhouse operations; and
- v) the implementing Zoning By-law shall zone all developed land parcels in the Future Development designation according to their existing use. All undeveloped land parcels will be placed in an agricultural zone permitting agricultural uses with the exception of intensive livestock operations, greenhouse operations and mushroom farms.

## **Section 5     Natural Resources and Hazards**

### **5.1        General**

In partnership with the Federal and Provincial governments, the Essex Region Conservation Authority, and the County of Essex, the Town strives to protect natural resources. It is a priority of the Town to ensure the sustainable use of resources and to reduce the risk to public safety and property from hazards, such as flooding, unstable slopes and human made hazards.

### **5.2        Mineral Resources**

In accordance with the Provincial Policy Statement, it is the policy of this Plan that mineral resources will be protected for long-term use. In the Town, the only known mineral resource are salt deposits as illustrated on Schedule “F” to this Plan. Mineral resources will be protected from activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. In areas adjacent to know mineral resources, development which would preclude or hinder the establishment of new operations or access to the resource will only be permitted if:

- i)        resource use would not be feasible;
- ii)       the proposed development and change in land use serves a greater long-term public interest; and
- iii)      issues of public health, public safety and environmental impact are addressed.

Rehabilitation will be required after extraction and other related activities have ceased. Progressive rehabilitation will be undertaken where feasible. As established in the policies contained this Plan for lands designated Agricultural, extraction will be permitted in prime agricultural areas provided the site is rehabilitated to agricultural use. Final rehabilitation shall take surrounding land and approved land use designations into consideration.

### **5.3        Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants**

The following will be the policy of the Town:

- i)        wayside pits and quarries, portable asphalt plants and portable concrete plants used for public authority projects will be permitted without requiring an amendment to this Plan or the Zoning By-law, but

will not be permitted adjacent to or within the Natural Heritage System features or Settlement Areas. Utilization of aggregate from sites licensed under the Aggregate Resources Act and wayside pits and quarries will be encouraged;

- ii) wayside pits and quarries, portable asphalt plants and portable concrete plants used for public authority projects will be subject to Site Plan control in accordance with Section 10.4 of this Plan;
- iii) concession or temporary construction and marshalling yards used for public authority projects will be permitted without requiring an amendment to this Plan or Zoning Bylaw, but will not be permitted adjacent to or within Natural Heritage System features or Settlement Areas;
- iv) concession or temporary construction and marshalling yards used for public authority projects will be subject to Site Plan control in accordance with Section 10.4 of this Plan;
- v) the Town will ensure that the necessary statutory and municipal approvals are obtained prior to permitting asphalt plants and concrete plants, whether temporary or permanent.

## **5.4 Water Resources**

The Town contains streams and rivers, draining to Lake St. Clair and the Detroit River. Among other resources, the lake, streams and rivers support the natural environment and the existing community. Water resource issues arise from various forms of human activity. Demands on water resources can contribute to degraded aquatic communities, the loss of well water supply, aquifer contamination, deteriorating lake water quality, flooding and erosion.

The protection of water resources from contamination and degradation associated with certain land uses and activities is an important element to maintaining the quality of life experienced by both existing residents and businesses, and supporting future growth. Integrating land management and the protection of water allows for the continuance of a healthy environment, solid economic development and healthy communities.

The Town contains four major watershed systems. The Pike Creek forms a portion of the easterly boundary of the Town and drains directly to Lake St. Clair. A portion of the Upper Little River Watershed lies within both the Tecumseh and Oldcastle Hamlets and ultimately drains into the Detroit River. The Turkey Creek Watershed is in the southwesterly portion of the Town and drains into the Detroit River through the Town of LaSalle. The Canard River Watershed is also situated in the southwest portion of the Town and drains into the Detroit River through the Towns of Amherstburg and LaSalle. The

Essex Region Conservation Authority manages and regulates these watersheds.

The following will be the policy of the Town:

- i) the Town will work cooperatively with the Essex Region Conservation Authority in dealing with land management issues within the subwatersheds draining to Lake St. Clair and the Detroit River, including those that extend beyond the Town boundaries into the City of Windsor, the Town of LaSalle, the Town of Amherstburg and the Town of Lakeshore;
- ii) the Town acknowledges the benefits of watershed and subwatershed management plans and will work with ERCA, the County of Essex and abutting municipalities, where necessary, to prepare these types of plans in order to assist in water resource and land use planning on an ecosystem basis;
- iii) the Town will support appropriate flood control management programs of the Essex Region Conservation Authority;
- iv) the Town will encourage the protection and restoration of natural heritage features to improve water quality and quantity.
- v) planning applications that propose to make use of a private water source will be required to submit a detailed hydrogeological study to determine the suitability of the lands for groundwater extraction. The hydrogeological study will be prepared to the satisfaction of the Town, ERCA and the County, in consultation with the Province;
- vi) the Town will require the use of stormwater management facilities downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality. Applications for development will be required to be supported by a stormwater quality/quantity management study. The planning and design of stormwater facilities should be undertaken in accordance with Section 8.3 of this Plan;
- vii) in cooperation with the private sector and the community, the Town will encourage the reduction of water consumption levels through the promotion of the efficient use of water and may specify appropriate water conservation measures within existing and new development; and
- viii) where deemed necessary, the Town may work with various agencies to develop a septic system management program for the Town. Through a collaborative effort with other partners, the management program will consider opportunities including but not limited to: the



Ontario Building Code, facility design and permitting, landowner education and awareness, as well as monitoring and inspections.

#### **5.4.1 Source Water Protection**

The Essex Region Source Water Protection Plan and associated technical studies (Assessment Report) look at the current and future sources of municipal residential drinking water, identify the potential threats to these sources and include policies for actions and programs to reduce or eliminate these risks. All municipal decisions under the Planning Act shall conform to the significant threat policies and have regard for other policies. The policies apply to 'vulnerable areas' identified in the technical studies (Assessment Report) for the Source Protection Plan, including 'Intake Protection Zones' (IPZs), 'Highly Vulnerable Aquifers' (HVAs) and 'Significant Groundwater Recharge Areas' (SGRAs). The Town has no HVAs but SGRAs and IPZs are contained on Schedules "F" and "G" of this Plan, respectively.

##### **5.4.1.1 Intake Protection Zones**

Intake Protection Zones are areas of land and water, where run-off from streams or drainage systems, in conjunction with currents in lakes and rivers, could directly impact on the source water at the municipal drinking water intakes. Schedule "G" maps the Town's Intake Protection Zones. The Town contains only Intake Protection Zone 3 (IPZ-3) areas. These extend outward from IPZ-2, and cover larger watershed areas generally within a specific time of travel related to the transport of specific contaminants reaching the intake. IPZ-3 includes all rivers and tributaries where modelling demonstrates that contaminant spills may reach the intake during an extreme rainfall or wind storm event.

All IPZs also include lands within 120 metres of the top-of-bank of the subject waterways, or the flood plain regulated area, whichever is greater. Reference must be made to the Source Protection Plan and accompanying Assessment Report for more complete details and explanations regarding these IPZs, the threats to drinking water sources, and associated policies.

The Clean Water Act requires that all decisions under the Planning Act or Condominium Act made by municipal planning authorities must conform to significant threat policies and have regard for other policies in an approved Source Protection Plan. Within areas identified in an approved Source Protection Plan any use or activity that is, or would be, a significant drinking water threat is required to conform to all applicable Source Protection Plan policies and, as such, may be prohibited, regulated or otherwise restricted by those Source Protection Plan policies. Where required by policies in an approved Source Protection Plan, the local municipalities shall circulate all development applications or proposed land use changes proposing fuel storage, fuel transportation or industrial uses to the Risk Management Official (RMO). Where the Source Protection Plan does not require an RMO notice,

the local municipality should be satisfied that the proposal will not include activities which would be a significant threat in the location proposed.

#### **5.4.1.2 Groundwater Protection**

The protection, conservation and careful management of groundwater resources is necessary to meet both the present and future needs of residents, businesses and the natural environment. As groundwater and aquifer contamination is extremely difficult and costly to rectify, prevention of contamination is the most realistic strategy. Aquifers need to be protected across the Town and Essex County to ensure a clean groundwater supply for private water systems, as well as to provide baseflow for creeks and streams, and water sources for ponds and wetlands.

The following will be the policy of the Town:

- i) the Town will support initiatives of the Ministry of the Environment, Conservation and Parks, the County of Essex, ERCA, the City of Windsor, and other agencies, including the implementation of the Essex Region/Chatham-Kent Regional Groundwater Study in identifying strategies to protect groundwater resources.
- ii) development and site alteration will only be permitted within an SGRA where it has been demonstrated by way of the preparation of a groundwater impact assessment that there will be no negative impact on the SGRA; and
- iii) the Town will require groundwater impact assessments for development proposals as appropriate according to the level of intrinsic susceptibility and potential groundwater contaminants, if any, based on Schedule “F”.

#### **5.4.2 Watercourses**

Watercourses transport both water and sediment from areas of high elevation to areas of low elevation. Changes to the amount or velocity of water being transported or the amount or size of bed load being moved can have significant impacts on watercourses, which may result in increased erosion and flooding. Watercourses provide habitat for fish and other species to live as well as provide water for wildlife and livestock and water based recreation. Watercourses are directly related to many hazards including flooding, erosion, slope stability and natural features such as wetlands.

The following will be the policy of the Town:

- i) the Town, where possible, will require the preservation and enhancement of natural stream bank vegetation and promote suitable erosion control methods;

- ii) the Town will ensure that the construction of tile outlets do not contribute to erosion along watercourses;
- iii) the Town will promote tree planting along watercourses, where possible, to enhance the natural corridor function, provide for cool water temperatures and protect watercourse banks from erosion;
- iv) the Town will ensure that best management practices and interim measures are utilized during construction projects adjacent to watercourses to reduce sedimentation and erosion;
- v) the Town, in consultation with ERCA will establish an appropriate setback from the top of bank for all new development and expansions in order to prevent erosion, improve water quality, enhance wildlife corridors and protect fish habitat; and
- vi) the Town will promote the use of watercourses and adjacent lands for pedestrian movement and passive recreation areas, where feasible.

## **5.5 Natural Hazards**

It is the intent of the Town to protect life and property by respecting natural hazards, which may represent constraints to development. New development should only take place in areas that are not susceptible to hazards. Hazard lands are lands that have inherent environmental hazards such as flood susceptibility, erosion susceptibility, instability and other physical conditions which are severe enough, if developed upon, to pose a risk to occupants of loss of life, property damage and social disruption. Topographical variations of the floodplain directly affect the nature of a flood event.

There are generally two types of topography: valley topography which includes slopes and banks; and flat topography which includes riverine and shoreline floodplains. In valley topography, the floodplain is well defined and areas that are subject to flooding are generally less distinguishable from areas that are subject to minimal or no flooding. Floods within valley topography tend to be deeper and have higher velocity flows. Due to flood characteristics there is a major concern for loss of life and significant property damage. In areas characterized by flat topography the floodplain can be extensive and severely hazardous areas may not be clearly definable (riverine and shoreline). In low lying inland areas the resulting floods tend to be shallow and of low velocity and consequently the major concern is property damage, impaired access, and reduced emergency services (e.g., police, fire, ambulance) and other areas along Lake St. Clair which are susceptible to wave uprush, ice conditions and erosion. Under these conditions in the inland floodplain areas, more opportunity for development is possible, provided that problems upstream or downstream are not created

and the development is appropriately floodproofed and provides for appropriate safe pedestrian and vehicular access.

In some cases, where development is proposed, the Town and ERCA may require the preparation of engineering reports in order to determine the extent of the regulatory floodplain. The outcome of this analysis may impact the feasibility and location of proposed development.

Wetlands and their surrounding areas of interference are subject to regulation under the Conservation Authorities Act due to the potential hazards associated with flooding, organic soils and interference with water source/recharge areas. Filling or draining can have an impact on the hydrologic functions of a wetland, which in turn may influence the flooding and erosion processes in the area. Technical studies to determine impact of development on the wetland will be required with 120 metres of all identified wetlands. The outcome of this analysis may impact the feasibility and location of proposed development.

Schedule “D” illustrates the components of the Town’s Natural Hazard Lands: Limit of the Regulated Area (LORA); Lake St. Clair Floodprone Areas; and Inland Floodplain Development Control Areas (FDCA). The following policies will apply to all Hazard Lands:

- i) the extent of the Limit of the Regulated Area, Lake St. Clair Floodprone Areas and Inland Floodplain Development Control Areas will be considered approximate on Schedule “D”. In all cases, it will be necessary to verify the boundaries on an individual basis in consultation with ERCA; and
- ii) the Town, in consultation with ERCA, recognizes the need to periodically update the methodology and mapping used to evaluate and identify flood risk areas. Accordingly, the Town shall, once revised floodplain mapping is updated, conduct the necessary studies to determine the appropriate approach to mitigating flood risk. Study findings may indicate the need to undertake area-specific remediation works and possible changes in land use designations and flood risk mapping in this Official Plan. The Town is currently undertaking a Shoreline Management Plan, the findings of which may assist the Town and ERCA in developing updated floodplain mapping and associated policies.

The following additional policies shall apply to the individual components of the Hazard Lands:

#### **5.5.1 Limit of the Regulated Area (LORA)**

The Limit of the Regulated Area comprises two principal hazards: riverine hazards and shoreline hazards. These hazards can be significantly impacted

on by fluctuations in water level and other impacts created from ice jamming in riverine hazards and ice shove on Lake St. Clair. Subject to the other policies of this Plan, the following policies will apply to land within the Limit of the Regulated Area (LORA) as shown on Schedule “D”:

- i) development within the Limit of the Regulated Area, which would aggravate or contribute to the hazard will not be permitted;
- ii) prior to permitting development within the LORA, the Town will be satisfied that the appropriate permits have been obtained from ERCA;
- iii) all lands within the Limit of the Regulated Area are regulated by the Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the Conservation Authorities Act; and
- iv) this section of the Plan must be read in conjunction with the Inland Floodplain Development Control Area policies and the Lake St. Clair Floodprone Area policies.

### **5.5.2 Inland Floodplain Development Control Area**

Lands within an Inland Floodplain Development Control Area (FDCA) on Schedule “D” of this Plan are areas that have been identified as being susceptible to flooding under regulatory flood conditions as implemented by ERCA. This area is subject to the Development Interference with Wetlands and Alteration to Shorelines and Watercourses regulations of the appropriate Conservation Authority, and as such, a permit allowing for development activities including construction, placement of fill and alterations to shorelines and watercourses is required from the ERCA prior to undertaking such activities.

Where a landowner is proposing development in close proximity to a watercourse where a flood line study has not been completed, the landowner may be required to undertake a detailed flood line study consistent with the requirements established in the Technical Guide – River and Stream Systems: Flooding Hazard Limit published by the Ministry of Natural Resources and any other requirements deemed applicable at that time.

The Town will utilize a two-zone concept to floodplain management. Under the two-zone approach to floodplain management, the Town will, to the satisfaction of ERCA, identify the floodway (the area that is subject to deeper, faster flows, which acts as the channel in times of flooding) and the flood fringe (the outer portion of the floodplain between the floodway and the flooding hazard limit, which are subject to depths and velocities of flooding that are generally less severe than those experienced in the floodway). Development is prohibited in the floodway with the exception of buildings and/or structures required for flood and erosion control. It has been

determined that a setback of 8 metres plus the depth of the watercourse or municipal drain, to a maximum of 15 metres, will constitute the floodway, for the majority of watercourses.

The following will be the policy of the Town:

- i) the regulatory flood standard for floodplains will be the 1:100 or maximum observed flood condition for the Essex Region watersheds;
- ii) development and site alteration shall not be permitted within:
  - a. areas that would be rendered inaccessible to people and vehicles during times of flooding hazards and erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and
  - b. a floodway regardless of whether the area of inundation contains high points of land not subject to flooding;
- iii) development and site alteration in the Inland Floodplain Development Control Area, other than within those areas identified in Section 5.5.3 ii), may be permitted provided that the existing or potential hazards can be overcome by accepted engineering techniques and resource management practices which meet the approval of the Town, ERCA, and other appropriate agencies as necessary, and where the risk to public safety and other effects can be absorbed, managed or mitigated in accordance with the following standards:
  - a. the flooding and erosion hazards can be safely addressed, and the development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
  - b. existing hazards are not aggravated or new hazards are not created;
  - c. no adverse environmental impacts will result;
  - d. vehicles and people have a way of safe ingress and egress during times of flooding, erosion or other emergencies;
  - e. the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances; and
  - f. development is carried out in accordance with established standards and procedures;

- iv) in considering development in the FDCA, other than within the areas identified in Section 5.5.3 ii), the Town and ERCA will consider:
  - a. the existing physical hazards;
  - b. the potential impacts of these hazards;
  - c. the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques, such as those set out in Provincial technical manuals; and
  - d. the costs and benefits in economic, social and ecological terms of any engineering works or resource management practices needed to overcome these impacts;
- v) any new development permitted within the FDCA must meet minimum flood protection standards to the satisfaction of the Town and ERCA;
- vi) as part of the approval process for new developments, the Town, along with ERCA, will ensure that appropriate vehicular access routes are planned and available during flood events;
- vii) the following uses will be prohibited within the FDCA:
  - a. uses related to manufacturing, storage, disposal or consumption of hazardous substances or the treatment, collection or disposal of sewage;
  - b. institutional uses such as hospitals, nursing homes, retirement homes, daycare centres and schools; and
  - c. uses associated with services such as fire, ambulance, police or electrical substations.

### **5.5.3 Lake St. Clair Shoreline Floodprone Area**

Lands within the Lake St. Clair Shoreline Floodprone Area on Schedule “D” of this Plan are areas that have been identified as being susceptible to flooding. The flooding and erosion hazard limits for the Great Lakes, including Lake St. Clair, have been established in order to regulate development in areas susceptible to periodic flooding and/or erosion hazards. As such, ERCA should be contacted when planning for new development and/or site alteration to determine permit requirements. The land uses permitted within the Lake St. Clair Shoreline Floodprone Area are determined by the underlying land use designations identified on Schedule “B-1” and are based on the one in one-hundred year (1:100) flood standard plus an allowance for wave uprush and/or other water related hazards for the

Essex Region. The implementing Zoning By-law will prescribe certain setback and minimum floodproofing elevation requirements for development within the floodprone area and setbacks from the top of bank for erosion prone area. Generally, the setbacks and minimum elevation requirements will vary depending on whether or not approved shore protection works are installed in addition to addressing other issues relative to the hazard, such as conditions on adjacent properties. The required setbacks and minimum elevations will be determined in consultation with ERCA. These areas are subject to ERCA's regulations, and a permit allowing for such activities as: building and/or construction, grading of fill and/or breakwall and other shoreline construction works will be required. The following will be the policy of the Town:

- i) in order to protect a building from lake-related flooding, it will be required to be floodproofed to the Regulatory Flood Standard. In order to protect a building from wave uprush and other water related hazards, an appropriate setback from the defined shoreline of Lake St. Clair may also be required. This setback will vary depending on the condition of the shoreline, the type of protection being provided and the condition of the shoreline on adjacent lands;
- ii) climate change may have significant impacts on lake and river levels as well as storm intensity and duration. The shoreline of Lake St. Clair is subject to naturally fluctuating lake levels, regular wave action and storms. Development will generally be directed to areas outside of the flood hazard limit and the erosion hazard limit;
- iii) development and site alteration will not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or other water related hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development, and the natural hazard;
- iv) development and site alteration may be permitted in the Lake St. Clair Floodprone Areas other than those identified in Section 5.5.3 iii), in consultation with ERCA, and where the risk to public safety and other effects can be absorbed, managed or mitigated in accordance with the following standards:
  - a. the flooding and erosion hazards can be safely addressed, and the development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
  - b. existing hazards are not aggravated or new hazards are not created;



- c. no adverse environmental impacts will result;
  - d. vehicles and people have a way of safe ingress and egress during times of flooding, erosion or other emergencies;
  - e. the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances; and
  - f. f. development is carried out in accordance with established standards and procedures;
- v) in cases of severe water or erosion damage to Town roads or other Town properties, studies will be undertaken to compare the costs of erosion abatement with structure relocation, road closing or relocation, or the acquisition of new properties. Alternatives will be considered prior to any erosion abatement scheme or other course of action being undertaken;
  - vi) the replacement of an existing building or structure may be permitted provided the hazard has been adequately addressed through the use of accepted engineering and resource management practices. Acceptable replacement will not result in an increase in the original usable floor area of the building or structure, or alter the original use or affect shoreline processes;
  - vii) there may be areas where the hazard needs to be addressed on a comprehensive basis, rather than on an individual lot basis. Replacement of an existing building or structure may need to be evaluated in the context of a comprehensive review of the particular hazard. The Town will consult with ERCA in this regard;
  - viii) nothing in the above policies will be interpreted to prohibit the relocation of an existing building or structure presently located within the erosion hazard limit either to a location farther away from the top of bank on the same lot or to another lot farther away from the top of bank, even if still within the erosion hazard limit. If a structure is relocated to another lot, no replacement structure may be constructed on the lot from which the original structure was moved, unless it is located on an area outside of the farthest landward of the flood hazard limit and the erosion hazard limit;
  - ix) any new development permitted within the Lake St. Clair Shoreline Floodprone Area must meet minimum flood protection standards to the satisfaction of the Town and ERCA;

- x) as part of the approval process for new developments, the Town along with ERCA, will ensure that appropriate vehicular access routes are planned and available during flood events; and
- xi) the following uses will be prohibited within the Lake St. Clair Shoreline Floodprone Area:
  - a. uses related to manufacturing, storage, disposal or consumption of hazardous substances or the treatment, collection or disposal of sewage;
  - b. institutional uses such as hospitals, nursing homes, retirement homes, daycare centres and schools; and
  - c. uses associated with services such as fire, ambulance, police or electrical substations.

#### **5.5.4 Other Hazards (Unstable Soils & Steep Slopes)**

There is land subject to hazards due to steep slopes, unstable soils and/or erosion in locations other than flood plains or the shoreline area. Development of such areas may be considered provided that the existing or potential hazards can be overcome by accepted engineering and resource management practices and techniques, including setbacks from the stable top of bank. The stable top of bank will be determined by a qualified professional, in consultation with the Town and ERCA. The required setback will reflect the degree, severity and extent of the hazard. The erosion hazard (slope setback) will be determined using an allowance for slope stability, an erosion allowance based upon the 100-year erosion rate, and an erosion protection allowance. The Town, in consultation with ERCA, may require a geotechnical study or engineering analysis in order to determine the feasibility of proposed development in the above-mentioned areas. A minimum setback may be included in the implementing Zoning By-law. The following will be considered in the review of development proposals within hazard areas associated with unstable slopes, and the Town will consult ERCA in this regard:

- i) the existing physical hazards;
- ii) the potential impacts of these hazards;
- iii) the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques;
- iv) the costs and benefits in economic, social and ecological terms of any engineering works or resources management practices needed to overcome these impacts; and

- v) protection of Natural Heritage System features.

## **Section 6     Land Division Policies**

This section shall form the basis for decisions on all applications for land division within the Town.

### **6.1        General Policies**

The following policies shall apply to all designations within the Town.

- i)     the division of land will generally occur by way of a registered plan of subdivision. Consent applications may, however, be considered when a plan of subdivision is deemed not to be required for the orderly development of any one parcel of land;
- ii)    the division of land will only be allowed if the proposed lots conform to the policies of this Official Plan and comply with the provisions of the Zoning By-law for the Town which shall establish minimum lot frontages and areas in accordance with Provincial and municipal requirements established at the time of approval of this Plan. Where any by-law amendment or minor variance is necessary, it shall be a condition of the consent or plan of subdivision approval;
- iii)   the division of land shall not be allowed where development could occur on lands subject to flooding, erosion or unstable conditions or any other physical limitation as determined by the Town in consultation with the Essex Region Conservation Authority; and
- iv)    the division of land which is adjacent to a Provincial Highway shall be designed in accordance with the policies, standards and requirements of the MTO and such lots shall be oriented to front onto a local internal street.

### **6.2        Plans of Subdivision**

In considering applications for proposed plans of subdivision, Council shall have regard to the policies of this Plan, the policies of the County of Essex Official Plan and to the Provincial Policy Statement, as well as those matters outlined in Section 51(24) of the Planning Act, as amended, and to the following policies:

- i)     the proposed subdivision can be adequately supplied with municipal infrastructure and services in an economic manner;
- ii)    the proposed subdivision has been designed to integrate with transit, and the broader transportation system, adjacent existing and planned land uses, and both the natural heritage system and cultural heritage resources;

- iii) the plan of subdivision has been designed so there are no negative impacts on the natural heritage features or areas or hazard land areas;
- iv) the proposed development addresses issues of energy conservation and sustainability;
- v) the proposed subdivision is necessary, timely and in the public interest; and
- vi) the design of the proposed plan of subdivision meets accepted design principles and standards of the Town, and has had adequate regard for any urban design guidelines, land acquisition programs, or other policy initiatives that are relevant to the area.

### **6.2.1 Required Studies**

Applicants of a proposed subdivision development may be required to have specialized studies prepared to the satisfaction of the Town that assess impacts (and outline means of alleviating impacts where necessary) to ensure that the proposed development supports the health, safety, convenience and welfare of future inhabitants and the satisfactory functioning of the Town's built and natural systems. Such studies include (but are not limited to) noise, traffic, environmental impact, servicing and stormwater management, soil and/or hydrogeology. Additional information or studies as may be required to fully assess the proposed plan of subdivision are detailed in Section 10.19 of this Plan. Policies in the County of Essex Official Plan should also be referenced to support a subdivision development.

### **6.2.2 Draft Approval Conditions**

Draft approval of plans of subdivision will generally include conditions which must be satisfied prior to final approval of the plan of subdivision by the County of Essex. Such conditions may be required to be satisfied within a specified time period (a maximum of three years) or draft approval may be withdrawn and any servicing capacity may be re-allocated. Draft approval can be extended prior to lapsing, based on municipal re-assessment and Council support. Conditions of approval may be changed prior to final approval in accordance with the policies of the Planning Act.

### **6.2.3 Development Agreement**

Prior to final approval of a plan of subdivision, the owner will be required to enter into a development agreement with the Town and to file necessary financial securities to the satisfaction of the Town to ensure that conditions of approval are fulfilled.

#### **6.2.4 Deeming By-law**

Eight years after final approval of a plan of subdivision, Council may deem by by-law the whole, or a portion of, a plan of subdivision to no longer be a registered plan of subdivision, pursuant to the provisions of the Planning Act.

### **6.3 Plans of Condominium**

The County of Essex is the approval authority for condominium applications. Before embarking on a condominium process, the applicant must determine which type(s) of condominium they wish to establish. The Provincial “Condominium Act” identifies a variety of condominium corporations (alone or in combination) which are categorized as either “leasehold” or “freehold” condominiums. The four types of freehold condominiums are: common elements; phased, vacant land and standard.

Plan of condominium approval will proceed in accordance with the provisions of the Planning Act, the Condominium Act. Plans of condominium must conform to the policies of this Plan, to the policies of the County Official Plan and to the Provincial Policy Statement, as amended, and to the following policies:

- i) the plan of condominium, the proposed units, and common elements are appropriate for the intended purpose, and meet all requirements of the Zoning By-law, Building Code and Property Standards By-law;
- ii) the plan of condominium meets the requirements of the site plan control by-law; and
- iii) the plan of condominium meets the requirements of the parkland conveyance by-law.

#### **6.3.1 Required Studies**

Applicants of the proposed condominium may be required to have specialized studies prepared to the satisfaction of the Town that assess impacts (and outline means of ensuring that there are no adverse effects where necessary), and to ensure that the proposed development supports the health, safety, convenience and welfare of future inhabitants. Such studies, as are detailed in Section 10.20 of this Plan, may include, but are not limited to, structural engineering, traffic, parking or pedestrian movements, environmental impact, servicing, stormwater management, and soil and hydrogeology reports.

#### **6.3.2 Draft Approval Conditions**

Draft approval of plans of condominium will generally include conditions that must be satisfied prior to final approval. Such conditions may be required to

be satisfied within a specified time period, or draft approval may be withdrawn.

### **6.3.3 Development Agreement and/or Site Plan Control Agreement**

Prior to final approval of a plan of condominium, the owner will be required to enter into a condominium agreement and/or a site plan control agreement with the Town in accordance with the Planning Act and Condominium Act, and to file necessary financial securities to the satisfaction of the Town to ensure that conditions of approval are fulfilled.

### **6.3.4 Condominium Conversions**

The County of Essex is the approval authority for requests for Condominium Conversions. Pre-consultation with the Town and County is required prior to submission of an application for a condominium conversion. When approving a plan of condominium as a conversion of an existing building, the County policies along with the following policies will apply:

- i) these condominium conversion policies apply to existing rental buildings or to newly constructed buildings where condominium approval is not going to be exercised until after occupancy by tenants;
- ii) if additional units are being created as part of the condominium conversion, then parkland contributions must be made in accordance with the parkland conveyance by-law;
- iii) the applicant must submit a report from a qualified person detailing the existing condition of the building and any necessary improvements. The report must include cost estimates on the necessary improvements, as well as information on the maintenance and operating costs of the project in the past five years, or from the date of construction of the project if less than five years;
- iv) the applicant must submit a report by a qualified person stating to what extent the existing services and utilities on the property meet Town specifications and requirements. The report must also include detailed plans of underground services, and a site grading and drainage plan with details for paved areas and parking spaces;
- v) the applicant must notify all of the tenants about the intention to convert the building(s) to condominium ownership, in accordance with the regulations of the Residential Tenancies Act, 2006 or the Commercial Tenancies Act;
- vi) tenants have the option to continue to lease their units following the approval of the conversion to condominium in accordance with the provisions of the Residential Tenancies Act;

- vii) tenants are given the right of first refusal to purchase a condominium, units in the building proposed a for conversion;
- viii) a public meeting has been held on the proposed conversion, to which the owner and all tenants of the subject building were invited;
- ix) the conversion will result in the creation of affordable housing for affordable home ownership; and
- x) where the conversion involves changing residential rental units to condominium ownership, the supply of rental accommodation, both Town-wide and within the subject neighbourhood, must not be adversely affected by the proposed condominium conversion. The public rental vacancy rate, when available for comparable units including size, type and rental rates must be assessed. The rental vacancy rate(s), as determined by the Canadian Mortgage and Housing Corporation (CMHC), will be reviewed, and where the rate is less than three percent (3%), the application for the condominium conversion may be denied.

The Town and County will monitor the cumulative impact of condominium conversions on the supply of rental housing. The assessment of the potential impacts of condominium conversions will include the following:

- a. The overall availability of, and vacancy rates for, rental units of various sizes, types and rental rates; and
- b. The number of potential new units becoming or having become available within twelve months of the proposed conversion, including new rental units in the vicinity of the conversion.

## 6.4 Consent Policies

In considering applications for consent, Council and the Committee of Adjustment shall have regard to the following policies:

- i) consents will be granted only when all parcels involved abut an existing publicly owned and maintained road of a standard of construction acceptable to the Town and the Ministry of Transportation;
- ii) consents will not be granted when any parcel involved requires access to be obtained where a traffic hazard could be created because of limited sight lines on curves or grades or proximity to intersections;
- iii) consents will be granted only when it has been established that soil and drainage conditions for all parcels involved are suitable:



- a. to permit the proper siting of any permitted building or structure;
  - b. to obtain a sufficient and potable water supply, where no municipal piped water supply exists; and
  - c. to permit the installation of an adequate means of private sewage disposal acceptable to the Ministry of the Environment, Conservation and Parks or its designated agent, where no municipal piped sanitary sewer collection system is available;
- iv) consents shall be granted only if they comply with the provisions of the Town's Zoning By-law. Where a by-law amendment or minor variance is necessary, it shall be a condition of the decision;
- v) consents shall not be granted where development would occur on lands subject to flooding, erosion or unstable conditions or any other physical limitations as determined by the Town in consultation with the Essex Region Conservation Authority;
- vi) notwithstanding any other section of this Plan, consents for lot adjustments or minor boundary changes are permitted in all designations provided they are granted conditional to Section 50(3) or (5) of the Planning Act, R.S.O. 1990;
- vii) consents may also be permitted to create an easement or right-of-way provided all other applicable policies of this Plan are maintained;
- viii) the consent-granting authority may exercise its powers under Section 53(12) of the Planning Act, R.S.O. 1990 when reviewing the shape, size, etc. of any proposed lot;
- ix) the consent-granting authority will give consideration to the following items, in addition to other items deemed necessary by the consent-granting authority, which may be stipulated as conditions of the consent where applicable:
  - a. that all realty and business taxes be paid in full;
  - b. that a land development charge is paid to the Town in accordance with the Council-approved Ontario Land Development Charges By-law;
  - c. that a parkland dedication, or alternatively, a cash-in-lieu of parkland dedication contribution is made to the Town;
  - d. that any road widening required be dedicated to the Town, county or provincial agency having jurisdiction over the road affected;

- e. that the Town's Zoning By-law be amended to permit the proposed use, if necessary, prior to the issuance of a certificate or the stamping of deeds;
- f. that the applicant enter into an agreement with the Town to construct, upgrade or maintain a required service affecting the lot to be severed or retained;
- g. that access to the property be constructed to the satisfaction and requirements of the Town and other relevant agencies; and
- h. that the severed and retained lot be serviced with separate sanitary, storm and water services.

#### **6.4.1 Agricultural Severances**

On those lands designated Agricultural, consents may only be permitted if they are in accordance with the following additional land division policies:

##### **i) Division of Farm Lots**

A consent may be granted to permit a farm lot to be divided into two farm lots provided:

- a. each lot (both the severed and retained parcel) has a minimum lot area of 40 hectares; and
- b. the land to be conveyed is transferred to someone other than the applicant, the applicant's spouse or a corporation or a partnership of which the applicant is a principle owner.

##### **ii) Surplus Dwelling**

A consent may be granted to sever a dwelling unit that is considered surplus to the needs of the farming operation as a result of the acquisition of additional farm property provided:

- a. the retained farm property has a minimum lot area of 20 hectares;
- b. the size of the surplus dwelling lot is in compliance with the Town's Zoning By-law and is not greater than 0.5 hectares in area, except where natural or man-made features or servicing requirements dictate otherwise;
- c. as a condition of the consent, the retained farm parcel will be rezoned to prohibit a residential dwelling from being constructed upon it;

- d. the land to be conveyed is transferred to someone other than the applicant, the applicant's spouse, a partnership, or a corporation of which the applicant is a principle owner;
  - e. the requirements of the Minimum Distance Separation (MDS) I shall be applied to the severing of a surplus house;
  - f. barns and other agricultural outbuildings that are in close proximity to surplus dwellings are encouraged, where feasible and warranted in terms of future farm operations and options, to be demolished, removed or remain with the farmland; and
  - g. the surplus dwelling is in a habitable condition as determined by the Town or certified by a qualified building inspector.
- iii) a consent may be granted to create a lot for agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
  - iv) With the exception of the residential lots that could result from subsection 4.4.1 ii), no consent shall be granted that has the effect of creating a non-farm related residential lot in the Agricultural designated areas of the Town.
  - v) Lot creation to permit new infrastructure uses is permitted where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
  - vi) Lot adjustments for legal or technical reasons, such as easements, corrections or deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot are also permitted.

## Section 7 Urban Design Principles

### 7.1 General

Urban Design encompasses the arrangement of elements within the built and natural environment that contribute to a “sense of place” and appreciation of that place. It includes the relationship of buildings, landscape elements, and the spaces between them, as well as streetscape features such as sidewalks and boulevard treatment, signage, and building setbacks. It also comprises the architectural design of structures within the built environment. Urban design is recognized as having both functional and aesthetic aspects and good design is important throughout all areas of the Town.

### 7.2 Goal

To provide a framework for the provision and maintenance of an attractive, safe, efficient, accessible, and harmonious environment, which recognizes, values and supports the specific aspects of the built and natural environment that contribute to an area's sense of place and significance to the community.

### 7.3 Policies

- i) The Town recognizes the value associated with quality architecture, pedestrian-friendly streetscapes, and vibrant neighbourhoods. For these reasons, the Town may undertake urban design guidelines for specific types of development, for specific areas of the Town or for the entire Town. Any urban design guidelines that are developed will be used to:
  - a. clarify the strategic direction and design objectives of the Official Plan;
  - b. complement and enhance any design considerations in development applications;
  - c. assist in the preparation of any future secondary plan, community improvement plan, or other relevant planning documents; and
  - d. assist the Town in evaluating development proposals.
- ii) The following guiding principles should be used to ensure the development of successful communities:
  - a. foster attractive communities and a sense of place;
  - b. create compact, accessible, mixed-use communities;

- c. provide a variety of housing types;
  - d. provide access and visibility to open spaces;
  - e. encourage environmentally sustainable development;
  - f. foster developments that are context appropriate;
  - g. create a street network for active transportation and transit;
  - h. integrate and highlight cultural heritage resources; and
  - i. encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality.
- iii) Town will promote the provision of barrier-free access and safety by:
- a. providing for age-friendly needs and the requirements of people with disabilities, and others requiring access supports through improved amenities such as parking, benches, and washrooms, clear signage, visual or auditory indicators, and other means as appropriate;
  - b. ensuring accessibility for persons with disabilities and the aged by addressing land use barriers which restrict their full and equitable participation in the community;
  - c. improving public security through enhanced lighting, natural surveillance, well-defined entrance locations in well-traveled areas, and ease of access for emergency personnel or vehicles;
  - d. clearly defining building entrances and avoiding designs that would create areas that are hidden from public view and thus potentially available for criminal activity;
  - e. arranging public uses and amenities within a convenient walking distance;
  - f. providing adequate walkway widths, visually permeable materials and structures, and landscaping elements that do not obstruct sightlines in the design of streetscapes, transportation facilities, or public buildings and places; and
  - g. promoting safe environments by applying Crime Prevention Through Environmental Design (CPTED) concepts and principles in the design of buildings, site layout and landscaping of development sites.

- iv) Through the review of development proposals, construction of public works, or the preparation and approval of area plans, the Town shall maintain or enhance the character of valued streetscapes, community areas, and landscapes by:
  - a. preserving human scale in locations that are pedestrian-oriented and establishing an appropriate street wall height by controlling building heights through the implementing Zoning By-law, requiring building step-backs, having entrances at street level, providing street furniture, and other means as appropriate;
  - b. providing shade through natural or built means to provide comfortable outdoor environments;
  - c. siting new buildings and structures in a manner that repeats and complements the siting and spacing of existing buildings, structures or landscaped areas in order to continue a pattern that is characteristic of surrounding neighbourhoods and heritage areas;
  - d. the strategic use of building separation, landscaping and buffers to mitigate inharmonious elements of the built or natural environment, such as railways, service areas, or incompatible uses;
  - e. designing public spaces or requiring the design of common spaces in private projects to have a clear sense of definition, and provide sufficient amenity, accessibility and security to encourage public use and linkage to other public areas;
  - f. preserving and enhancing the context of special buildings, streetscapes, landscapes and sites that have been identified as having architectural, or cultural heritage value or interest; and
  - g. encouraging the burial of utility features, where feasible, or promoting innovative methods to minimize their visual impact by containing utility features within streetscape elements or by screening them from view.
- v) The Town encourages the design of new development to be visually compatible with surrounding neighbourhoods through its site plan control review, preparation of zoning standards, and urban design guidelines, as appropriate, that address the following:
  - a. siting, scale and design of new development in relation to the characteristics of the surrounding neighbourhood or the significant cultural heritage resources including, scale, massing,

setbacks, access, landscaped treatment, building materials, exterior design elements or features;

- b. protecting natural heritage features through the siting, design and review of new development;
- c. promoting innovation in building design to create an interesting and varied built environment, to increase sustainability by improving energy efficiency, and to deliver barrier-free accessibility; and
- d. encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality.

Signage should be harmonious with the type and location of development, placed to serve its function, sized appropriately, and not overwhelm the streetscape, cause inappropriate light pollution that is not necessary in the circumstances, or dominate the skyline. It is the policy of this Plan to use signage in a manner that protects views to historic sites, significant landmarks or vistas of Lake St. Clair or other natural heritage features or cultural heritage landscapes.

- vi) Several roads provide principal entrances to the Town for vehicular traffic including: Tecumseh Road, Old Tecumseh Road, Brighton Road, Riverside Drive, Lesperance Road, Manning Road, County Road 42, County Road 46, County Road 34, Highway 3, County Road 9, County Road 11 and Malden Road. Each provides an important entry or “gateway” to the Town. Treatment of these roadways is therefore a high priority. Development is intended to be characterized by a high standard of site design that satisfies the following objectives:
  - a. buildings are oriented to enhance the relationship of the buildings to the road;
  - b. vehicular parking, except for visitor parking and parking for people with a disability, are provided on the sides and rear of the buildings;
  - c. joint access or shared driveways are required, in conjunction with parking to the side and rear of buildings, in order to make the area available at the front of buildings for landscaping;
  - d. service areas, including loading, garbage and storage areas, are not exposed to the roads. Where this is not practical, such areas should be screened from public view by appropriate landscaping and/or fencing;

- e. screening for outdoor storage areas is integrated with the building; and
- f. landscaping on the site is planned to ensure a continuous landscaped area between the buildings and the road.

Along individual corridors, the Town will develop an appropriate streetscape for the corridor through the implementation of public works, site plan control review, and through the effort of individual owners by providing such features as tree plantings, gardens, boulevards, public and private signage, and where feasible, underground utilities.

- vii) The Town will implement urban design policies through one or more of the following mechanisms:
  - a. zoning, subdivision and site plan control review, urban design guidelines, a sign by-law, guidelines for persons with disabilities, or any other relevant guideline adopted by Council;
  - b. the preparation and implementation of community improvement plans and programs, as budget permits;
  - c. the design, construction, and installation of public works or facilities;
  - d. undertaking the preparation of secondary plans or other planning exercises; and
  - e. consultation with the private sector with respect to development applications.



## **Section 8      Municipal Services**

### **8.1      General**

It is the intent of this Plan to recognize the key role that infrastructure plays in shaping the future growth and development of the Town. Provision of infrastructure must be provided in a responsible, efficient and cost-effective manner to ensure long-term fiscal and environmental sustainability. The objectives of this Plan related to infrastructure include:

- i)      provide infrastructure in a coordinated, efficient and cost-effective manner that is integrated with planning for growth so that these necessary services are available to meet current and projected needs;
- ii)     optimize the use of existing infrastructure, wherever feasible, before constructing new infrastructure;
- iii)    strategically locate infrastructure to support the effective and efficient delivery of emergency services;
- iv)    work co-operatively with other agencies, jurisdictions and private developers in addressing common servicing needs and challenges;
- v)     undertake the financial planning required to make the necessary investments in infrastructure systems to accommodate the long-term community and economic growth anticipated by this Plan; and
- vi)    require that all development within the Town of Tecumseh be serviced in accordance with the Development Standards Manual adopted by Council and as amended from time to time.

### **8.2      Municipal Water and Sanitary Sewer Services**

#### **Municipal Water Services**

Municipal piped water is currently supplied to the Town, by way of agreement, from the Windsor Utilities Commission (WUC). The Town is responsible for its own distribution system within the boundaries of Tecumseh and any new storage works that may be required to supply its fire flow of water. WUC will deliver peak hourly flow and storage for equalization and peak flow of water for the Town. Water pressures will be maintained at adequate service levels, and no watermain extension will be permitted if the resulting water pressure would fall below acceptable waterworks standards.

## **North Service Area**

The north service area comprises the Tecumseh North Settlement Area and accounts for approximately 90 percent of the Town's current population. The existing distribution system in the north service area is supplied water through metering facilities and connections to the WUC water system at the Town boundary at Dillon Drive, McNorton Street, Tecumseh Road, County Road 22, County Road 42 and Baseline Road. The watermains in the north service area range in size from 100 mm to 600 mm in diameter and consist of various pipe material including cast iron, ductile iron, PVC, PE and Concrete. The Town owns and operates an elevated water storage facility with a storage capacity of 4.5 ML (1.0 MIG). This storage capacity is used for fire flows for the Town and is currently utilized by the WUC for pump control at the AJ Brian and George Avenue pumping stations. The Town of Lakeshore is also supplied water from the WUC through the Tecumseh system via the north service area through four bulk water metres located east of County Road 19 (Manning Road).

## **South Service Area**

The south service area includes the Oldcastle Hamlet Settlement Area, the Maidstone Hamlet Settlement Area and the rural area south of County Road 42. The existing distribution systems in these areas are supplied water through metering facilities and connection to the Windsor water system along the Town boundary at 8th Concession Road, County Road 46 (Provincial Road), County Road 11 (Walker Road), North Talbot Road and County Road 9 (Howard Avenue). The watermains range in size from 100 mm to 600 mm in diameter and consist of various pipe material including cast iron, ductile iron, PVC, PE and Concrete.

## **Municipal Sanitary Sewer Services**

The wastewater from the settlement areas of the Town of Tecumseh are serviced through a combination of capacities at the 64 MLD Little River Pollution Control Plant and/or the 159 MLD Lou Romano Water Reclamation Plant, both in Windsor, by way of agreement. The Town has a current treatment capacity allocation of 17 MLD at the Little River PCP and 2 MLD capacity at the Lou Romano WRP. The Town can purchase additional capacity at the Little River PCP for future growth up to a maximum 38.0 MLD. The maximum discharge rate limitations at the Town boundary locations are:

- 935 L/s at the Cedarwood Outlet to Little River PCP
- 1,308 L/s at the Banwell Road Outlet to Little River PCP comprising:
- 983 L/s at County Road 22
- 325 L/s at 8th Concession Road (Oldcastle)

- 85 L/s at the North Talbot Road Outlet to Lou Romano WRP

### **8.2.1 Goal**

The provision of safe, reliable and cost effective municipal water and sanitary sewer services is necessary to enable the Town to carry out critical, important and/or desirable functions related to the continued operation, maintenance, safety, security and well-being of the Town and its residents. The objectives of this Plan related to municipal water and sanitary sewer services, include:

- i) direct and accommodate expected growth in a manner that makes efficient use of existing infrastructure;
- ii) ensure that all water and sewage systems are provided in a manner that can be sustained by the water resources upon which such services rely, are financially sustainable, comply with all regulatory requirements and promote water conservation and water use efficiency; and
- iii) support the improvement and extension of municipal sanitary sewage and water supply services, in accordance with the provisions of this Plan and the Town's Water and Wastewater Master Plan, as amended from time to time, and other relevant Town, County and Provincial policies and regulations, and within the financial capabilities of the Town and on the basis of the approved capital budget program.

### **8.2.2 Policies**

- i) In general, new development will be directed to the Settlement Areas, as identified on Schedule "B". Higher order forms of servicing, including full municipal water and sanitary sewer services are the preferred form of service infrastructure, and will be required for all development in the Town's Settlement Areas. The only exception is for lands which were previously designated and zoned for development and the approved form of servicing at the time was municipal piped water and individual on-site sewage services. This level of servicing may continue on these lands until full municipal services are extended to these areas by the Town;
- ii) The extension of municipal sewer and water services should take place only within lands in the Settlement Areas as identified on Schedule "B". Such extensions shall be consistent with the Town's Water and Wastewater Master Plan (as amended), Municipal Class Environmental Assessments (Class EAs) and relevant secondary plan policies;

- iii) The Town will encourage and promote water conservation practices in order to free up capacity within the municipal water and sanitary sewage treatment plant and distribution systems and to make them work more efficiently. The Town shall promote water conservation by:
  - a. encouraging development proposals that minimize additional demands for water from the Town's water system; and
  - b. directing and accommodating expected growth in a manner that promotes the efficient use of existing Town sewage services and Town water services.
- iv) the Town will not award capacity allocation for growth beyond the uncommitted reserve capacity in the respective water and sewage treatment facility as established by the agreements. As such, the Town will maintain, in conjunction with the Ministry of the Environment, Conservation and Parks and neighbouring municipalities where there are shared services, up-to-date records of:
  - a. the reserve capacity of water and sanitary sewage treatment facilities;
  - b. the amount of unconnected servicing commitments to zoned land/ development; and
  - c. the uncommitted reserve capacities.
- v) new development is permitted within the Settlement Areas only if there is confirmation, to the satisfaction of the Town, of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services. Further:
  - a. the Town shall only approve new development within the Settlement Areas that can be allocated Town sewage and water capacity or servicing allocation, in conformity with Town policies, procedures and by-laws;
  - b. the assignment of servicing allocation to any specific development proposal is at the sole discretion of the Town and furthermore, depending on the amount of servicing allocation and infrastructure available, not all development proposals may be able to proceed and/or be approved;
  - c. the Town may assign preliminary Town water and sewer servicing allocation for Draft Plans of Subdivision within the Settlement Areas at the time of Draft Plan Approval by the Town;

- d. If a Draft Plan of Subdivision or Condominium is not registered within three years from the date of Draft Plan Approval, or the Draft Plan has not proceeded to the satisfaction of the Town within the term of Draft Plan Approval, the Town, at the time of considering extension of the Draft Plan Approval, may revoke the preliminary assignment of municipal servicing allocation, in whole or in part;
- e. Prior to revoking allocation, the Town shall afford the developer an opportunity to address the Town on the matter. Servicing allocation shall be formally assigned at the time of the execution of the subdivision agreement and/or condominium agreement.
- vi) development within the Settlement Areas shall be designed and constructed in accordance with a Functional Servicing Plan or Plans dealing with sewage and water systems. A Functional Servicing Plan shall be prepared in accordance with criteria established by the Town and shall be submitted prior to, or concurrently with development applications. These Plans shall be prepared to provide for the continuous, orderly extension of services in a cost-effective manner, to the satisfaction of the Town;
- vii) the cost of providing full municipal services to facilitate the development of lands within the Settlement Areas shall be paid for by the benefitting landowners/developers and shall not impose a financial burden on existing ratepayers. Accordingly, such costs shall be recovered through development charges, as identified in the Development Charges By-Law or by such other means available by way of legislation. In some circumstances, the Town may arrange cost-sharing agreements or front ending opportunities with future benefitting land parties;
- viii) within lands designated Agricultural, the Town may choose to permit individual on-site sewage services only where municipal sewage services are not provided and where site conditions are suitable for the long-term provision of such services with no negative impacts;
- ix) for any private sewage treatment system, all requirements of the Town shall be met, including the receipt of an Environmental Compliance Approval from the Ministry of the Environment, Conservation and Parks, where required by regulation, necessary for the installation of a Class IV system (septic tanks with tile bed) or equivalent for all existing or newly created lots to be serviced with individual private sewage treatment systems; and

- x) existing uses and agricultural uses situated within the Future Development designation shall be allowed to continue to operate, expand and add new buildings and structures, as permitted in the comprehensive Zoning By-law and serviced with individual on-site sewage services, as approved by the Town.

### **8.3 Storm Drainage**

Stormwater runoff within the Town currently drains via an extensive network of inland watercourses, municipal drains roadside ditches, storm sewers and mechanical pumping systems. In the Settlement Areas, impervious surfaces such as building rooftops, driveways, patios and parking lots reduce the ability of the land to absorb storm flows. Appropriate stormwater management is necessary to control erosion, flooding and to protect watercourse and water bodies from impaired water quality.

The following is the policy of the Town:

- i) prior to development approval of subdivisions or applications involving significant lot creation and/or development, the Town will require the preparation and approval of a stormwater management plan, which is acceptable to the Town, the Essex Region Conservation Authority and the Ministry of the Environment, Conservation and Parks, and is completed in accordance with current Provincial guidelines, the Windsor/Essex Region Stormwater Management Standards Manual and any relevant watershed or subwatershed plans. A stormwater management plan will be required to ensure that runoff is controlled such that development does not increase peak flows from a quantity perspective and that appropriate water quality control measures are implemented, typically on site, to address potential adverse impacts downstream. This is to prevent the accelerated degradation of watercourses as a result of development. Pre-submission consultation with the Town and the Essex Region Conservation Authority on measures of stormwater management works pursuant to Ministry of the Environment, Conservation and Parks Guidelines and the Windsor/Essex Region Stormwater Management Standards Manual is encouraged;
- ii) regionalized stormwater management facilities are the preferred form of serving by the Town. Where the preferred stormwater management solution for development within a defined area has been determined and approved through a Municipal Class Environmental Assessment process, all development within that area shall only proceed in accordance with the approved Municipal Class Environmental Assessment document. These preferred stormwater management facilities will be implemented in an orderly and cost effective manner as new development proceeds. The potential need for interim

stormwater management plans for development within these areas will be determined by the Town with the ultimate stormwater solution being in accordance with the approved Municipal Class Environmental Assessment document;

- iii) stormwater management facilities, including stormwater management ponds and inland drains/corridors, may be permitted in all designations, except Natural Environment, subject to the satisfaction of the Town and Essex Region Conservation Authority and confirmation that there are no impacts on adjacent natural heritage features and their associated functions;
- iv) development within the Settlement Areas shall be designed and constructed in accordance with a Functional Servicing Plan or Plans dealing with storm water management. A Functional Servicing Plan shall be prepared in accordance with criteria established by the Town and shall be submitted prior to, or concurrently with development applications. These Plans shall be prepared to provide for the continuous, orderly extension of services in a cost-effective manner, to the satisfaction of the Town;
- v) stormwater management facilities will be designed to manage stormwater quality and quantity, as defined by the most current Ministry of the Environment, Conservation and Parks Stormwater Planning and Design Manual and the Windsor/Essex Region Stormwater Management Standards Manual. These decisions shall be undertaken in consultation with the Town and the Essex Region Conservation Authority, and the statutory approval authority for the stormwater works being proposed. The integration of natural vegetative features adjacent to and within new facilities will be encouraged where appropriate, and the naturalization of the periphery of the existing stormwater management facilities is encouraged;
- vi) modifications to existing natural watercourses will only be undertaken where natural features can be integrated with the optimal design ensuring quality and quantity impacts are mitigated. In reviewing individual development applications, the Town will require developers to utilize appropriate stormwater management techniques and best management practices to minimize erosion and siltation of watercourses and open drains and to not adversely affect upstream or downstream property owners;
- vii) the Town will encourage the preparation of stormwater management plans on a watershed or subwatershed basis;

- viii) no new development will have a negative impact on the drainage characteristics of adjacent land or downstream receiving storm infrastructure or watercourses;
- ix) prior to development approval, the development proponent will consider, where appropriate, enhancing the vegetation, wildlife habitats and corridors in and along the stormwater management system and the receiving watercourses;
- x) prior to development approval, the proponent will provide, where appropriate, public access to and along the stormwater management system and the receiving watercourse where such areas can be used to form part of a natural trail or open space system. Roads and sidewalks within the study area will be required to provide access to these natural areas. Where applicable, the use of dry ponds which can be located adjacent to parkland for the purpose of maximizing the space available for public use is encouraged. Wet ponds are encouraged to be incorporated into subdivision design as aesthetic features of the community;
- xi) the Town encourages, where deemed appropriate and applicable, the use of innovative low impact development design and technologies in new development and redevelopment including the use of bio-swales, innovative stormwater practices, at-source infiltration and greywater re-use systems;
- xii) in order to ensure that the size, configuration and grade of the land surrounding the facility can be efficiently utilized as a component of a trail or open space system, it may be necessary to prepare a landscape design prior to development approval;
- xiii) it is the position of the Town that the areas required for stormwater management will not be considered toward the parkland dedication. However, the development of these areas into parkland facilities, such as the provision of asphalt paths, may be considered as an alternative to a portion of cash-in-lieu of parkland contribution. The provision of additional land to facilitate the use of these areas as parkland may also be considered;
- xiv) the Town will ensure that the design of stormwater management facilities considers long-term maintenance and safety requirements;
- xv) the Ministry of Transportation will be consulted in relation to stormwater management plans and facilities in proximity to Provincial Highways;
- xvi) the Town will own, operate and maintain all stormwater management facilities that serve more than one property; and



- xvii) the Town will incorporate stormwater management requirements as a component of the development approvals process.

## Section 9 Transportation

### 9.1 General

The Town's transportation system, depicted on Schedules "E-1", "E-2", "E-3" and "B-3", moves people and goods via sidewalks, bicycle routes, multi-use trails, the transit system and roads. It is the intent of this Plan to develop a multi-modal transportation system that is safe, efficient, economical, convenient and comfortable for all users. The policies of this Section reflect the

#### 9.1.1 Transportation Objectives

The objectives of this Plan related to transportation, include:

- i) develop and maintain multi-modal transportation routes throughout the Town, with linkages to external transportation systems, to facilitate community development and to ensure access to goods, services, and amenities for the residents, visitors and businesses of the Town;
- ii) ensure the transportation system is interconnected, efficient, safe, and supportive of all modes of travel, with dedicated facilities for vehicles, pedestrians and cyclists;
- iii) enhance active transportation facilities with streetscape elements such as trees, benches, waste receptacles, bicycle racks, crosswalks, pedestrian-scaled lighting, and shade; and
- iv) integrate the multi-modal transportation system with existing and planned land use patterns.

#### 9.1.2 General Policies

- i) new facilities or major improvements to the existing transportation system will only occur where such improvements are consistent with the planned character of the community. Major capacity improvements to the existing road system will only occur when the need exists and all reasonable transportation demand management options, including smart transportation technologies, have been previously considered and/or implemented;
- ii) enhanced mobility options for all residents and visitors will be achieved by adopting a complete streets approach to the design of new streets, as well as the reconstruction, repair and maintenance of any right-of-way in the Town; and

- iii) the Town will work in partnership with private developers, adjacent municipalities, the County and the Province to provide a transportation system that integrates a range of travel modes to move people and goods in a safe, seamless and barrier-free manner.

## 9.2 Complete Streets

The concept of “complete streets” encapsulates the notion that streets should be designed to safely accommodate the access, mobility and safety needs of motorists, transit users, bicyclists and pedestrians of all ages and abilities in the context of an efficient multi-modal transportation network. The Town is committed to the development of complete streets to:

- i) ensure safe and accessible streets enabling mobility for people of all ages and abilities;
- ii) give people a range of transportation choices, including active and public transportation, making transportation convenient, accessible, affordable and safe;
- iii) create healthy and livable neighbourhoods by encouraging a built form designed to promote social interaction and permit eyes on the street;
- iv) create vibrant and attractive public spaces;
- v) support economic prosperity;
- vi) improve environmental sustainability;
- vii) balance the needs and priorities of the various users and uses within the right-of-way, including provision for:
  - a. the safe, low carbon and efficient movement of pedestrians of all ages and abilities, cyclists, transit vehicles and users, goods and services vehicles, emergency vehicles, and motorists across the network; and
  - b. space for other street elements, such as utilities and services, trees and landscaping, green infrastructure, snow and stormwater management, wayfinding, boulevard cafés, marketing and vending, and street furniture;
- viii) improving the quality, safety and convenience of active transportation options within all communities by giving full consideration to the needs of pedestrians, cyclists, and public transit users;
- ix) reflecting differences in local context and character;

- x) protecting view lines and view corridors; and
- xi) serving community destinations and public gathering places by providing choice and flexibility in transportation options.

### **9.3 Road Classification System**

A road classification system is the orderly grouping of roads into systems according to the type of service they provide to the public. When a road system is properly classified, the characteristics of each road are readily understood. Classification assists in establishing the geometric design features for each group of roads, consistent with the short and long term operational needs of that particular group.

The following policies apply to road planning, operations, and design:

- i) the Town's road network will be based on a hierarchical system which distinguishes between the relative importance of providing for traffic movement and/or property access for each roadway. This roadway classification includes:
  - Provincial Highway;
  - County Road;
  - Commercial Main Street;
  - Minor Arterial;
  - Collector (Urban);
  - Collector/Freeway Ramp;
  - Local (Urban);
  - Collector (Rural); and
  - Local (Rural);
- ii) the MTO and the County of Essex own roads throughout the Town that play an important role in regional mobility and carry significant traffic volumes. These roads function as arterial roads in the Town's road network hierarchy. The Town will work with the MTO and the County of Essex to ensure that appropriate infrastructure to meet the safety and mobility needs of all users is provided. In urban settlement areas, these roads, other than those designated as controlled access highways, are expected to be complete streets. The following roads in or adjacent to the Town are under the jurisdiction of others:

- a. the MTO owns Highway 401 and Highway 3. Both of these facilities are high speed roads in rural areas that only serve auto traffic. Focus in the development of the multi-modal street network will be on crossing these corridors safely and efficiently;
  - b. the County of Essex owns a series of roads within the Town boundaries. Many of these roads have urban settlement area segments that impact transportation choices in the Town. The Town will continue to work with the County to ensure a complete streets approach to urban county roads is accomplished, regardless of ownership;
  - c. the City of Windsor owns a segment of Banwell Road between County Road 22 and the CPR railway as it is within the City municipal limits. This segment of road is immediately adjacent to the Tecumseh North Settlement Area. The Town will continue to work with the City to encourage a more complete streets approach to the design and operation of this road to meet the needs of Tecumseh users;
- iii) Commercial Main Street is a key east-west spine in the network for all modes of travel and the focus of activity for a planned vibrant commercial node (Tecumseh Road Main Street Community Improvement Plan Area) which extends from the westerly limit of the Town to the VIA Rail tracks east of Lesperance Road. The CIP recommended reducing the existing four lane cross-section to two driving lanes and shared cycling space with the balance of the road space used for parking and pedestrian amenities. The right-of-way width for Commercial Main Street shall typically be 26.0 metres;
  - iv) Minor Arterial Roads provide for high volumes of both passenger and commercial traffic for inter-urban travel at moderate speeds, while at the same time providing access to individual properties. The right-of-way width for all Minor Arterial Roads shall typically be 26.0 metres;
  - v) Collector Roads are intended to provide for the movement of moderate volumes of traffic between local roads and the arterial roads at low to moderate speeds, while at the same time providing access to individual properties. The right-of-way width for all Collector Roads shall typically be 23.0 metres;
  - vi) Collector/Freeway Ramp applies to the Sylvestre Fly-off and the portion of Westlake Drive that connects the fly-off to Lesperance Road. Absent the ramp connection, Sylvestre Drive (County Road 22 to Westlake Drive) and Westlake Drive (Sylvestre Drive to Lesperance Road) would be designated as Collector Roads; with the ramp

connection both roads will function as Minor Arterial Roads and Westlake Drive will consist of a three-lane cross section;

- vii) all other roads in the Town are expected to function as Local Roads during the planning period, providing direct access to various abutting land uses. By their very nature they are designed and intended to accommodate a much lower volume of traffic at low speeds. The right-of-way width for all Local Roads shall typically be a maximum of 20.1 metres.
- viii) to maintain a safe and efficient road system in the Town, it shall be the policy of Council to pursue a program of improving road alignments, surfaces and pavement widths, and to establish adequate road allowances and standards for new development. The Roads Need Study of the Town and the capital works budget will be used to establish priorities for the upgrading of the existing municipal road system that is under the control and jurisdiction of the Town;
- ix) all road improvements and new road projects shall be undertaken in accordance with the provisions of the Municipal Class EA process;
- x) in designing, building and maintaining roads within the Town, the following policies shall be applied to new and existing roads:
  - a. alignment, boulevard, and centre median development should be an aesthetic consideration during the design of all roadways;
  - b. landscaping and planting should be used to establish a uniform and coordinated street image along arterial and collector roads;
  - c. the roadway classification and function should be used as a guide to determine the number, frequency and location of permitted driveway and street intersections, in accordance with sound traffic engineering principles that maximize safety and protect the capacity and operational characteristics of the overall road network;
  - d. sidewalks, walkways, and bikeways shall be considered as integral parts of all new developments, to facilitate cycling and pedestrian modes of transportation within and between residential neighbourhoods, recreational and community facilities. Sidewalks shall be provided along both sides of all new streets built in the Town of Tecumseh;
  - e. the use of cul-de-sacs is discouraged within the Town and, wherever possible, a modified grid system should be used when designing and constructing new roads in order to promote and facilitate walking within neighbourhoods and the efficiency

of the public transit system. Where cul-de-sacs are required to be used within new developments as a result of unique design constraints, they should be designed in such a manner as to not exceed 150 meters in length; and

- f. alternative design standards may be favourably considered by Council in those instances where such innovation is required to protect important natural heritage features;
- xi) Council will require that all developments incorporate sufficient off-street parking spaces to meet the anticipated needs of the proposed land use, in order to maintain safe and convenient transportation corridors Town-wide. Shared access and cross-access agreements are encouraged between abutting property owners, particularly in commercial areas where opportunities exist to interconnect abutting parking areas and thus improve connectivity and provide alternative circulation routes between properties. The Town's Comprehensive Zoning By-law will establish the minimum number of spaces required for each type of land use. Design standards for the location, layout, construction, lighting and landscaping of offstreet parking areas will be applied through the site plan control review and approval process. The intent of such standards will be to achieve safe access, efficient usage, improved aesthetics and reduced impacts on adjacent land uses and transportation corridors. Key design elements that will be considered by the Town include:
  - a. appropriate building orientation, including building entrance locations;
  - b. clearly defined pedestrian access, connectivity and circulation routes; and
  - c. tree planting and other landscaping elements, including landscaped islands;
- xii) the Town's Comprehensive Zoning By-law shall establish the minimum number of bicycle parking spaces required for each type of land use within the Settlement Areas. All development within the Settlement Areas shall include parking for bicycles, as follows:
  - a. provide bicycle parking at institutional, retail, commercial and employment areas, as well as at other destinations to promote purposeful cycling;
  - b. provide bike storage sheltered from weather for 15% of total building occupants for all multiple and apartment form residential developments;

- c. for non-residential development, place accessible and secure bike racks at the front of buildings; and
- d. provide bicycle racks in all public parks.

## 9.4 Active Transportation

The active transportation system, both existing and planned, is shown on Schedule “E-2” and “B-3”. This Plan shall provide for a balanced transportation system that promotes active transportation facilities to encourage walking and cycling. To promote active, healthy living, the Town shall require that all development within the Settlement Areas contribute to the creation of a walkable and connected community with multiple destinations within walking distance of all residents. To support walking and cycling as attractive modes of transportation within the Town, the following policies will apply:

- i) the Town will endeavour to provide a safe, convenient and clearly delineated bicycle movement network to meet the needs of both experienced and less experienced cyclists. The network will comprise both on-road and off-road routes planned in accordance with local and regional walkways, bikeways and multi-use trails plans;
- ii) new development will be required to conform to and satisfy such plans and objectives using a complete streets approach to the design of new streets, as well as the reconstruction, repair and maintenance of any right-of-way in the Town;
- iii) all development and reconstruction of existing infrastructure shall be planned, designed and developed to ensure the safety and efficient movement of cyclists and pedestrians, with a highly inter-connected street network;
- iv) vehicle crossings of multiuse trails will be minimized, wherever possible, while the highest safety standards for those crossings that cannot be avoided will be implemented;
- v) the Town shall include supportive infrastructure for active transportation such as enhanced street crossings, pedestrian rest areas, and bicycle parking in the design of new and reconstructed streets;
- vi) off-road multi-use paths will connect to the street network and to community amenities and will ensure that corridors between key destinations are fully accessible and support active transportation;
- vii) pedestrian circulation will generally be on sidewalks or multi-use trails adjacent to roads and shall be separated from the road by a



landscaped, tree-lined boulevard. Exceptions may be considered where other design considerations (i.e. an urban commercial main street) warrant an exception or where insufficient right-of-way widths exist, or other terrain constraints exist;

- viii) active transportation routes, such as sidewalks, bike lanes, trails, and multi-use paths will include streetscaping elements that promote pedestrian and cyclist comfort and safety and are designed to enhance accessibility for all residents and will comply with the Accessibility for Ontarians with Disabilities Act (AODA). Such streetscape elements include, but are not limited to, benches, waste receptacles, bicycle racks, crosswalks, pedestrian-scaled lighting, and street trees;
- ix) the planning, design and development of bicycle facilities shall be informed by the design standards outlined in the Ontario Traffic Manual (OTM) Book 18 as amended from time to time. Higher order bicycle circulation will generally be provided on bicycle lanes, cycle tracks, or multi-use paths;
- x) to protect the safety of pedestrian and cyclists, the Town will endeavour to utilize traffic calming initiatives such as:
  - a. implementing street designs that discourage vehicle speeding through appropriate cross-section designs, complimentary streetscape designs, closer building proximity to the street and boulevard street tree planting;
  - b. reducing maximum traffic lane widths;
  - c. limiting the maximum number of traffic lanes in the roadway; and/or
  - d. the provision of on-street parking; and
- xi) the Town is committed to the development and ongoing enhancement of the County Wide Active Transportation System (CWATS) Master Plan in partnership with the County of Essex and the lower tier CWATS partners. In accordance with the timetable of the CWATS plan, as funding permits, the Town will continue to extend on- and off-road systems annually both to complete the Town's portion of the CWATS system and to provide the linkages to it and the local communities and facilities it serves. The Town will embrace other opportunities and initiatives that will enhance active transportation in the Town.

## 9.5 Transit

To continue to support and grow the Town's transit service, the following policies shall apply:

- i) the Town recognizes the importance of built form on the success of its transit system. Accordingly, the Town shall:
  - a. establish a clear local community structure including settlement areas, non-settlement areas, urban growth boundaries, nodes, corridors and built-up areas;
  - b. utilize urban design policies to ensure the creation of a transit-supportive urban form, applicable to both new areas and the retrofit of existing areas to support higher levels of transit ridership;
  - c. encourage compact patterns of development at densities and mix of land uses that are capable of supporting public transit;
  - d. design and orient buildings and parking areas to support accessibility to transit services;
  - e. encourage the design of neighbourhoods that make it easy for people to walk and bike to and from transit stops and services; and
  - f. design street networks and blocks that provide for connections between living areas and transit;
- ii) the transit system should be planned and coordinated to provide links to, between and through major destinations within Tecumseh and to interconnect with routes and major destinations/transit hubs located in adjacent municipalities;
- iii) transit supportive design requires the following:
  - a. locate stops within a maximum five-minute walk of a destination. The typical five-minute walking distance for residents is 400 to 500 metres;
  - b. a system design which allows for safe pedestrian access to as many residential, employment and retail locations as possible;
  - c. ensure the coordination of the transit network with the multi-use trails and path system to further the accessibility of transit; and

- d. provide a range of transit facility amenities including but not limited to: bicycle parking, weather protection, seating, waste receptacles, lighting and route information; and
- iv) where feasible, the Town shall utilize parking and transportation demand management policies to promote a shift towards higher levels of transit use and more active modes of transportation.

## **Section 10 Implementation and Interpretation**

### **10.1 General**

This Plan shall be implemented by means of the statutory powers conferred upon the Council and other municipal officials by the Planning Act, the Heritage Act, the Municipal Act, the Development Charges Act and any other powers as may be exercised through the Zoning By-law, subdivision control regulations, development and site plan control agreements and standards of maintenance and occupancy by-laws.

### **10.2 Implementing Zoning By-Law**

The Town will prepare a new comprehensive Zoning By-law to zone lands in accordance with the policies and designations contained in this Plan.

### **10.3 Holding Zones**

The Town's Zoning By-law will incorporate the holding zone approach in accordance with Section 36 of the Planning Act, R.S.O. 1990. The Zoning By-law will identify the uses that are ultimately intended for certain lands, but by adding the holding (h) symbol, will delay their actual development until specific conditions are met. When the required conditions are met, a by-law removing the holding (h) symbol will be passed.

Holding zones will be used in the Zoning By-law in accordance with the policies of Section 4 of this Plan. The holding (h) symbol will not be removed until such time as Council is satisfied that adequate sewage disposal and the provision of other services is possible, development applications are approved by Council, various agreements are in place and plans of subdivision are approved, where necessary. In the interim period, the Zoning By-law shall permit existing uses and in some cases, agricultural uses.

### **10.4 Site Plan Control**

The Town will exercise site plan control in accordance with the provisions of Section 41 of the Planning Act, R.S.O. 1990 and the following policies:

#### **10.4.1 Proposed Site Plan Control Area**

The Town of Tecumseh in its entirety is designated as a proposed site plan control area pursuant to Section 41(2) of the Planning Act, R.S.O. 1990.

#### **10.4.2 Objectives**

The Town's objectives in using site plan control are:

- i) to ensure a high standard of site design for new development;
- ii) to ensure safety and efficiency of vehicular and pedestrian access;
- iii) to minimize incompatibilities between new and existing development;
- iv) to control the location of driveways, parking, loading and garbage collection facilities;
- v) to secure easements or grading and alterations necessary to provide for public utilities and site drainage;
- vi) to ensure the exterior design of new development, including the character, scale, appearance and design features, and their sustainable design, is in accordance with Council-approved architectural guidelines, where applicable; and
- vii) to ensure that the development proposed is built and maintained as approved by Council.

#### **10.4.3 Application of Site Plan Control**

Expansions to existing and the establishment of new medium and high density residential developments, commercial, industrial, recreational and institutional developments shall be subject to site plan control. The development of new mushroom, greenhouse and cannabis greenhouse operations shall also be subject to site plan control. The Town's Site Plan Control By-law will be reviewed and maintained to identify those uses and parameters of the site plan control process.

#### **10.4.4 Proposed Road Widening**

As a condition of the approval of site plans, the Council of the Town of Tecumseh may require the owner to provide, at no expense to the municipality, a specified amount of land for the purpose of road widening. Such land shall only be required where the proposed development abuts one or more of the roads indicated below and only on the side and to the extent indicated below:

<b>Road Name</b>	<b>Segment for which Widening is Required</b>	<b>Present Width</b>	<b>Required Width</b>	<b>Side</b>
Oldcastle Road	North Talbot Road to Highway 3	12.2 m	20.1 m	either
Oldcastle Road	Highway 3 to County Road 11	12.2 m	20.1 m	either
Ruston Road	County Road 34 to Railway	12.2 m	20.1 m	either
Tecumseh Road	Westerly Town Limit to Lacasse Blvd	Varies	26 m	both

#### **10.4.5 Implementation**

This policy shall be implemented through the adoption of one or more Site Plan Control By-laws designating specific Site Plan Control Areas in accordance with Section 41(2) of the Planning Act, R.S.O. 1990 and the policies contained in this subsection.

### **10.5 The Municipal Act, The Development Charges Act, The Community Benefits Charge**

It is intended that the Town shall review existing legislation pursuant to the Municipal Act governing such uses as fences and signs, and where necessary amend existing by-laws or pass new by-laws as may be required to ensure such uses are properly regulated and controlled. Also, it is the intention of the Town to pass a Development Charges By-law in accordance with the Development Charges Act and a Community Benefits Charge By-law in accordance with the Planning Act. The development charge outlined in the By-law will reflect Council's opinion that the majority of capital-related expenses incurred as a result of new development will be borne by the developers and not the Town at large.

## **10.6 Delegated Authority and Advisory Committees**

The Town may delegate its authority for various approval or advisory functions in accordance with the provisions of enabling legislation including the Planning Act, the Municipal Act, and the Ontario Heritage Act. Without limiting the Town's authority to add, revise or abolish Committees pursuant to legislation, the Town has established a number of Committees and mandates as noted in the following sections.

### **10.6.1 Committee of Adjustment**

A Committee of Adjustment has been established by Council in accordance with provisions of the Planning Act to make decisions on specific applications. The Planning Act requires that decisions on applications be consistent with provincial policy in effect at the time of the decision, with respect to the following:

- i) applications to allow a minor variance to the Zoning By-law or any other by-law which implements the Official Plan;
- ii) applications for the extension or enlargement of a legal nonconforming use;
- iii) applications to allow a change in the use of land or buildings from one legal non-conforming use to another use, that in the opinion of the Committee is similar to the existing legal non-conforming use or that is more compatible with the uses permitted by the by-law;
- iv) applications to grant a consent (land severance), as set out in Section 6.0; and
- v) partial discharge of mortgage in accordance with Section 6.0.

### **10.6.2 Heritage Committee**

The Town of Tecumseh Heritage Committee has been appointed in accordance with the Ontario Heritage Act to undertake the following tasks:

- i) maintain an inventory of properties and structures having historical or architectural value;
- ii) recommend to Council for designation under the Ontario Heritage Act, real properties having architectural or historic merit;
- iii) recommend to Council areas to be designated as Heritage Conservation Districts under the Ontario Heritage Act;

- iv) review plans referred to it by the Town with respect to applications to alter or demolish structures or buildings or elements that have been designated under the Ontario Heritage Act and make recommendations with respect to such proposals;
- v) involve the Municipal Heritage Committee in the planning process where heritage buildings are located on or adjacent to properties that are the subject of development applications, including, but not limited to, amendments to the official plan and zoning by-laws, severance and minor variance applications, and site plan control review; and
- vi) promote public understanding of local history and appreciation of heritage resources.

#### **10.6.3 Tecumseh Accessibility Advisory Committee (TAAC)**

The Tecumseh Accessibility Advisory Committee has been established by Council in accordance with provisions of the Accessibility for Ontarians with Disabilities Act with the responsibility of providing advice on the implementation of that legislation.

The Ontarians with Disabilities Act provides that municipalities must establish an Accessibility Advisory Committee. The Committee shall advise Council in each year about the preparation, implementation and effectiveness of the municipality's Accessibility Plan. The Committee is also responsible for carrying out all obligations of an Accessibility Advisory Committee as established by the Ontarians with Disabilities Act as amended.

#### **10.6.4 Property Standards Committee**

Tecumseh Council enacted a Property Standards By-law which provides for a Property Standards Committee comprising three (3) members selected by Council from the Committee of Adjustment. The Property Standards Committee considers appeals from orders issued by the Property Standards Officer.

#### **10.6.5 Cultural and Arts Committee**

Tecumseh Council has established a Cultural and Arts Committee, the mandate of which is to:

- i) identify cultural activities and engagements encouraging community participation (i.e. to promote theatre art, music, visual arts and film);
- ii) obtain artwork depicting local diverse talents and landmarks in addition to the unique features of the Town of Tecumseh, preserving the Town's various histories in the former municipalities of the Town of Tecumseh, Village of St. Clair Beach and Township of Sandwich



South, and capturing the essence and spirit of the amalgamated Town;

- iii) identify prominent locations within the Town of Tecumseh for public display of artwork; and
- iv) research grants and acquire donations for achieving such goals.

#### **10.6.6 Senior Advisory Committee**

Tecumseh Council has established a Senior Advisory Committee the mandate of which is to:

- i) provide advice to Council and Town Administration on issues that affect area seniors;
- ii) work with Town departments, agencies and organizations for the purpose of improving the quality of life for senior residents in Tecumseh;
- iii) solicit input and act as a public forum for issues that affect local seniors; and
- iv) identify barriers of access to seniors to Town services and programs.

#### **10.6.7 Youth Advisory Committee**

Tecumseh Council has established a Youth Advisory Committee, the mandate of which is to:

- i) provide advice to Council and Town Administration on issues that affect area youth; and
- ii) work with Town departments, agencies and organizations that are involved in youth initiatives.

### **10.7 Plans of Subdivision**

It shall be the policy of the Town to recommend to the County for approval, only those plans of subdivision which conform to the policies of this Plan, which can be supplied with adequate servicing such as fire protection, water supply, storm drainage and sewage disposal facilities, and which are appropriate in light of the Town's financial position.

### **10.8 Community Improvement**

Council recognizes the value of revitalizing residential, commercial and industrial sections of the Town, where warranted, and intends to continue

and enhance the established processes of renovation, rehabilitation, revitalization, environmental remediation and energy improvement. To this end, it is intended that community improvement project areas will be identified and appropriate strategies for their revitalization detailed by Council through the adoption of community improvement plans in accordance with the following policies:

- i) the community improvement policies of this Plan are enabling policies under the Planning Act. It is the intent of Council that the Community Improvement Area shall be the entirety of the Settlement Areas shown on Schedule “B” to this Plan and may be designated, in whole or in part, by by-law, as one or more defined community improvement project areas for which detailed community improvement plans will be prepared;
- ii) community improvement plans are created for various situations where there is an identified community need. Therefore, the designation of a community improvement project area, and the creation of a community improvement plan, will be entirely at the discretion of Council;
- iii) the provision of financial assistance in a community improvement plan will be entirely at the discretion of Council. The Town shall be satisfied that its participation in community improvement activities will be within the financial capabilities of the Town;
- iv) a community improvement plan may be established for any portion of the Community Improvement Area that conforms to one or more of the following criteria:
  - a. the presence of building stock or housing units that do not meet minimum occupancy standards as set forth in the Town’s Property Standards By-law;
  - b. the presence of unused or underutilized land or buildings that could be developed, redeveloped, renovated or converted to another use;
  - c. the presence of buildings or lands of cultural heritage value or interest and sites of archaeological significance or interest;
  - d. the presence of deficiencies, including accessibility considerations, in hard services including roads, sidewalks, curbs, gutters, storm and sanitary sewers, and water service;
  - e. the presence of lighting or other public utilities that fail to meet municipal standards, or that are not energy efficient;

- f. inadequate community services such as public indoor/outdoor recreation facilities, and public open space;
  - g. a lack of adequate off-street parking facilities;
  - h. limited traffic circulation or poor access to residential, commercial or industrial areas;
  - i. excessive building vacancies within the area;
  - j. the presence of incompatible land uses;
  - k. the overall streetscape or aesthetics of an area require upgrading;
  - l. the presence of lands or buildings that may require detailed environmental site assessments or designated substances surveys and the implementation of appropriate and necessary remediation;
  - m. the prevalence of building stock or housing units at a neighbourhood scale that is energy inefficient as determined through energy mapping or other means;
  - n. the opportunity to support development that would intensify vacant or underutilized lots in the Community Improvement Area; and
  - o. the opportunity to support development that would decrease carbon emissions or improve energy efficiency.
- v) within the Community Improvement Area, the Town of Tecumseh intends to:
- a. encourage improvement activities that contribute to a strong economic base including tourism, cultural, commercial and industrial development;
  - b. establish and maintain the physical infrastructure required for residential, commercial and industrial development;
  - c. ensure the maintenance of the existing building stock where appropriate and encourage rehabilitation, renovation and repair of older buildings;
  - d. preserve cultural heritage resources and facilitate the restoration, adaptive re-use and improvement of these resources;

- e. provide a mix of housing types to accommodate all segments of the Town's population, including the construction of affordable housing;
  - f. improve parking for vehicles and active transportation modes;
  - g. promote the continued development and revitalization of the Tecumseh Mainstreet Community Improvement Planning Area and strengthen its role as a mixed-use, pedestrian-oriented commercial and residential centre within the Town;
  - h. promote good urban design in accordance with Section 7 of this Plan;
  - i. provide and maintain adequate social, cultural, community and recreational facilities and services;
  - j. improve energy efficiency and reduce carbon emissions where feasible; and
  - k. encourage the rehabilitation of environmentally compromised land and buildings through appropriate remediation.
- vi) In order to implement its community improvement policies, the Town may:
- a. designate by by-law community improvement project areas and prepare community improvement plans for the project areas in accordance with the Planning Act;
  - b. integrate community improvement projects with other public works and Town programs and initiatives;
  - c. continue to support and encourage the Business Improvement Area (BIA) in its efforts to maintain strong and viable business areas;
  - d. continue the enforcement of the Property Standards By-law with respect to residential, commercial and industrial building stock and lands;
  - e. continue to make applications to participate in all appropriate senior level government programs;
  - f. continue to support heritage conservation programs and initiatives;

- g. continue to encourage private initiatives regarding the rehabilitation, development, conversion and environmental remediation of lands or buildings and, where appropriate, support infill development;
  - h. develop an environmental program designed to assist private interests in undertaking the remediation of environmentally compromised land or buildings;
  - i. where feasible, acquire buildings and lands to carry out community improvement objectives;
  - j. develop more detailed area-specific urban design guidelines for community improvement project areas;
  - k. consider a more flexible approach to zoning where community improvement objectives are supported; and
  - l. develop energy programs designed to assist private interests in undertaking actions that reduce carbon emissions or increase energy efficiency from buildings.
- vii) The Town will continue to monitor and implement Community Improvement Plan Project Areas and associated Community Improvement Plans and their key financial components of tax assistance and grants.

## **10.9 Public Works and Capital Works Programs**

- i) it is intended that the construction of public works within the Town of Tecumseh shall be carried out in accordance with the policies of this Plan and meets the requirements of Section 24 of the Planning Act;
- ii) the Town will work with utility companies and other providers of infrastructure to coordinate works and infrastructure improvements; and
- iii) regard to the Official Plan will be had in the preparation of municipal capital works budgets and programs.

## **10.10 Maintenance and Occupancy By-Law**

It is the goal of this Plan to maintain an efficient and pleasant living environment. To achieve this goal, a Maintenance and Occupancy By-law may be passed and enforced in accordance with Section 31 of the Planning Act, R.S.O. 1990. This by-law will establish the minimum standards for property maintenance and occupancy as they relate to:

- i) the physical conditions of yards and passageways;
- ii) the adequacy of sanitation including drainage and garbage; and
- iii) the physical condition of all building elements.

This Maintenance and Occupancy By-law shall be enforced and administered by the Chief Building Official or any other person designated by Council. A Property Standards Committee shall also be maintained to review all appeals.

## **10.11 Other Methods of Implementation**

The Town may use the agencies and techniques listed below to assist in the implementation of Official Plan policies as appropriate:

- i) the assistance and advice of the Ontario Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment, Conservation and Parks on agricultural operations;
- ii) the assistance and advice of the Essex Region Conservation Authority on adequate flood protection and conservation measures;
- iii) the acquisition of significant natural areas by public or private bodies or individuals concerned with conservation;
- iv) the assistance and advice of the Ministry of the Environment, Conservation and Parks and the local Health Unit on servicing matters.

## **10.12 Existing Land Uses and Buildings**

Certain lands within the Town have been developed for a use other than that which is permitted by the designations and policies of this Plan. Some of these uses are still operating but some have ceased to exist leaving vacant substantial buildings, most commonly commercial or industrial buildings. Such lands (both those with legally existing uses and those with vacant buildings) may be zoned in the Zoning By-law to permit the existing use if there is one or the previous use if the buildings are presently vacant provided:

- i) the buildings lawfully existed prior to the date of adoption of this Plan;
- ii) the use to be permitted does not interfere with the desirable development or enjoyment of neighbouring properties;
- iii) the use does not constitute a danger to surrounding uses and persons because of its hazardous nature or traffic generated; and

- iv) the Zoning By-law reasonably limits the amount of expansion that is to be permitted to ensure that the use does not become larger than would be appropriate for the area.

Applications to amend the Zoning By-law to permit a use that is as, or more, compatible with the surrounding area may also be approved by Council without an amendment to this Plan provided the proposed use satisfies the above criteria.

Also, there are a number of parcels that have applying to them, current zonings that are not in conformity with this Plan. Those zonings can be carried forward in the implementing Zoning By-law without the requirement of amending or modifying this Plan.

### **10.13 Non-Conforming Uses**

Any land use which does not meet the provisions of Section 10.12 shall be left as a non-conforming use in the Zoning By-law. As a general rule, such a use should cease to exist. In special circumstances however, it may be desirable to permit the extension or enlargement of such a non-conforming use in order to avoid unnecessary hardship. It is the intention of this Plan that extensions and enlargements be handled without an amendment to this Plan through the use of either Section 34(10) or 45(2) of the Planning Act, R.S.O. 1990. When considering an application under either section of the Act for the extension or enlargement of a non-conforming use, Council shall decide if the special merits of the individual case make it desirable to grant permission for the extension or enlargement and in so doing shall have regard to the following matters:

- i) that the proposed extension or enlargement of the established non-conforming use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of this Official Plan and the Zoning By-law applying to the area;
- ii) that the proposed extension or enlargement shall be in an appropriate proportion to the size of the non-conforming use;
- iii) that the application which would affect the boundary areas of different land use designations will only be processed under these policies if it can be considered as a "minor adjustment" permitted under the Interpretation clause, Section 10.16 of this Plan, without the need for an amendment. Any major variance to the property boundaries will require an amendment to this Plan;
- iv) the characteristics of the existing non-conforming use and the proposed extension or enlargement shall be examined with regard to

noise, vibration, fumes, smoke, dust, odours, lighting and traffic generating capacity;

- v) that the neighbouring conforming uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc.;
- vi) that adequate provisions have been, or will be made for off-street parking and loading facilities;
- vii) that applicable municipal services such as storm drainage, sewage disposal and water supply are adequate and meet the approval of the Town.

## **10.14 Existing Lots of Record**

There are several existing lots of record in the Town which are under separate ownership and which do not conform with the development standards of the designation or the corresponding zone in the Zoning By-law. Notwithstanding their non-compliance, it is the policy of this Plan that these lots may be developed for a use permitted by this Plan in accordance with the yard and other setback requirements established in the Zoning By-law provided the necessary servicing approvals are obtained from the Town and the development is in compliance with the Minimum Distance Separation (MDS) I and II.

## **10.15 Temporary Use By-Laws**

Pursuant to Section 39 of the Planning Act, R.S.O. 1990, Council may pass "temporary use by-laws" to authorize the temporary use of land, buildings or structures for a purpose not otherwise authorized by the Zoning By-law for a specific period of time not to exceed three years. Council may authorize a temporary use on a one-time basis or for a short period of time on a periodic basis, where it is considered inappropriate by Council to permit the proposed use on a permanent or continuing basis, and where alternatives such as relocation, etc. are not practical. Council may pass subsequent by-laws granting extensions of up to three years. However, once the by-law has lapsed, the use must cease or otherwise will be viewed as contravening the Zoning By-law.

Prior to the approval of any temporary use by-law, Council shall be satisfied that the following principals and criteria are met:



- i) the proposed use shall be of a temporary nature, and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original use upon the termination of temporary use provisions;
- ii) the proposed use shall not be incompatible with adjacent land uses and the character of the surrounding area;
- iii) the proposed use shall be properly serviced and not require the extension or expansion of existing municipal services;
- iv) the proposed use shall not create any traffic problems within the surrounding area, nor shall it adversely affect the volume and/or type of traffic found on the area's roads;
- v) parking facilities required by the proposed use shall be provided entirely on-site; and
- vi) the proposed use shall generally be beneficial to the surrounding area or the community-at-large.

Notwithstanding the policies of this Plan, Council may authorize the temporary use of land which may not conform with the land use policies of this Plan provided:

- a. the temporary use is determined to not have any detrimental effect upon the existing land uses in the area; and
- b. the proposed temporary use conforms to the principles and criteria established in this subsection.

## **10.16 Interim Control By-Laws**

Pursuant to Section 38 of the Planning Act, R.S.O. 1990, Council may pass Interim Control By-Laws to place immediate restrictions on the use of certain lands or certain land uses where the Town has directed that a study of land use planning policies be undertaken. When considering a proposal to enact an Interim Control By-Law prohibiting the use of land, the Town shall require or provide justification that there is a need to carry out a study and that the required study can be carried out expeditiously.

## **10.17 Interpretation**

The designation boundary lines and the text of this Plan should not be interpreted in a legalistic, narrow or strict manner. They are meant to be relatively flexible. Appropriate variations may be made by Council, without an amendment to this Plan, where necessary and appropriate, provided that the general intent of the Plan is maintained.

Where any Act or portion of an Act is referred to in the Plan, such references shall be interpreted to refer to any subsequent renumbering of the sections in the Act and/or changes in the date of the Act.

## **10.18 Amendment Procedures**

All proposed amendments to this Official Plan or the implementing Zoning By-law shall be processed in accordance with the provisions of Sections 21 and 34 of the Planning Act and due regard shall be given to the following matters:

- i) the degree of conformity of the proposed amendment to the general intent and philosophy of this Plan, particularly the planning principles as set out in Section 2.3, and consistency with provincial policy;
- ii) the availability and suitability of land already designated for the proposed use, and the need for (or market feasibility of) the proposed use;
- iii) the compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses;
- iv) the ability of the Town's infrastructure to accommodate the proposal; and
- v) the adequacy of the transportation system to accommodate the proposal.

## **10.19 Official Plan Review and Monitoring**

The policies and designations of this Plan shall undergo a comprehensive review in accordance with the requirements of the Planning Act. The purpose of the comprehensive review will be to:

- i) document the type and location of new development that occurred since the approval of this Plan;
- ii) project the nature of new development that can be expected during the subsequent identified planning horizon;
- iii) review the continued appropriateness of the Plan's goals, policies and designations; and
- iv) formulate revised or new goals, policies and designated land uses.

- v) consider the land use impacts and related housing demands that may result from the construction of the proposed regional mega-hospital in the City of Windsor.

## **10.20 Consultation and Application Requirements**

- i) in addition to the standard information required in the Town's application forms, additional information in the form of the studies or assessments listed in this Section may be required in order to consider a planning application complete;
- ii) the additional information will be required as part of a complete application under the Planning Act in order to ensure that all the relevant and required information pertaining to a development application is available at the time of submission to enable Council or its designated approval authorities to make informed decisions within the prescribed time periods. It also ensures that the public and other stakeholders have access to all relevant information early in the planning process;
- iii) in all instances, the number and scope of studies and assessments to be required for the submission of a complete application is appropriate and in keeping with the scope and complexity of the application;
- iv) the additional information or material that may be required includes, but is not limited to, the following:
  - Agricultural Soils Assessment/Impact Analysis on Agricultural Lands or Operations;
  - Air Quality/Dust/Odour Study;
  - Arborist's Report;
  - Archaeological Assessment(s) and Impact Mitigation Report;
  - Architectural Renderings;
  - Biomass Energy Generating System-Related Studies;
  - Climate Impact Study;
  - Compatibility Assessment;
  - Concept Plan;
  - Contaminated Site Assessment;

- Decommissioning Plan;
- Design Guidelines;
- EIA Compliance Report;
- Emergency Management/Response Plan;
- Environmental Impact Assessment;
- Environmental Site Assessment/Audit and/or Previous Land Use Inventory and/or Site-Specific Risk Assessment;
- Erosion and Sediment Control Plan;
- Farm Viability Study;
- Financial Impact Assessment/Analysis;
- Floodplain Management/Slope Stability Report;
- Forest Management Plan;
- Geotechnical Study;
- Groundwater Impact Study/Well Interference Study;
- Height and Density Assessment/Analysis;
- Heritage Conservation Report;
- Heritage Impact Statement;
- Housing Affordability Analysis;
- Hydrogeological Report;
- Landscaping Plan/Natural Features Plan;
- Lot Grading and Drainage Plan;
- Massing Study (for proposed buildings);
- Market Justification and Impact Assessment;
- Minimum Distance Separation Formulae;
- Municipal Servicing Capacity Report;

- Noise and/or Vibration Impact Study;
- Nutrient Management Plan;
- Odour Impact Study;
- Parking Study;
- Photo-Montage Visualization Images;
- Planning Justification Report;
- Record of Site Condition;
- Servicing Report;
- Shadowing Impact Assessment;
- Soil Analysis;
- Solar Energy Generating System-Related Studies;
- Stormwater Management Report;
- Structural Engineering Analysis;
- Subwatershed Plan/Study;
- Surface Water Impact Study;
- Transportation/Traffic Impact Study and/or Access Analysis;
- Tree Inventory;
- Tree Preservation and Protection Plan;
- Urban Design Study/Guidelines;
- Viewplane Assessment;
- Visual Impact Study;
- Watershed Plan/Study;
- Wave Uprush Study;

v) notwithstanding the required studies and assessments listed above, Council may ask for any additional information that is considered

reasonable and necessary in order to make a decision on a development application;

- vi) all required reports and technical studies will be carried out by qualified persons retained by and at the expense of the proponent. The Town may require a peer review of any report or study by an appropriate public agency or a professional consultant retained by the Town at the proponent's expense; and
- vii) public participation is regarded as an essential part of the municipal planning process. Proponents are encouraged to hold community meetings in addition to the statutory public meetings in order to explain the details of the development proposal to residents and agencies.

## **10.21 Public Consultation**

Councils shall actively encourage meaningful public participation by seeking the opinions and the advice of individuals and community and stakeholder groups in the on-going task of implementing, monitoring and reviewing this Plan. Council shall ensure that the public is adequately notified and consulted. The measures utilized to facilitate public participation will be consistent with the scope and nature of the planning matter being addressed. Prior to making decisions related to planning matters, Council will encourage appropriate steps to be taken to resolve conflicting issues associated with the proposal. Where conflicting issues remain unresolved, these issues and the measures taken to respond to these issues shall be identified as part of any planning report prepared. Measures such as peer review and Alternative Dispute Resolution will be used when determined to be appropriate.

## **10.22 First Nations and Metis Consultation**

Council shall actively seek the opinions and the advice of Indigenous communities. The Town honours the land and peoples of all First Nations and Métis in Tecumseh and their past and present contributions to this land. Council commits to collaborating with these communities on respectful inclusion and representation of Indigenous peoples' culture in urban greenspaces, Indigenous art and ceremonial gathering spaces.

## **10.23 Municipal Coordination**

The Town of Tecumseh is adjacent to the City of Windsor and three lower-tier municipalities within the County of Essex including the Town of Lakeshore, the Town of Essex and the Town of LaSalle. The Town recognizes the need to achieve orderly growth and the efficient provision of services to ensure the long-term health and prosperity of the region. There is

an ongoing need to ensure coordinated planning and engineering and plans of action to foster effective and efficient growth and settlement.

Council shall, in conjunction with the County of Essex, local Essex County municipalities and the City of Windsor establish and maintain a formal protocol for on-going liaison on matters of mutual interest and concern including, but not limited to the following:

- i) Growth management;
- ii) Transportation and physical service coordination;
- iii) Natural area conservation and watershed management;
- iv) Economic development;
- v) Climate change mitigation and adaptation;
- vi) Coordination of overall planning activities; and
- vii) Cultural heritage resources.

The Town will endeavor to co-operate with and invite affected adjacent municipalities to participate in Municipal Class Environmental Assessments for municipal infrastructure projects including roads, water and wastewater projects. The Town will also participate in the preparation of Municipal Class Environmental Assessments within adjacent municipalities as potentially being affected by the subject undertaking.

## **10.24 Municipal Plan Review/One Window**

Notwithstanding other policies of this Plan, if the policies of this Plan require consultation with government ministries for development applications under the Planning Act, the Town and/or applicant shall consult with the County of Essex where the County of Essex is the approval authority.

Where the Official Plan has been drafted to require that an evaluation, demonstration or other action should be “to the satisfaction of” one or more of Provincial Ministries, the policy should generally be interpreted to mean that it is the Town’s responsibility to ensure regard has been had for Provincial policies, standards or guidelines as established by that Ministry.

In keeping with the statutory requirement of the Planning Act, the Town will forward all applications to amend the Official Plan to the County of Essex within 30 days of receiving the application, for review and comment.

## **Section 11 Secondary Plans**

### **11.1 Introduction**

#### **11.1.1 Purpose**

The policies in this section of the Official Plan apply to development and redevelopment on all lands situated within approved secondary planning areas. Secondary Plans provide a more detailed planning framework for specific geographic areas within the Town, and may establish more specific land use, transportation, urban design, servicing, and implementation policies for the land areas affected. These secondary plans are intended to guide and direct Council, staff, landowners, developers, residents, other levels of government, and other interested stakeholders regarding the manner in which lands within these areas are developed and redeveloped over a 25-year planning horizon. The Tecumseh Official Plan may, from time to time, be amended as required to add one or more additional secondary plans upon their completion.

#### **11.1.2 Relationship to Official Plan**

The land use designations and policies of Section 11.2 shall be in relation to specific secondary plans as identified by way of policy and as shown on the noted Schedules. The secondary plan policies and designations generally conform to, and are designed to implement the policies of the Official Plan. However, where there is a conflict between the policies of the Official Plan and the policies of the secondary plan, the secondary plan policies will prevail and will supersede those of the Official Plan for the land area which is the subject of the Secondary Plan. In all other instances, the policies and designations of the Official Plan are relevant and shall apply.

### **11.2 Maidstone Hamlet Secondary Plan**

#### **11.2.1 Basis of the Plan**

A community-based Secondary Plan process was initiated by the Town in order to formulate a comprehensive land use and servicing policy framework and concept plan to facilitate the development of a coordinated, properly serviced and livable community in Maidstone Hamlet. The policies and land use designations are intended to provide a policy framework that will allow for the proper evaluation of individual development applications located within the hamlet while establishing a clear vision for the hamlet's future.

##### **11.2.1.1 The Process**

Council established a Steering Committee to oversee and guide the preparation of the Secondary Plan. Given the interest expressed by



residents in the hamlet regarding its future development, two representatives of the community were selected to sit on the Committee, along with four Council members and technical support staff.

In order to facilitate a meaningful form of public involvement, a community-based planning process was undertaken to assist in the building of a partnership with residents, landowners, developers, Town Council and Administration with the common goal of positively influencing the future design, livability and quality of life in the hamlet. Accordingly, the Town held two Visioning Sessions as overseen by a professional facilitator. This led to the completion of “Discussion Paper No. 1: Results of Community Visioning Sessions, Maidstone Hamlet Secondary Plan, June 2002”.

Subsequently, a second discussion paper was completed, “Discussion Paper No. 2: Conceptual Plan and Servicing Report, Maidstone Hamlet Secondary Plan, July 2003, Revised September 2003”. This document considered planning and servicing issues and provided for the completion of a preferred concept plan.

#### **11.2.1.2 Guiding Community Planning Principles**

In addition to having regard to the Provincial Policy Statement, a number of broad planning principles and design issues became evident as a result of the public consultation process undertaken with the community. Two key planning principles that arose from the Visioning Sessions are:

- i) that the overall future design of Maidstone Hamlet should attempt to recognize and preserve the patterns and character revealed in the existing community; and
- ii) that key elements and patterns of the existing rural landscape be incorporated into the future design of the hamlet.

These broad principles are to be achieved as development proceeds in the hamlet by incorporating the following key design elements and ensuring the fulfillment and realization of a community vision that applies the following specific principles throughout the hamlet and within individual developments:

- a. **Linked Open Space System:** The Pike Creek, the Ontario Hydro corridor, a number of tree lines along with stormwater management requirements provide the opportunity to create more naturalized spaces throughout the hamlet which may serve as the focus of a linked open space system. The Ontario Hydro corridor may service as the major east-west open space spine for a trail system linked to the Pike Creek and other open space areas;

- b. **Compatible New Development:** New development needs to be designed so as to respect and complement the existing hamlet scale, character of buildings, sense of openness and country setting;
- c. **Importance of ‘Quality of Life’ and ‘Sense of Place’:** An abundance of trees (tree-lined streets and trails), open spaces and uncluttered pedestrian ways greatly influence a community’s appearance, physical character, livability and “feel”. This combined with linked neighbourhoods and a network of streets, sidewalks and multi-purpose trails provide opportunities for exercise, socializing and interaction of citizens and an improved quality of life and sense of place;
- d. **Malden Road, an ‘Original Rural Road’:** This road currently links County Road 34 to County Roads 19 and 46 to the north and is characterized by a single tier of deep residential lots along both sides of the majority of its length. A deep ditch is situated close to the paved portion of the road. The existing built form has a strong rural sense, with deep lots and homes set back a significant distance from the road. New traffic resulting from growth in the hamlet shall be directed to a new north-south road system. Malden Road shall remain as a two-lane rural road with open drains, to be used locally and where possible integrated as part of a recreation trail system. Appropriate measures will be undertaken to ensure that “through” traffic, with neither an origin or destination in the hamlet, is discouraged from using Malden Road and, instead, is directed to County Roads 19, 34 and 46;
- e. **Community and Cultural Elements:** Cultural heritage elements and community facilities, including buildings and structures, are incorporated as focal points of the community. Features which help create the unique identity of the hamlet and are part of its social fabric include the church, elementary school, post office and grain silos;
- f. **Improved and Properly Identified Gateways to the hamlet:** The road intersections providing points of entry to and means of exit from the community need to be of such a design to ensure safe movement of people and vehicles. Special design treatment and land uses on abutting parcels at key entry points can further identify the community;
- g. **Employment:** Grain storage and handling facilities are integral components of the municipality’s agricultural economy. Noise, dust and lighting studies will be required before any residential

development on lands takes place to ensure that sensitive uses are properly set back from these facilities and proper subdivision and building design measures are taken to ensure land use compatibility.

#### **11.2.1.3 Preferred Concept Plan**

A preferred conceptual road pattern and land use pattern for Maidstone Hamlet was presented in Discussion Paper No. 2 and is generally incorporated into the Official Plan as Schedules “B-3” and “E-3”. The principle components of the preferred concept plan, which shall be achieved as individual developments are designed, reviewed and approved, are summarized below and are designated and/or shown conceptually on Schedules “B-3” and “E-3” of the Official Plan. It is noted that in some instances land consolidation and/or mutual cooperation between abutting, developable lands will be required in order to properly achieve the following:

- i) new municipal parkland totaling 9.71 hectares, including one 4.05 hectare parcel for community parkland adjacent to an existing woodlot and 1.78 hectares strategically located adjacent to existing recreational facilities (Diocese lands and St. Mary School property), along with a number of smaller neighbourhood parks, has been provided for. The 4.05 hectare community park is strategically located adjacent to an existing woodlot. There are opportunities for some areas to be naturalized, or used for tot-lots or provide picnic areas or rest-stations along the trail system. Smaller parkland areas provide the starting point for the multipurpose trail system while also providing a central open space feature in individual neighbourhoods;
- ii) open space areas that are linked by an integrated multipurpose trail system. Approximately 9 kilometres of new trail facilities have been provided for to ensure safe and convenient movement around the hamlet for cyclists and pedestrians while exposing users to a range of open space settings and destinations. The trail is intended to linkage between various residential areas and commercial areas and community facilities. Accordingly, the trails are intended to have a number of potential destinations in addition to providing opportunities for recreation and social interaction. Sidewalks on local streets will interconnect with the trail system;
- iii) Pike Creek, to the greatest extent possible, to remain a natural, undisturbed watercourse, with a 15.24 metre “protective” corridor to either side. Future maintenance of the creek will be achieved from this linear area, which would preferably be of public ownership. Trails are to be integrated along the Pike Creek along with ‘regional’ stormwater management features;

- iv) a core of open space features extending from the northwest to the southeast;
- v) use of 'regional' type stormwater management facilities, that also provide a visual amenity and passive recreational opportunities and are an integral component of the multipurpose trail;
- vi) provide single-loaded roads at key locations to provide:
  - a. benefit to whole community of open space features;
  - b. "eyes of community" watching open space areas;
  - c. creating focal points/places of interest and sense of openness throughout the community;
  - d. sight lines from intersecting streets opening upon open space, thus defining the character of the community;
- vii) establish a highly interconnected street system (modified grid) with shorter block lengths allowing for a more balanced transportation system that works better for cyclists, pedestrians and the automobile;
- viii) on the collector roads, create a more naturally flowing road that is more reminiscent of a hamlet or village setting, with slight curves in the road revealing identifiable features or land markings in the distance;
- ix) maintain Malden Road as a "character road", such that it's cross section is not changed as a result of development, rather a new street pattern is created to direct traffic to new north-south collector roads;
- x) limit direct, individual access onto collector road except where no other alternative available. This provides an opportunity for a trail system along the collectors that is not overly encumbered by individual driveways;
- xi) close existing 6 corners intersection and relocate intersection to south to a new, re-aligned Malden Road and North Talbot Road (in Town of Lakeshore) intersection at County Road 19;
- xii) provide opportunities for commercial development (including uses such as retail, office uses, gas station, restaurant) at locations that:
  - a. have least impact on residential character/integrity of the community;
  - b. create gateway features to the community;

- c. meet the daily needs of the community as well as respond to some of the needs of the traveling public at strategic locations (e.g. intersection of County Roads) which are less suitable for residential-type uses;
  - d. are integrated with the trail system for convenience and act as 'destination' points on the trail;
- xiii) allow single unit development on a lotting pattern that has regard to the existing lotting pattern, such that where existing single tier residential lots exist, new lots abutting will have a minimum depth of 45.72 metres and larger widths (30.48 metre minimum) and completion of the existing lotting pattern (single tier of lots, with direct connection) on Malden Road and Talbot Road to maintain their character of homes "looking upon" the street (exception is south side of Talbot Road, west of the railway);
- xiv) majority of residential lots to be single unit with a frontage of 25.90 metres, depth of 36.57 metres, for total area of 947.61 square metres per lot, creating a unique residential character for the hamlet, taking into account existing development pattern;
- xv) provide opportunities for reduced residential lot frontages where adjacent land uses may make the lands less suitable for larger residential lots, for example abutting commercial lands and major transportation corridors (highways and railways) as well as areas that are away from the existing built areas;
- xvi) the general pattern of new residential lots is for larger single unit lots to be abutting existing residential development, gradually moving to a range of smaller single unit residential lots (to an 18.28 metre minimum frontage) and some more intensive housing forms (semi-detached, townhomes) as one moves towards the outer limits of the hamlet, as generally shown on the preferred concept plan. The foregoing subparagraphs regarding lot sizes provide for a range of lot sizes, housing sizes and housing needs;
- xvii) provide deeper single unit residential lots and/or setbacks abutting features that may require increased separation and other forms of mitigation to address noise, dust, lighting, vibration, and other forms of non-compatible features commonly associated with highways, railways and the existing grain elevator operation. All residential development shall be required to prepare and implement the findings of specific studies to address these issues (scope and extent of buffering/mitigation to be determined at the time of development, based on the recommendations contained in individual studies

prepared by qualified professionals and those other studies deemed necessary);

- xviii) increased side yards are to be incorporated to allow greater separation between residential buildings on separate lots (e.g. 2.43 metre side yard for 4.87 metre separation between buildings). A slightly reduced building separation may be considered for 18.28 metre lots.

A breakdown of the land use components and their areas on the preferred concept plan follows:

### **Land Use Components**

Existing Land Designated Commercial	5.09 hectares
Additional Land to be Designated Commercial	5.42 hectares
Diocese Parkland	1.29 hectares
St. Mary's School Parkland	1.29 hectares
New Municipal Parkland	10.03 hectares
Area of Ontario Hydro Corridor	5.58 hectares
Easterly Stormwater Management Land Area	1.82 hectares
Westerly Stormwater Management Land Area	1.01 hectares
Multipurpose Trail	8.85 kilometres
Approximate Total Dwelling Units/Population	
30.48 metre frontage lots	70 dwelling units
25.9 metre frontage lots	450 dwelling units
Less than 25.9 metre frontage lots	280 dwelling units
Semi-detached and townhome lot	100 dwelling units
Total Dwelling Units:	900 dwelling units

Assuming an average 3.12 persons per household, the preferred concept plan accommodates an approximate population increase of 2,810 persons. With a 2002 population of approximately 500 persons, the total Maidstone Hamlet population at build-out, over a 20-year planning horizon from 2002 to 2022, would be approximately 3,310 persons. Given the absence of residential development as of 2020, these build-out projections are carried

forward to a 25-year planning horizon of 2020 to 2045. Notwithstanding the foregoing, it is recognized that these are estimates and that there may be some variation in the size of lots and types of dwelling units as development proceeds over time and in accordance with the policy direction established in Section 11.2.1, 11.2.2 and 11.2.3 of this Plan.

Reference should be made to Section 11.2.5 of this Plan regarding servicing issues in Maidstone Hamlet.

### **11.2.2 Maidstone Hamlet Residential Goals**

The following goals are established for the Maidstone Hamlet Residential area:

- i) to recognize the existing residential development and employment uses and to encourage new residential development within the hamlet;
- ii) to allow for further development of primarily single unit detached dwellings taking into account the existing residential character, built form and densities in the hamlet while providing some range in new lot sizes;
- iii) to allow, in a limited fashion, the introduction of more intensive housing forms (semi-detached dwellings and townhomes) where suitably located and in recognition of the Provincial Policy Statement;
- iv) to promote and encourage residential intensification activities in areas of the Town where a full range of municipal infrastructure, community facilities, and goods and services are readily available. Residential intensification includes infilling, second units, conversions and redevelopment;
- v) to encourage the provision of an adequate supply of new residential building lots to meet the anticipated demand for additional housing units over the next 25 years;
- vi) to ensure that new residential development occurs in a manner in keeping with the capacity of the services available and the financial capability of the municipality;
- vii) to encourage residential development in the hamlet where a full range of municipal infrastructure (including a piped sanitary sewer system) can be provided in a cost-effective and environmentally sound manner; and
- viii) to require a development pattern that is in accordance with the guiding principles of the Maidstone Hamlet Secondary Plan, as established in Section 11.2.1 of this Plan and which reflects and implements the

general design direction shown on Schedules “B-3” and “E-3” of this Plan.

### **11.2.3 Maidstone Hamlet Residential Policies**

The following policies shall apply to those lands designated Maidstone Hamlet Residential on the Land Use Schedules of this Plan:

- i) residential development shall primarily consist of single detached dwelling units. More intensive forms of residential development may be permitted in accordance with Section 11.2.1.3 of the Plan and subject to consideration by way of site specific zoning by-law amendments;
- ii) the density of residential development and its relationship to existing development shall be established by permitting different minimum lot sizes at different locations throughout the hamlet, in keeping with the policies of Section 11.2.1 of this Plan. In addition to the policies established in Section 11.2.1 regarding the location and size of residential lots, the following additional policies apply:
  - a. the location of lots having a minimum frontage of 30.48 metres and a minimum depth of 45.72 metres shall be as specifically shown on Schedule “B-3” of this Plan;
  - b. the remainder of new residential lots shall be a mixture of lots in accordance with the policies of Section 11.2.1.3 of this Plan. All lots fronting upon Talbot Road shall have a minimum depth of 45.72 metres. Increased lot depths may also be required as a result of further studies as required by Subsection 11.2.3 vii);
- iii) the intensification of residential lands shall be encouraged and standards of development that will assist in achieving this objective shall be a priority for the Town. A minimum of 15 percent of all new housing within the Town should be provided through residential infill and/or intensification, as identified as a target in the County of Essex Official Plan. Residential intensification shall be defined as a net increase in residential units or accommodation within a given property, site or area and includes:
  - a. redevelopment, including the redevelopment of brownfield sites;
  - b. the development of vacant or underutilized lots within previously developed areas;
  - c. infill development;



- d. the conversion or expansion of existing commercial and institutional buildings for residential use; and
  - e. the conversion or expansion of existing residential buildings to create new residential units or accommodation, including second units;
- iv) the addition of a second dwelling unit shall be permitted within a single unit detached, semi-detached or townhouse dwelling unit subject to the following provisions:
  - a. the gross floor area of the second dwelling unit is equal to or less than the floor area of the principle dwelling unit on the lot;
  - b. the dwelling fronts on and has access to/from a municipal road or municipal laneway;
  - c. there are full municipal services and no servicing constraints; and
  - d. adequate access and off-street parking is provided;
- v) a stand-alone second dwelling unit, as an ancillary use to a single unit detached, semi-detached or townhouse dwelling unit, shall be permitted subject to a Zoning By-law amendment and appropriate zoning regulations being in place. The following criteria will be considered as the basis for all Zoning By-law amendments to permit a stand-alone second dwelling unit:
  - a. the use is subordinate to the main dwelling on the lot;
  - b. the use can be integrated into its surroundings with negligible visual impact to the streetscape;
  - c. the use is compatible in design and scale with the built form on the lot and the surrounding residential neighbourhood in terms of massing, height and visual appearance;
  - d. there are full municipal services and no servicing constraints; and
  - e. other requirements such as servicing, parking, access, stormwater management, tree preservation, landscaping and the provision of amenity areas are adequately addressed;
- vi) garden suites shall be permitted as a temporary use in accordance with the terms of the Planning Act and subject to the following provisions:

- a. a maximum of one garden suite per single detached dwelling lot;
  - b. sufficient parking, landscaping and buffering are provided;
  - c. the property owner must reside in the principal dwelling on the lot;
  - d. the property owner has entered into an agreement with the Town with respect to such matters as installation, maintenance, removal and occupancy of the garden suite and has posted suitable financial security with respect to the agreement in accordance with the Planning Act;
  - e. a certificate of occupancy will be required prior to occupancy;
  - f. there are no servicing constraints and, where the property is served by individual on-site sewage services, approval of a garden suite is subject to approval of the Town's Building Department;
  - g. the garden suite shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in removing the garden suite or converting it to a permitted use;
- vii) home occupations may be permitted, provided they do not alter the residential character and amenity of the area;
  - viii) the creation of new lots for residential purposes will primarily occur by plan of subdivision. However, consents for residential lots will be permitted in accordance with the policies contained in Section 11.2.4 of this Plan. All lotting and road patterns, regardless of how the lot is created, shall be designed in accordance with subsection 11.2.1 of this Plan and reflect and implement the general design direction shown on Schedules "B-3" and "E-3" of this Plan;
  - ix) the undeveloped lands that are designated Maidstone Hamlet Residential and have servicing constraints shall be placed in a holding zone in the implementing zoning by-law at the time development applications are being considered by the Town or at such time prior to development applications as Council deems appropriate. The holding symbol will be removed when appropriate sewage, water and any other necessary infrastructure is available to the satisfaction of the Town and a plan of subdivision is approved, where required. Existing uses and agricultural uses, excluding livestock intensive operations, greenhouse operations and mushroom farms, shall be permitted in the interim;

- x) it is the intent of this Plan to avoid intrusions of commercial activities into the residential areas. Therefore, new commercial uses shall not be permitted in the Maidstone Hamlet Residential designation;
- xi) a grain elevator operation is currently located on the north side of Talbot Road, west of Malden Road on lands designated Neighbourhood Commercial on Schedule “B-3” of this Plan. Prior to new residential development proceeding in the hamlet within 300 metres of this facility, the developer shall be required to prepare noise, dust and lighting studies (including but not limited to the Ontario Ministry of the Environment, Conservation and Parks document “Noise Assessment Criteria in Land Use Planning Publication LU-131) by qualified professionals to ensure land use compatibility between sensitive uses and the grain elevator operation for review and approval by the Town and other authorities, as required, and recommended setbacks and mitigation (e.g., structural design features), if required, will be included within any development application. Such studies shall be conducted during the grain elevator’s peak season of July to December at which time dryers are used and the operation will be 24 hours a day, 7 days a week with associated truck movement on and off site. In addition, development agreements executed between the Town and residential developers shall include a provision that requires notice be given on the title of new residential lots regarding the grain elevator operation, its location and the nature of its operations;
- xii) areas identified as “Recreational” on Schedule “B-3” of this Plan represent an overlay designation that identifies the general location of lands that are intended to be set aside for recreational facilities having a range of purposes, as noted in Subsection 11.2.1 of this Plan. The precise location and size of each of these recreational areas shall be determined at the time individual development plans are being reviewed and approved and shall be in accordance with Section 11.2.1 and the general locations shown on Schedule “B-3” of this Plan. Uses permitted in the locations determined at the time of development approval shall be as established in Subsection 4.7 of this Plan.

#### **11.2.4 Maidstone Hamlet Residential Land Division Policies**

In areas designated “Maidstone Hamlet Residential”, division of land by consent shall only be permitted in accordance with the following policies:

- i) the creation of new lots shall be in accordance with Section 6 of this Plan; and

- ii) the proposed new lots shall be in accordance with subsection 11.2.1.3 and Schedule “B-3” of this Plan.

## **11.2.5 Maidstone Hamlet Servicing Policies**

### **11.2.5.1 Municipal Water Services**

All development in Maidstone Hamlet will be serviced by municipal water services in accordance with Section 8.2 of this Plan.

### **11.2.5.2 Municipal Sanitary Sewer Services**

All development in Maidstone Hamlet will be serviced by municipal sanitary sewer services in accordance with Section 8.2 of this Plan.

### **11.2.5.3 Storm Drainage**

All development in Maidstone Hamlet will be serviced by storm drainage in accordance with Section 8.3 of this Plan.

It is noted that Maidstone Hamlet is presently being drained either directly by Pike Creek or a series of municipal drains which, in turn, outlet into Pike Creek. These drains are the Manning Road West Townline Drain, the Malden Road East and West Drains, the east branch of the Delisle Drain, the North Talbot Road Drain and the Talbot Road Drains (north and south). Three (3) smaller drains (the Small Drain, the Collins Drain, and the Cunningham Drain) drain the area bounded by County Road No. 34 (Talbot Road), the CN/CP railway, County Road No. 19 (Manning Road) and Malden Road.

In considering the stormwater management solutions for development in Maidstone Hamlet, regard will be given to the Town’s objective of achieving stormwater management facilities on or near Pike Creek, as shown on Schedule “B-3”. One pond with a total approximate land area of 2 to 3.2 hectares (5 to 8 acres) will be located east of Malden Road near the existing park area to accommodate flows from the east of Malden. Two ponds, each with a total land area of 2 to 2.4 hectares (5 to 6 acres) will be located west of Malden Road to accommodate flows from west of Malden Road. It is important to note that the actual area and location will be more accurately determined as lands are developed and storm water calculations are undertaken and storm water management reports are completed in accordance with Section 8.3 of this Plan. It is the intent that the pond areas not only serve to enhance water quality but also must add an important visual/environmental amenity with opportunities for integration of the multipurpose trail system. The ponds should become focal points and defining elements for their respective neighbourhoods.

Pike Creek is to remain as untouched as possible to keep its rural pristine appearance with a 15.24 metre (50 foot) natural buffer strip on either side of the creek, from within which future maintenance works may be completed and a trail system can be integrated.

#### **11.2.5.4 Transportation**

All development in Maidstone Hamlet will be serviced by a transportation system in accordance with Section 9 of this Plan. In addition, the following more specific policies shall apply to development within Maidstone Hamlet, as depicted on Schedule “B-3” of this Plan.

The existing road pattern for the developed portion of the Hamlet and the adjacent lands is shown on Schedules “B-3” and “E-3” of this Plan. The conceptual location of future collector and local roads for the undeveloped lands situated within the Hamlet are depicted on Schedules “B-3” and “E-3” of this Plan.

The alignment of future collector and local roads is depicted conceptually on Schedule “E-3” of this Plan. The precise alignment of all new roads will be determined at the draft plan of subdivision stage and will be guided by Schedules “B-3” and “E-3” as well as Sections 11.2.1, 11.2.2 and 11.2.3 of this Plan and, for clarity, shall include the strategic location of single loaded roads overlooking open space areas, local roads opening and intersecting with open space areas and the integration of a trail system within portions of the collector road right-of-way.

Maidstone Hamlet is serviced by three (3) major arterials: County Road 19 (Manning Road), County Road No. 46, County Road No. 34 (Talbot Road) and by Provincial Hwy. No. 3. The limits of the Hamlet are well defined by County Road No. 19 (Manning Road) and the Town of Lakeshore to the east, the railway line and Hwy. No. 3 to the south, and County Road 46 to the north. The westerly limit has been set at the westerly limit of Farm Lot 294 and the East Branch of the Delisle Drain.

The Hamlet is dissected into various segments by both natural and man-made obstacles, including Pike Creek, Ontario Hydro Corridor; Malden Road and the CN/CP Railway. The new collector road system along with a limited number of local roads will integrate these areas.

Access is offered to that portion of Maidstone Hamlet which lies to the west of Malden Road by a proposed collector road system which interconnects County Road 46 to the north, County Road 34 (Talbot Road) to the south, which in turn connects to Highway No. 3 and to Malden Road to the east at two (2) separate locations.

In an attempt to integrate the area west of Malden Road with that east of Malden Road, the east collector road will intersect Malden Road and connect

to the collector system to the west. This east collector will also connect to County Road No. 34 to the south.

The overall road concept establishes a new north/south collector road system that will direct traffic away from existing Malden Road.

A system of linear pedestrian/bicycle pathways along streets, the Ontario Hydro corridor and the naturally occurring alignment of Pike Creek will also serve to integrate the various segments. These will serve as an access to the focal point of the Hamlet, the St. Mary's Church/School/park area.

Although Malden Road is intended somewhat to remain in the existing condition, the additional vehicular traffic and pedestrian traffic generated by the adjacent development would no doubt impact Malden Road. For this reason, it is the policy of this Plan that only a limited improvement be considered, i.e. trail on one side, improved street lighting, improved barrier or separation between pavement and existing roadside drain for safety purposes.

Under the April 2002 County of Essex County Road 19 Corridor Study, F. R. Berry & Associates identified several roadway improvements anticipated in the next 20 years. One area of concern is the County Road No. 19/North Talbot Road/Malden Road intersection and its proximity to County Road No. 46. The development of the Hamlet will exacerbate the traffic problem foreseen in this area.

Due to the fact that this area is situated in Tecumseh west of Manning Road and in Lakeshore east of Manning Road, and under the ownership of several parties, any improvement to the alignment of these roads will prove challenging but necessary nonetheless. A proposed approximate realignment is shown on Schedules "B-3" and "E-3". Ultimately, the design will be required to be consistent with the County Road 19 (Manning Road) and County Road 22 Improvements, Environmental Study/Preliminary Design Report, dated November 2008 and prepared by the Ministry of Transportation and the County of Essex.

All proposed local residential rights-of-way must be a minimum of 20 metres in width to accommodate the above- and below-ground infrastructure. The proposed collector right-of-way must be a minimum of 24.38 metres in width in order to accommodate the proposed 3.65 metre foot wide multipurpose, hard-surfaced trail on one side. Pavement width for the collector road need not be any wider than that of local residential streets, except at its intersection with Talbot Road, Malden Road and County Road 46, where a widened pavement width will be required to accommodate left turn lanes, unless determined otherwise by additional traffic impact studies.

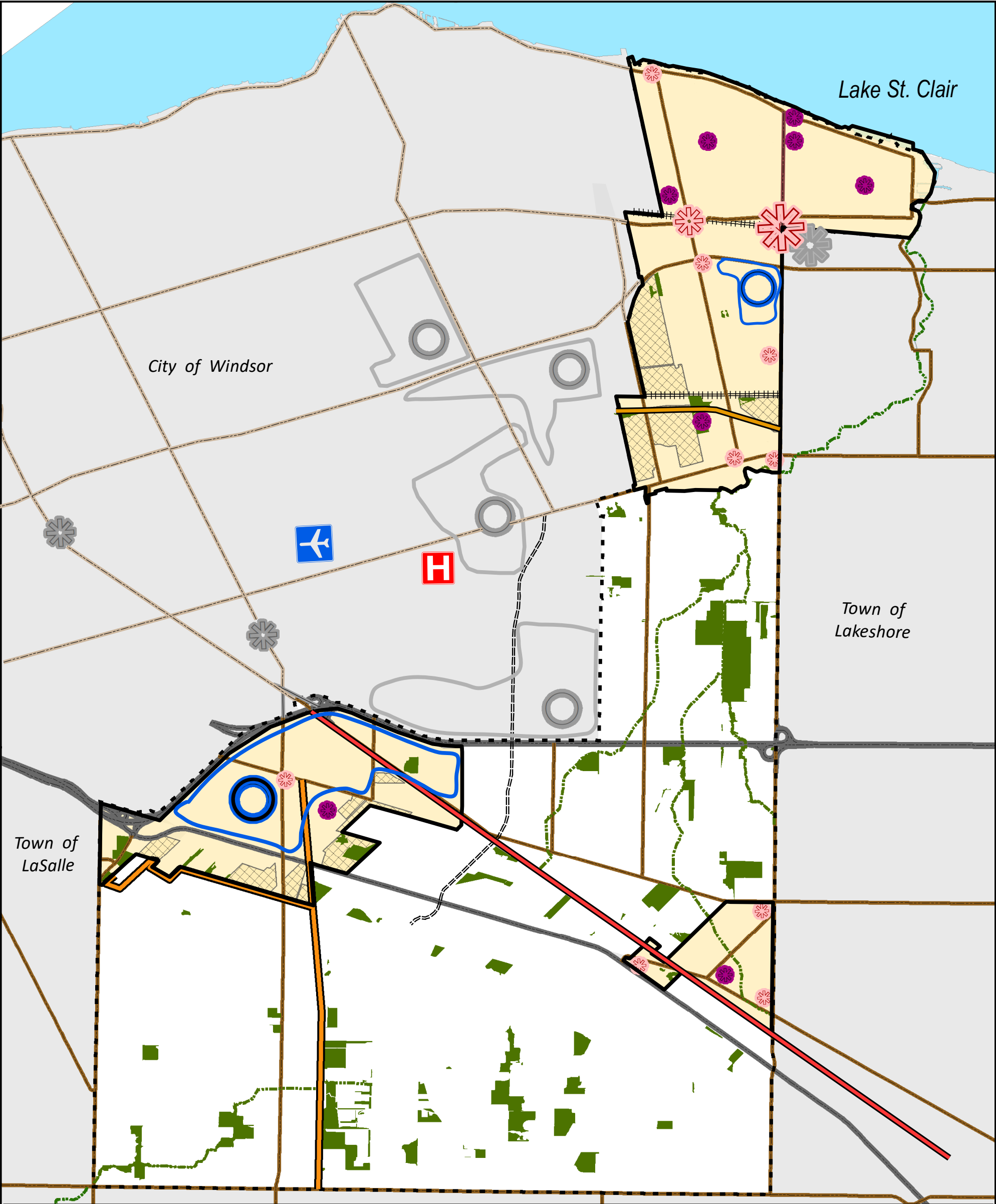
A multipurpose trail system is an amenity intended to provide a broad range of recreational opportunities, encourage walking/cycling as an alternative

means of transportation for short trips within the Hamlet, and provide a safer environment for pedestrian and non-vehicular recreational traffic. A properly designed trail system will be able to safely interconnect community facilities such as the school, parks and various areas of open space, the church and commercial sites with the surrounding residential community. The trail should be uniformly hard-surfaced throughout the Hamlet.

Improvements will be required where new collector roads intersect with external roadways. In particular, improvements will be required at the following locations:

- intersection of Malden Road and County Road 19;
- length of road connecting County Road 46 and North Talbot Road, along with intersection of same road with County Road 46;
- intersection of new collector roads with Talbot Road (County Road 34).

These improvements may include widenings, turning and bypass lanes, the introduction of traffic signals and traffic circles. Improvements, as identified through individual traffic studies, will be subject to the approval of the County Engineer along with the Town and will be subject to the preferred design solutions of any Municipal Class Environmental Assessment completed in these areas.



**Legend**

Settlement Area	Residential Neighbourhoods	Municipal Boundary
Employment Node	Future Growth Areas	Provincial Road
Commercial Node	Agricultural/Natural Areas	Main Road Corridors
Community Node	Natural Linkages	Railways
Neighbouring Employment Node	Human Made Linkages	Future Lauzon Parkway Extension
Neighbouring Commercial Node	Potential Human Made Linkages	
	Future Regional Mega-Hospital	

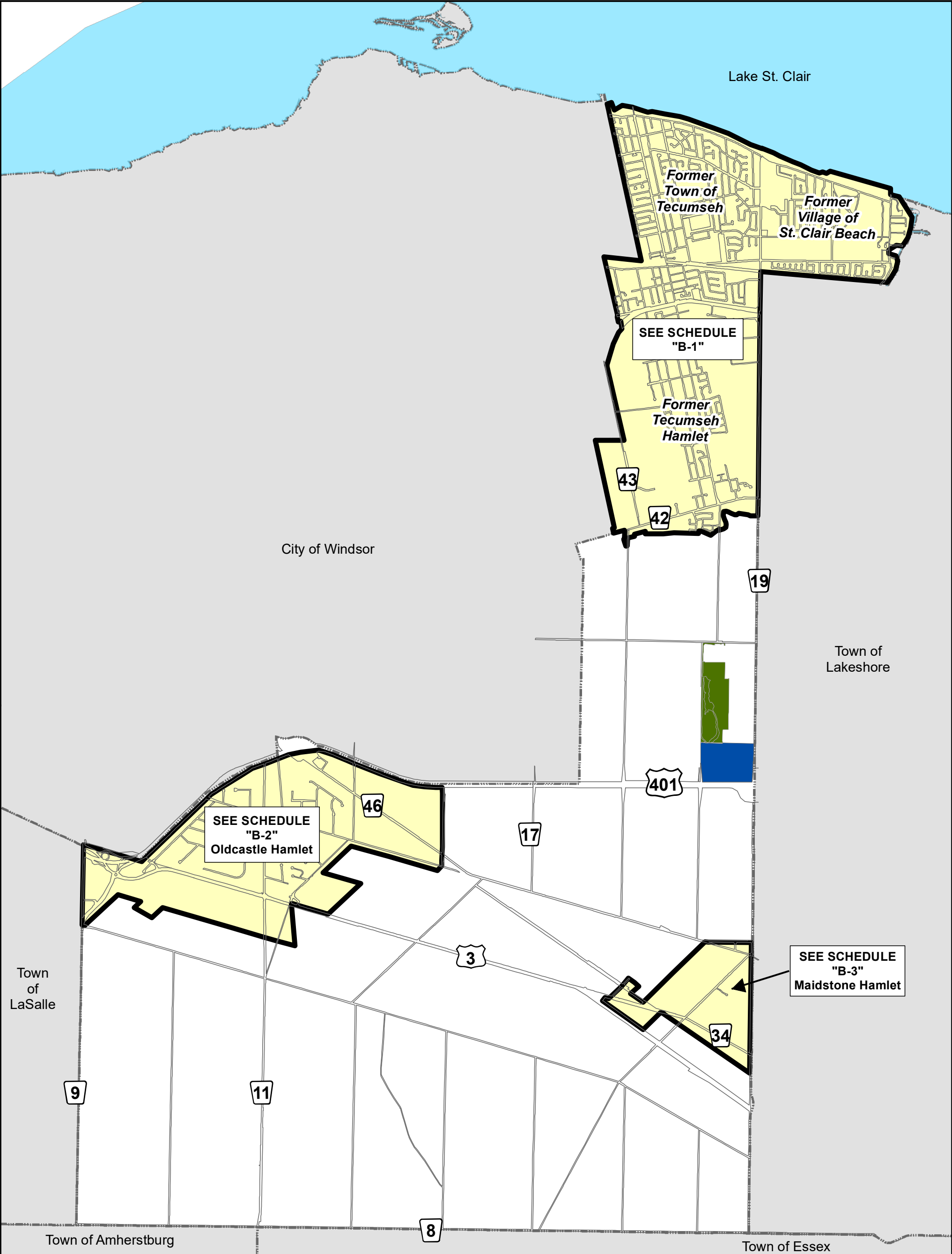
**SCHEDULE "A"**  
**Town of Tecumseh Official Plan**  
**Community Structure Plan**

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Prepared By:  
Tecumseh Planning and  
Building Services Department

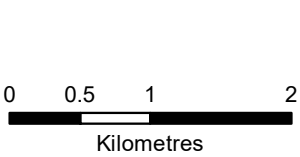




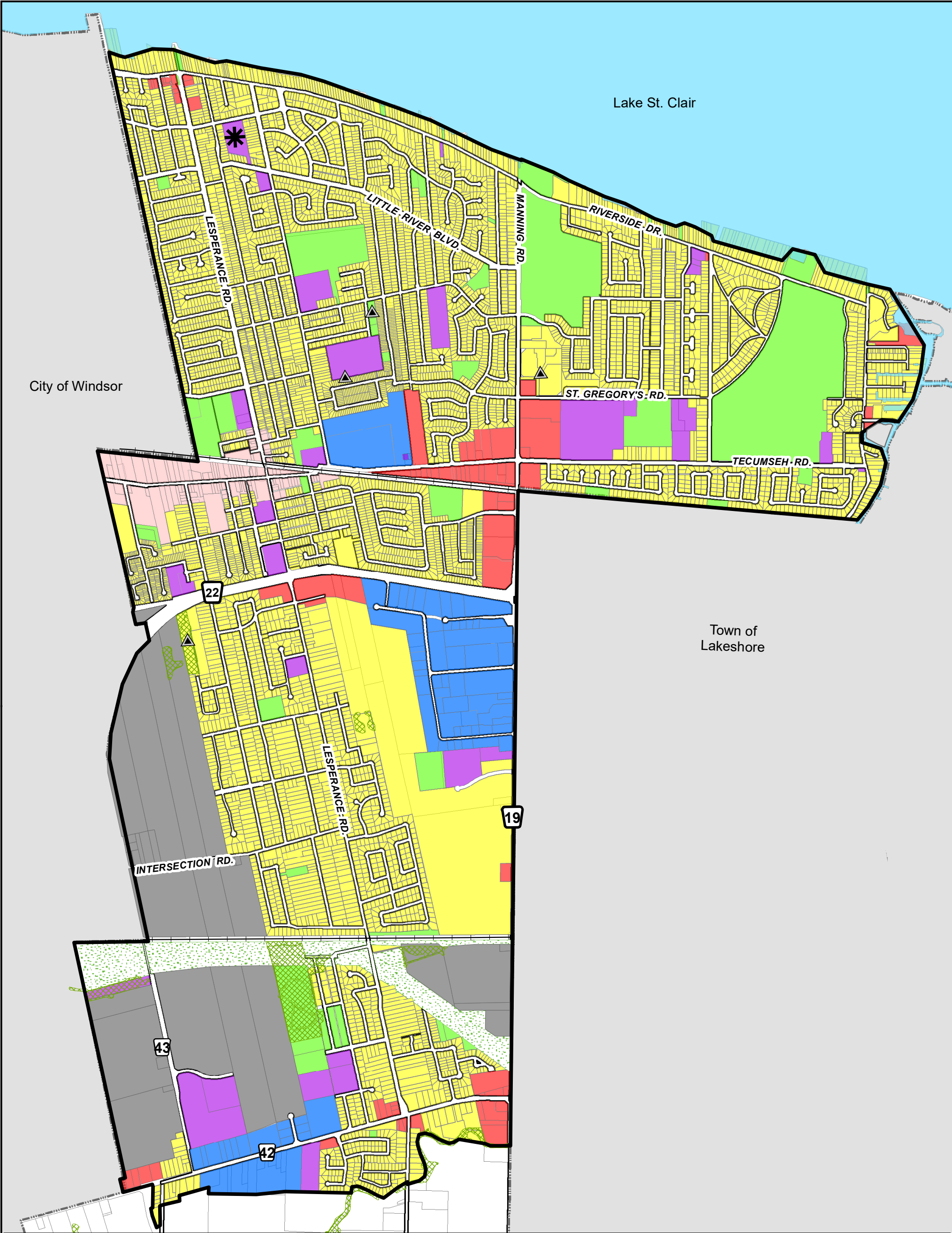
**Legend**

-  Settlement Area Boundary
-  Natural Environment
-  Highway Service Centre
-  Agricultural

**SCHEDULE "B"**  
Town of Tecumseh Official Plan  
**Land Use Plan**



Prepared By:  
Tecumseh Planning and  
Building Services Department



**Legend**

Settlement Area Boundary	Business Park	Future Development
Residential	Recreational	Former Landfill Site
Main Street Mixed Use	Hydro Right-of-Way	Lands subject to prior Official Plan Amendment application as of February 23, 2021
General Commercial	Natural Environment Overlay	
Community Facility		

**SCHEDULE "B-1"**  
**Town of Tecumseh Official Plan**  
**Tecumseh North Settlement Area**  
**Land Use Plan**

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Prepared By:  
Tecumseh Planning and  
Building Services Department

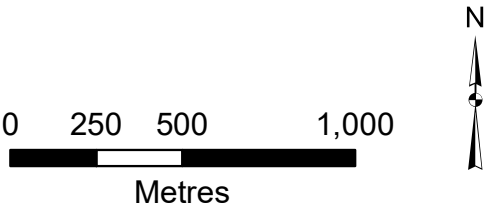




**Legend**

- |                          |                                  |
|--------------------------|----------------------------------|
| Settlement Area Boundary | Recreational                     |
| Residential              | Natural Environment              |
| General Commercial       | Natural Environment Overlay      |
| Community Facility       | Future Development               |
| Business Park            | Ministry of Transportation Lands |
| Former Landfill Site     |                                  |

**SCHEDULE "B-2"**  
Town of Tecumseh Official Plan  
**Oldcastle Hamlet Settlement Area**  
**Land Use Plan**





**Legend**

Settlement Area Boundary

Maidstone Hamlet Residential

Maidstone Hamlet Residential  
30.48 metre Frontage Lots

Neighbourhood Commercial

Community Facility

Recreational

100' Pike Creek  
Corridor & Floodway

Stormwater  
Management Areas

Hydro  
Right-of-Way

Hydro Towers

Multipurpose Trail

Conceptual  
Road Pattern

Conceptual Road Closure

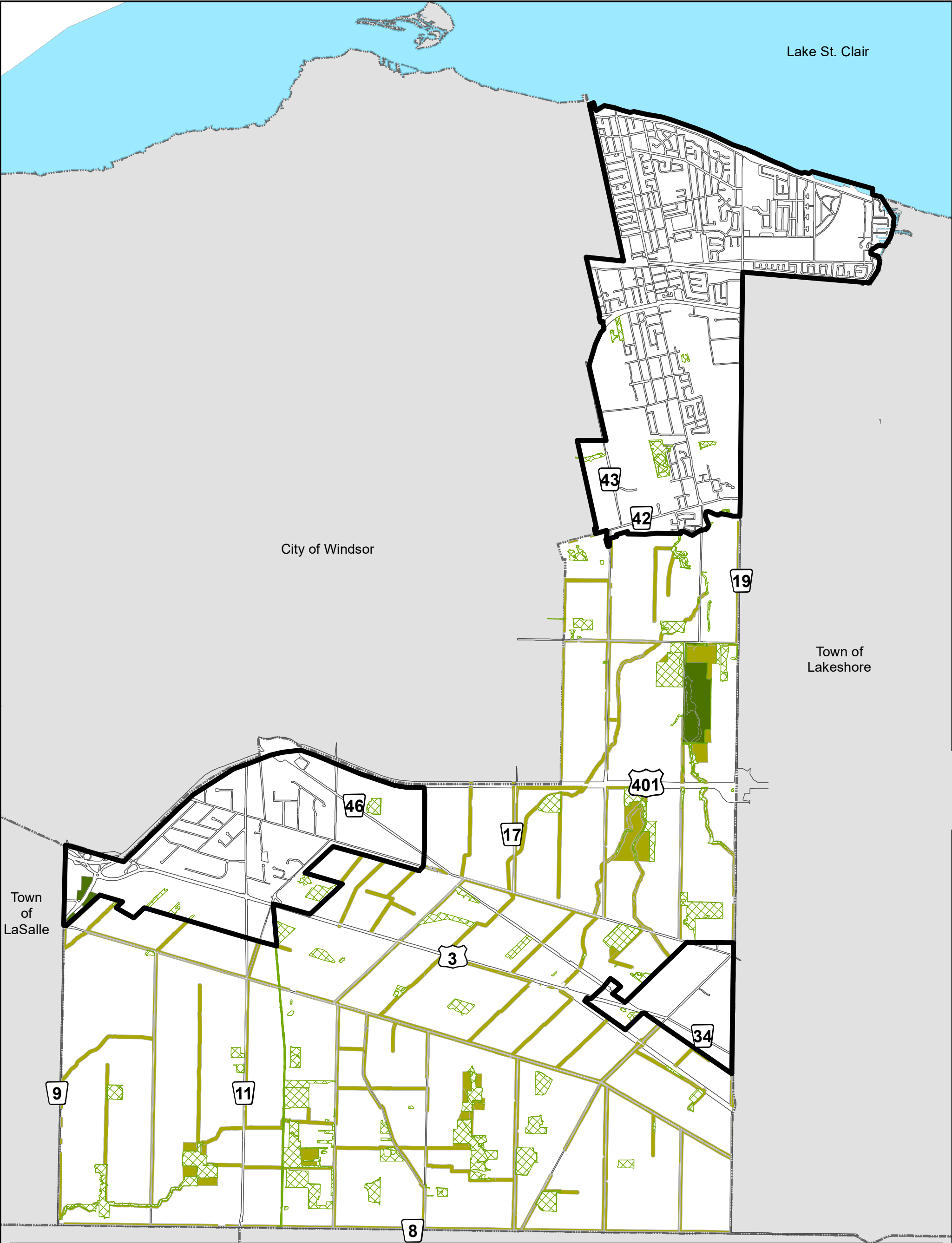
**-GAS-** Gas Line

**SCHEDULE "B-3"**  
Town of Tecumseh Official Plan  
**Maidstone Hamlet  
Settlement Area  
Land Use Plan**





Prepared By:  
Tecumseh Planning and  
Building Services Department

734

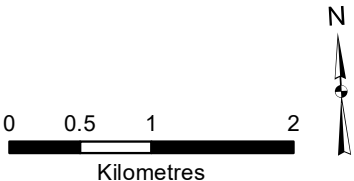




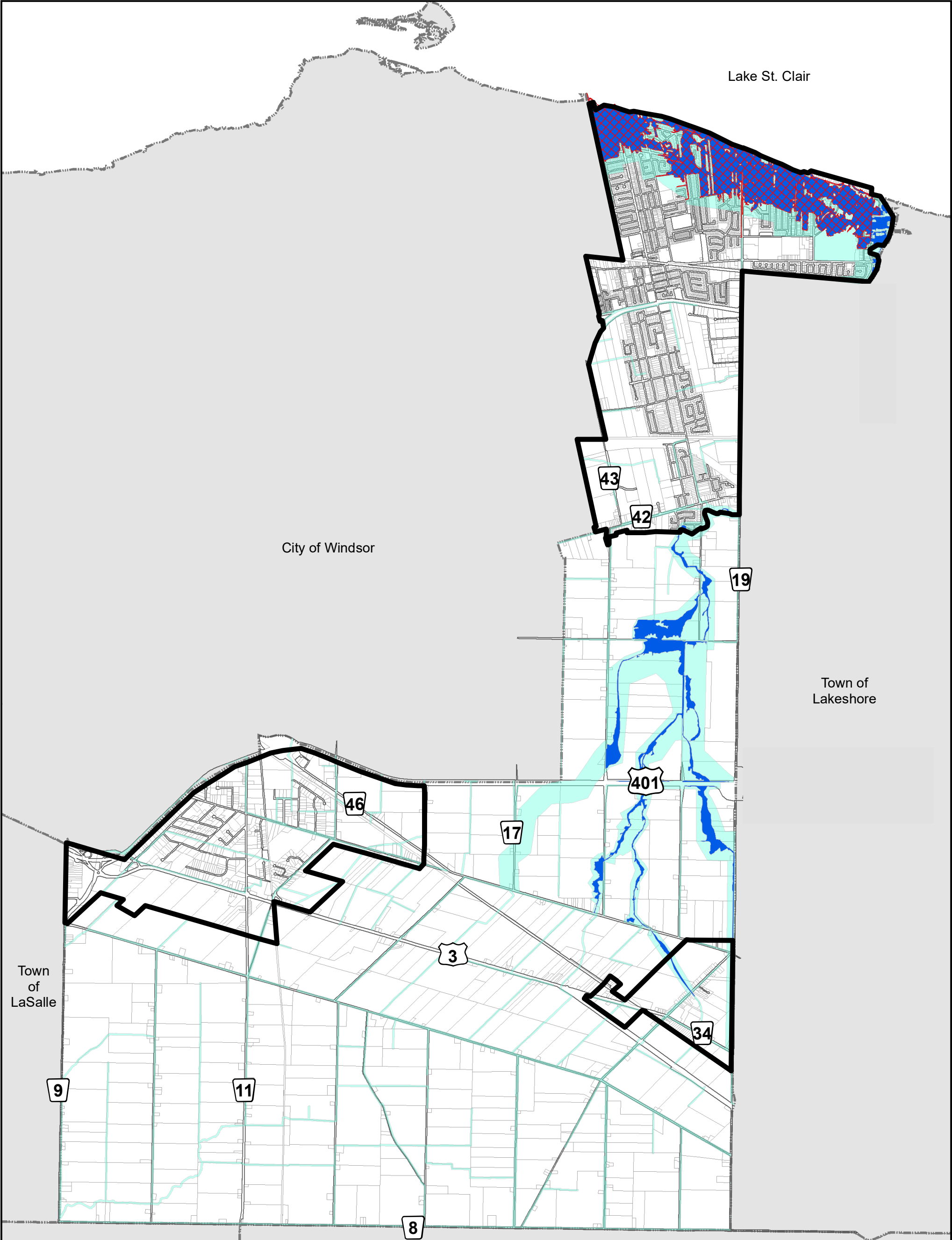
**Legend**

-  Settlement Area Boundary
-  Natural Environment
-  Natural Environment Overlay
-  Restoration Opportunities Overlay


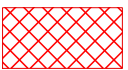

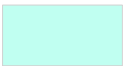
**SCHEDULE "C"**  
**Town of Tecumseh Official Plan**  
**Natural Heritage System**



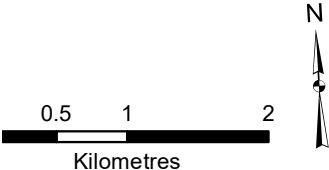
Prepared By:  
Tecumseh Planning and  
Building Services Department

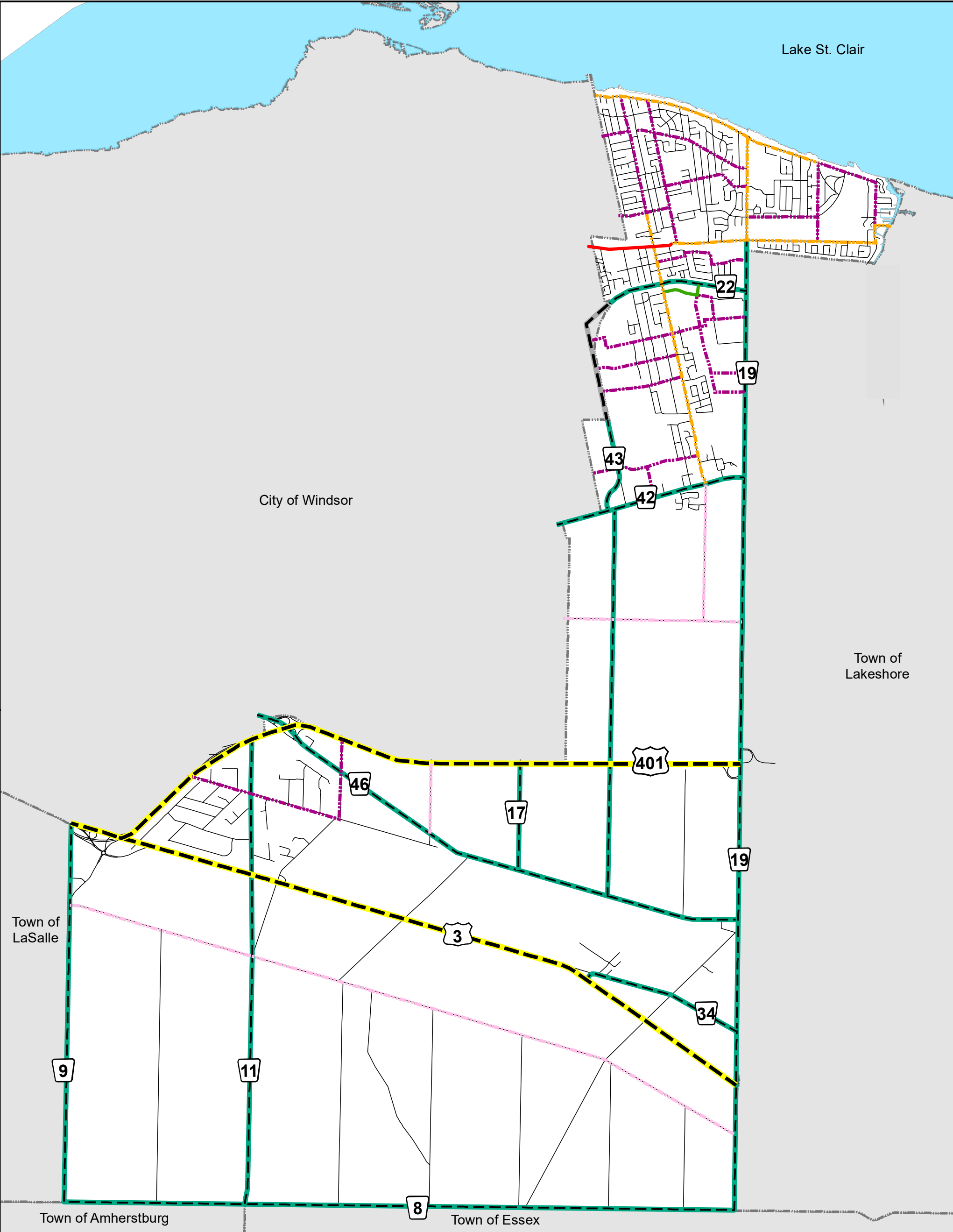


**Legend**

-  Settlement Area Boundary
-  Lake St. Clair Flood Prone Area
-  Inland Floodplain Development Control Area (FDCA)
-  Limit of Regulated Area (LORA)

**SCHEDULE "D"**  
**Town of Tecumseh Official Plan**  
**Natural Hazards**

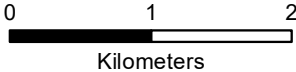




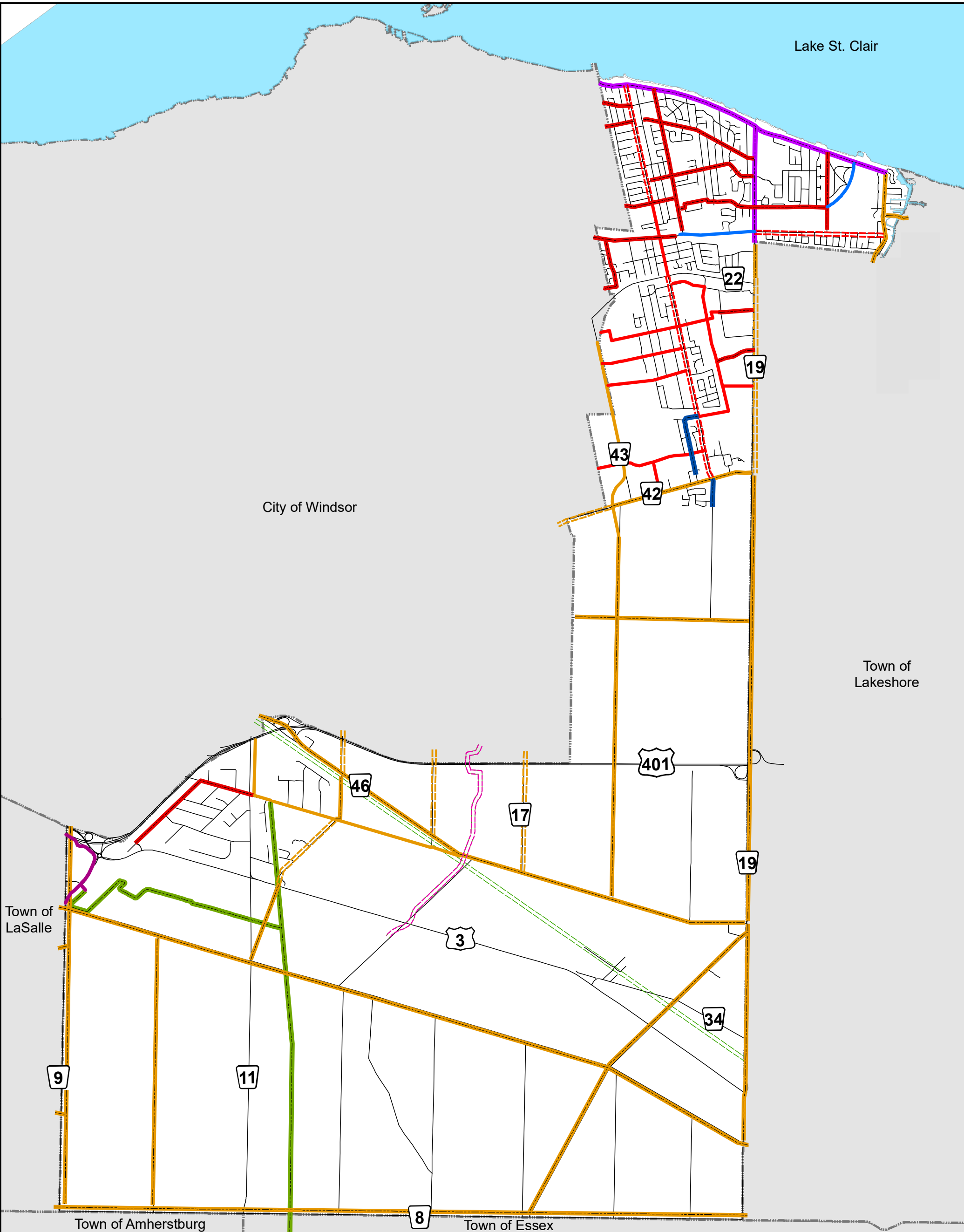
**Legend**

- |                      |                         |                   |
|----------------------|-------------------------|-------------------|
| Provincial Highway   | Arterial (Minor)        | Collector (Urban) |
| County Road          | Commercial Main Street  | Collector (Rural) |
| City of Windsor Road | Collector/Freeeway Ramp | Local Road        |

**SCHEDULE "E-1"**  
**Town of Tecumseh Official Plan**  
**Road Classification**



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Tecumseh Planning and  
Building Services Department



**Legend**

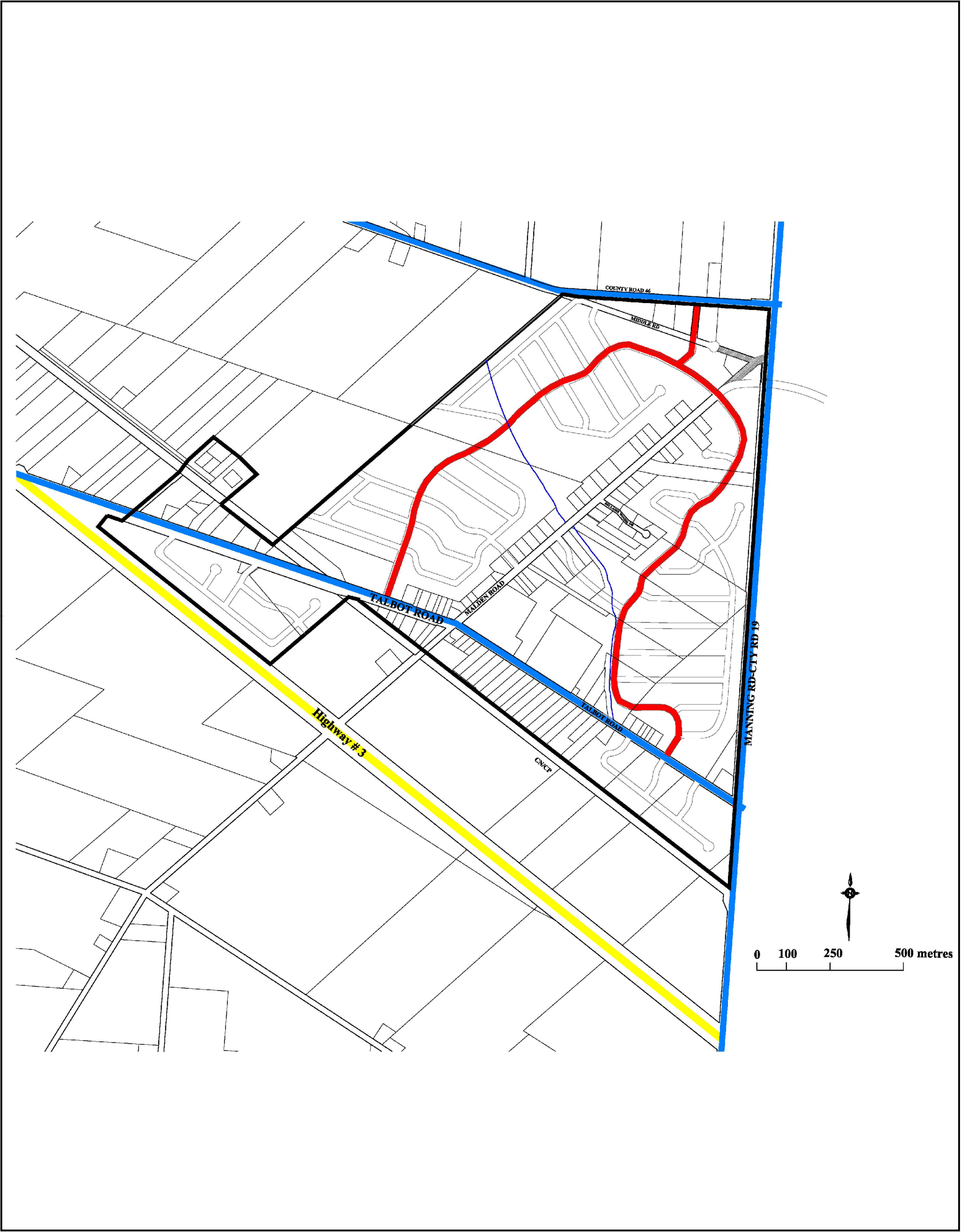
- |                               |                                    |
|-------------------------------|------------------------------------|
| Tecumseh Off-Road             | Herb Grey Parkway Route            |
| Tecumseh On-Road (Dedicated)  | CWATS and Tecumseh On and Off Road |
| Tecumseh On-Road (Shared)     | CWATS On-Road Route                |
| Tecumseh On or Off Road       | CWATS Off-Road Route               |
| Tecumseh On and Off Road      | CWATS On and Off Road Route        |
| Proposed Lauzon Parkway Route | ERCA Routes                        |
|                               | Proposed ERCA Routes               |

**SCHEDULE "E-2"**  
**Town of Tecumseh Official Plan**  
**Active Transportation Network**

(Note: See Schedule B-3 for Active Transportation Network in Maidstone Hamlet Settlement Area)







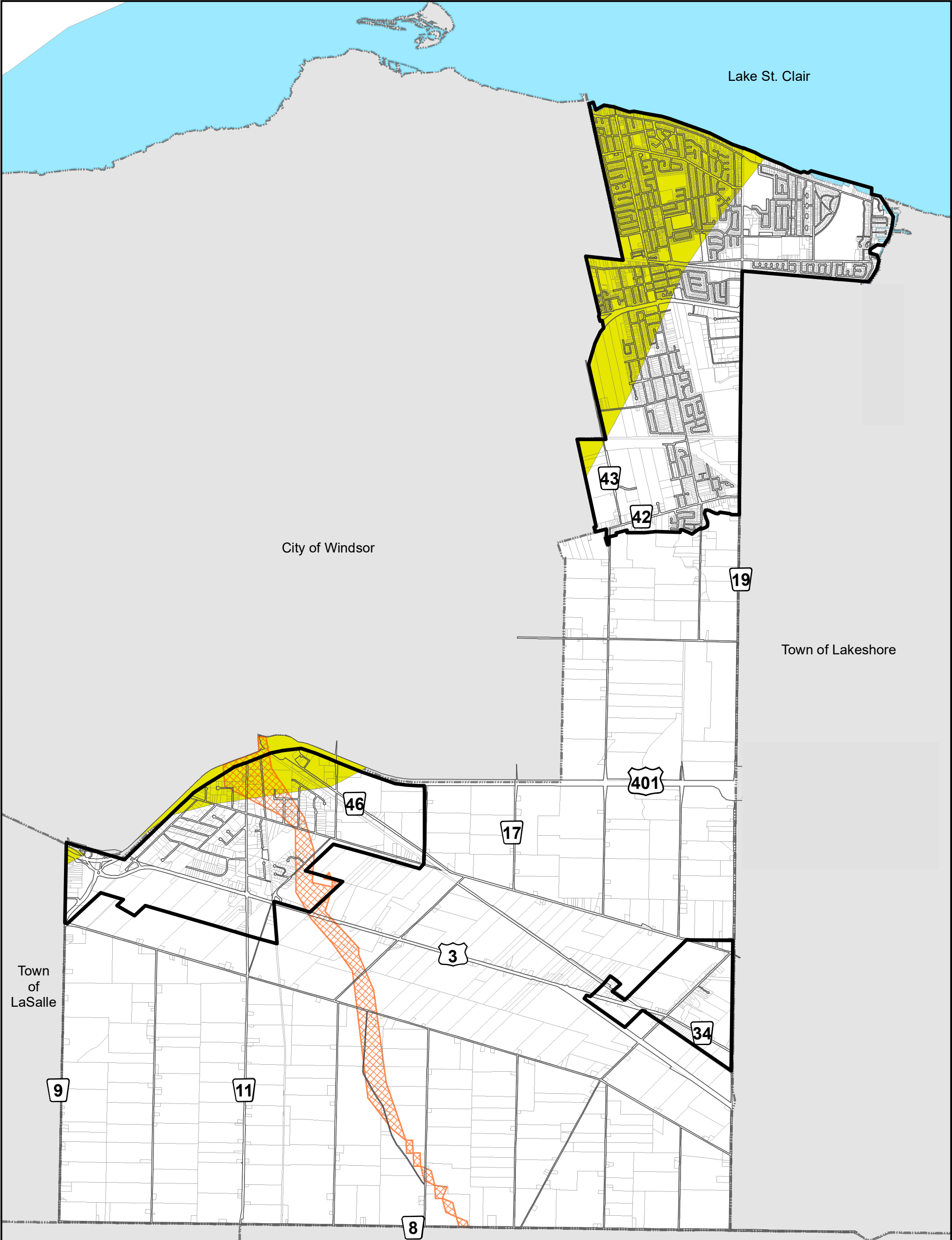
**Legend**

	Settlement Area Boundary		Local Roads
	Provincial Highways		Conceptual Future Local Roads
	Arterial Roads (County Roads)		Conceptual Road Closure
	Collector Roads		




**SCHEDULE "E-3"**  
Town of Tecumseh Official Plan  
**Maidstone Hamlet Settlement Area**  
**Road Classification**

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Tecumseh Planning and  
Building Services Department

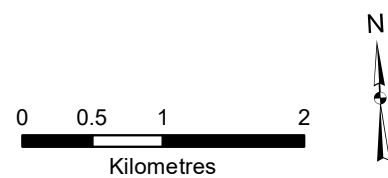
739



**Legend**

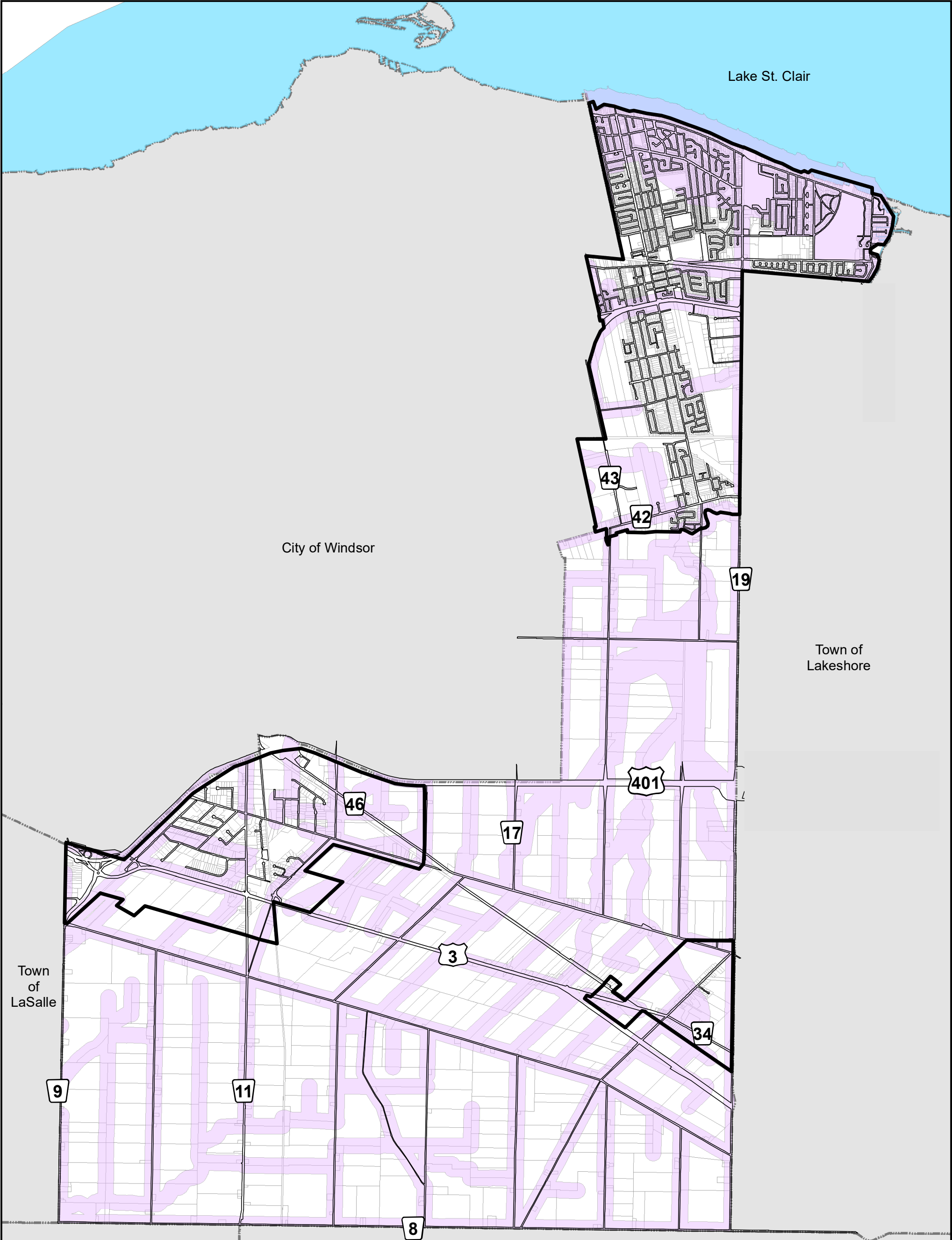
-  Settlement Area Boundary
-  Significant Ground Water Recharge Areas
-  Salt Deposits

**SCHEDULE "F"**  
**Town of Tecumseh Official Plan**  
**Natural Resources**





  
 Prepared By:  
 Tecumseh Planning and  
 Building Services Department





**Legend**

-  Urban Area Boundary
-  Intake Protection Zones

**SCHEDULE "G"**  
**Town of Tecumseh Official Plan**  
**Intake Protection Zones**



Prepared By:  
Tecumseh Planning and  
Building Services Department

# The Corporation of the Town of Tecumseh

## By-Law Number 2021 - 11

Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Her Majesty the Queen in Right of Ontario as represented by the Minister of Government and Consumer Services.

**Whereas** The Corporation of the Town of Tecumseh (Town) has entered into a Contract for police services by the Ontario Provincial Police (OPP) in pursuance of its responsibilities under s. 5 of the *Police Services Act*, by means of an Agreement, for the term January 1, 2021, to December 31, 2023 with Her Majesty the Queen in Right of Ontario as represented by the Solicitor General (Contract);

**And whereas** the Contract provides that the parties will enter into negotiations concerning the provision and payment of appropriate buildings and rental agreements, including, but not limited to, location, leasehold improvements, and capital costs;

**And whereas** the parties are desirous of entering into a Licence Agreement for the OPP to occupy a building owned by the Town as 963 Lesperance Road for the term, January 1, 2021 to December 31, 2023;

**And Whereas** under Section 5 of *the Municipal Act 2001, S.O. 2001 c.25*, the powers of a municipality shall be exercised by its Council by by-law;

**Now Therefore the Council of The Corporation of The Town of Tecumseh enacts as follows:**

1. **That** the Mayor and the Clerk be and they are hereby authorized and empowered on behalf of The Corporation of the Town of Tecumseh, to execute a Licence Agreement between The Corporation of the Town of Tecumseh and Her Majesty the Queen in Right of Ontario as represented by the Minister of Government and Consumer Services for the term January 1, 2021, to December 31, 2023, (Agreement) a copy of which Agreement is attached hereto and forms part of this by-law and to do such further and other acts which may be necessary to implement the said Agreement.
2. **That** this by-law shall come into force and take effect upon on the date of the third and final reading thereof.

**Read** a first, second, third time and finally passed this 23rd day of February, 2021.

---

Gary McNamara, Mayor

---

Laura Moy, Clerk

Licence Agreement

This Licence Agreement made in duplicate as of January 1, 2021.

Between:

The Corporation of the Town of Tecumseh

(Hereinafter referred to as the “Licensor”)

- and -

Her Majesty the Queen in Right of Ontario  
as represented by the Minister of Government  
and Consumer Services

(Hereinafter referred to as the “Licensee”)

Whereas The Licensor has jurisdiction and control of the Lands and Building (as hereinafter defined) and the parties hereto have agreed that the Licensee shall have the right, pursuant to the license herein granted, to utilize a portion of the Building, subject to the terms and conditions of this licence agreement (the “Licence”).

Now Therefore, in consideration of the foregoing, and the mutual covenants and agreements herein contained and expressed, it is agreed among the parties as follows:

Article 1

Basic Terms, Definitions, Interpretation

Section 1.1 Summary of Basic Term

The following is a summary of certain provisions, which are part of, and are referred to in subsequent provisions of this Licence. Any conflict or inconsistency between these provisions and the provisions contained elsewhere in this Licence will be resolved in favour of the provisions contained elsewhere in this Licence.

Provision	Provision Detail
(a) Address of Premises:	963 Lesperance Road, Tecumseh, Ontario
(b) Area of the Licensed Premises:	Five thousand eight hundred (5,800) square feet
(c) Licence Fee:	There shall be no Licence Fee chargeable by the Licensor to the Licensee in connection with the use of the Licensed Premises.
(d) Term	Three (3) years.
(e) Extension Option(s):	One (1) extension term of one (1) year, exercisable upon at least six (6) months’ prior written notice to the Licensor.
(f) Commencement Date:	January 1, 2021
(g) Address of Licensor:	The Corporation of the Town of Tecumseh 917 Lesperance Road Tecumseh, Ontario N8N 1W9 Attention: Laura Moy Fax: (519) 735-6712
(h) Address of Licensee:	Ontario Infrastructure and Lands Corporation 1 Dundas Street West, Suite 2000 Toronto, Ontario M5G 1Z3

Provision	Provision Detail
	Attention: Vice President, Asset Management Fax: (416) 327-1906  <b>With a copy to:</b>  Ontario Infrastructure and Lands Corporation 1 Dundas Street West, Suite 2000 Toronto, Ontario M5G 1Z3 Attention: Director, Legal (Leasing and Contract Management) Fax: (416) 327-3376  <b>And an additional copy to:</b>  CBRE Limited 18 King Street East, Suite 1100 Toronto, Ontario M5C 1C4 Attention: Global Workplace Solutions – Director, Lease Administration – OILC Fax: (416) 775-3989
(i) <b>Termination</b>	The Licensee or the Licensors shall have the right to terminate the Licence at any time throughout the Term, without penalty, damages, compensation or bonus, upon giving the other twelve (12) months’ prior written notice.

Section 1.2     **Definitions**

In this Licence and in the Schedules to this Licence, the following words or phrases have the following meanings:

“**Architect**” means the independent, arm’s length architect, surveyor or professional civil engineer, from time to time named by the Licensors.

“**Authority**” means any governmental authority, quasi-governmental authority, agency, body or department whether federal, provincial or municipal, having or claiming jurisdiction over the Licensed Premises or the Building, or the use thereof.

“**Building**” means the building known municipally as 963 Lesperance Road in the Town of Tecumseh, in the Province of Ontario, erected on the Lands, from and including the lowest floor or level of the Building to and including the roof of the Building, the Common Areas and Facilities, the Parking Areas and the areas and facilities exclusively serving the Building, which areas and facilities may include, without limitation, lobbies, foyers and vestibules, sidewalks, storage and mechanical areas, Mechanical and Electrical Services, janitor rooms, mail rooms, telephone rooms, rooms for the Mechanical and Electrical Services, stairways, escalators, elevators, truck and receiving areas, driveways, loading docks and corridors.

“**Business Day**” means any day which is normally considered a regular day of business for most government offices for the Province of Ontario.

“**By-Laws**” is defined in Section 6.14 of this Licence.

“**Claims**” is defined in Section 6.8 of this Licence.

“**Commencement Date**” means the date set out in Article 3 of this Licence for the beginning of the Term.

“**Common Areas and Facilities**” means those areas, facilities, utilities, improvements, equipment and installations in the Building which are not leased or licensed to tenants or licensees of the Building, and which serve or are for the benefit of the Building and are located within the Building or on the Lands, including all areas, facilities, utilities, improvements, equipment and installations which are provided by the Licensors for the use or benefit of all the

tenants, licensees, their employees, customers and other invitees in common with others entitled to the use and benefit thereof in the manner and for the purposes permitted by this Licence.

**“Contemplated Use”** means the use set out in Section 5.6 of this Licence.

**“Date of Damage”** is defined in Section 7.7 of this Licence.

**“Environmental Contaminant(s)”** means (i) any substance which, when it exists in the Building or the water supplied to or in the Building, or when it is released into the Building or any part thereof, or into the water or the natural environment, is likely to cause, at any time, material harm or degradation to the Building or any part thereof, or to the natural environment or material risk to human health, including but not limited to any flammables, explosives, radioactive materials, asbestos, lead paint, PCBs, fungal contaminants (including without limitation, and by way of example only, stachybotrys chartarum and other moulds), mercury and its compounds, dioxins and furans, chlordane (DDT), polychlorinated biphenyls, chlorofluorocarbons (CFCs), hydro-chlorofluorocarbons (HCFCs), volatile organic compounds (VOCs), urea formaldehyde foam insulation, radon gas, chemicals known to cause cancer or reproductive toxicity, pollutants, contaminants, hazardous wastes, toxic or noxious substances or related materials, petroleum and petroleum products, or (ii) any substance declared to be hazardous or toxic under any Environmental Laws now or hereafter enacted or promulgated by any Authorities, or (iii) both (i) and (ii).

**“Environmental Laws”** means any federal, provincial or local law, statute, ordinance, regulation, policy, guideline or order and all amendments thereto pertaining to health, industrial hygiene, environmental conditions or Environmental Contaminants, including, without limitation, the *Environmental Protection Act*, R.S.O. 1990, c.E.19, the *Environmental Assessment Act*, R.S.O. 1990, c.E.18, the *Ontario Water Resources Act*, R.S.O. 1990, c.O.40, the *Occupational Health and Safety Act*, R.S.O. 1990, c.O.1 and applicable air quality regulations thereunder, the *Safe Drinking Water Act*, 2002, S.O. 2002, c.32, and applicable air quality guidelines, as such statutes, regulations and guidelines may be amended from time to time.

**“Extension Term”** is defined in Section 7.11 of this Licence.

**“Improvements”** means all items generally considered as leasehold improvements including, without limitation, all installations, alterations, and additions from time to time made, erected or installed in the Licensed Premises by or on behalf of the Licensee, or any previous occupant of the Licensed Premises.

**“Indemnifying Party”** is defined in Section 7.14 of this Licence.

**“Lands”** means the lands underneath or directly adjacent to the Building as more particularly described in Schedule A attached hereto.

**“Licence Agreement”** means this agreement and all the terms, covenants and conditions set out herein, as amended from time to time in accordance with Section 7.16 of this Licence.

**“Licence Fee”** means the licence fee payable by the Licensee to the Licensors pursuant to Article 4 of this Licence.

**“Licensed Premises”** means the Licensed Premises containing an area, which, as of the Commencement Date, has been determined to be approximately five thousand eight hundred (5,800) square feet and occupying the entire Building as set out at Schedule “C” attached hereto.

**“Licensee Indemnified Parties”** means the parties set out in Section 6.8 of this Licence.

**“Licensor”** means the Licensor and its duly authorized representatives.

**“Licensor Indemnified Parties”** means the parties set out in Section 5.11 of this Licence.

**“Licensee”** includes, for the purpose of Section 6.8 herein and any other provisions herein limiting the Licensee’s liabilities, the servants, employees, agents, invitees and licensees of the Licensee, and any other governmental agency, ministry, corporation or department over whom the Licensee may reasonably be expected to exercise control. It is understood and agreed

that the Minister of Government and Consumer Services or the Ontario Infrastructure and Lands Corporation by their representatives are the only Persons entitled to bind the Licensee contractually.

**“Mechanical and Electrical Services”** include, but are not limited to, all mechanical, electrical, drainage, lighting, incinerating, ventilation, air-conditioning, elevating, heating, pumping, sprinkling, alarm, plumbing and other mechanical and electrical systems installed in or used in the operation of the Building and the Lands.

**“OILC”** means the Ontario Infrastructure and Lands Corporation.

**“Open Data”** means data that is required to be released to the public pursuant to the Open Data Directive.

**“Open Data Directive”** means the Management Board of Cabinet’s Open Data Directive, updated on April 29, 2016, as amended from time to time.

**“Parking Areas”** means the improvements constructed from time to time, in or as part of the Building and the Lands for use as parking facilities for the tenants and/or licensees of the Building and their employees, servants and invitees, and the areas and facilities that are appurtenant solely to those improvements. The Licensor shall designate the minimum number of the parking spaces comprising the Parking Areas prescribed by the relevant Authority for the sole and exclusive use of people with disabilities.

**“Person”** if the context allows, includes any person, firm, partnership or corporation, or any group of persons, firms, partnerships or corporations or any combination thereof.

**“Protected Person”** is defined in Section 7.14 of this Licence.

**“Sales Taxes”** means all business transfer, multi-usage sales, sales, goods and services, harmonized sales, use, consumption, value-added or other similar taxes imposed by the Government of Canada and/or Ontario upon the Licensor, or the Licensee, or in respect of this Licence, or the payments made by the Licensee hereunder or the goods and services provided by the Licensor hereunder including, without limitation, the use of the Licensed Premises and the provision of administrative services to the Licensee hereunder.

**“Service Provider”** means any Person retained by the Licensee to provide services to the Licensee in respect of the administration of and operations under this Licence.

**“Structure”** means the foundation, roof (including the roof membrane), exterior wall assemblies, including weather walls and bearing walls, subfloor and structural columns and beams of the Building, all plumbing, drainage, Mechanical and Electrical Services and equipment leading up to, from and under the Building, and any other portions of the Building normally considered to be part of the structural portion of a building, or where the repairs or replacements thereto are normally considered a major capital expenditure.

**“Taxes”** means all taxes, rates, duties, levies and assessments whatsoever whether municipal, provincial, federal or harmonized, charged upon the Building and the Lands, or upon the Licensor on account thereof, including all taxes, rates, duties, levies, impost charges and assessments for local improvements, education and schools and all taxes, grants or assessments which may in future be levied in lieu of “Taxes” as hereinbefore defined, and including any local improvement charges or levies directly or indirectly related to the development of the Building. Taxes include, without limitation, realty taxes, business taxes of the Licensor, corporation taxes, capital taxes, excise taxes, Sales Taxes, income taxes, or any other taxes or assessments levied against the Licensor, the Building, the Lands, or the Licence Fee.

**“Term”** means the term of this Licence set out in Article 3 of this Licence.

**“Trade Fixtures”** means the personal chattels installed prior to the Commencement Date, at the Commencement Date or during the Term by or on behalf of the Licensee, in, on or which serve, the Licensed Premises, for the sole purpose of the Licensee carrying on its trade in the Licensed Premises pursuant to Section 5.6 of this Licence and which Trade Fixtures the Licensee is permitted to remove only to the extent permitted by the terms of this Licence, but Trade Fixtures do not include Improvements of the Licensee.



**“Utilities”** means all gas, electricity, water, sewer, steam, fuel oil, power, telecommunications equipment for transmitting and receiving signals, and other utilities used in or for the Building or the Licensed Premises, as the case may be.

## **Article 2**

### **Grant of Licensed Premises**

In consideration of the Licence Fees reserved and the covenants and agreements herein contained to be paid, observed and performed by the Licensee, the Licensors hereby grants to the Licensee the licence and privilege (irrevocable in accordance with the terms hereof) to utilize the Licensed Premises for the purpose of the Contemplated Use and for no other purpose, subject to the further terms and conditions hereof.

## **Article 3**

### **Term**

The Licence shall be for a term of three (3) years, commencing on January 1, 2021 (the **“Commencement Date”**) and terminating on December 31, 2023 (the **“Term”**).

The Licensee or the Licensors shall have the right to terminate the Licence at any time throughout the Term, without penalty, damages, compensation or bonus, upon giving the other twelve (12) months’ prior written notice.

## **Article 4**

### **Licence Fee**

In consideration of the sum of Two Dollars (\$2.00) of lawful money of Canada now paid by the Licensee to the Licensors, the receipt and adequacy of which is acknowledged, the Licensors hereby licenses to the Licensee the Licensed Premises for the Term, in accordance with the provisions of this Licence.

## **Article 5**

### **Licensee’s Covenants**

The Licensee covenants with the Licensors as follows:

#### **Section 5.1      Licence Fee**

Intentionally deleted.

#### **Section 5.2      Compensation for Damage**

To make good any damage to the Licensed Premises caused by negligent, reckless or willful misconduct of the Licensee’s servants, agents, employees, licensees or invitees.

#### **Section 5.3      Notice of Defect**

To give the Licensors notice, as soon as reasonably possible, of any accident to or defect in the Mechanical and Electrical Services, or any other system or part of the Licensed Premises which the Licensors is obligated to repair.

#### **Section 5.4      Entry by Licensors**

To permit the Licensors to enter the Licensed Premises at any reasonable time after delivering two (2) Business Days prior written notice to the Licensee’s designated representative, for the purpose of inspecting the Licensed Premises and making permitted repairs to the Licensed Premises.

#### **Section 5.5      Assign or Sublet**

- (A) Not to assign this Licence, sublet, part with or share possession of the Licensed Premises or any part thereof, (in each case, a **“Transfer”**) without the prior written consent of the Licensors, such consent not to be unreasonably withheld, delayed or conditioned. Consent may be conditioned upon written confirmation that the entirety of the Licensed Premises will continue to be used for the Contemplated Use.

- (B) Despite the foregoing, the Licenser acknowledges and agrees the Licensee may, without the Licenser's consent, change the occupant of the Licensed Premises, in whole or in part, or sublicense or assign this Licence to any of the following (each shall be referred to herein as a "**Permitted Transfer**" to a "**Permitted Transferee**"), namely, any municipal, provincial or federal (in each case to the extent applicable) (i) governmental agency, board or commission, (ii) ministry, (iii) Crown corporation, or (iv) department or Person affiliated with the Licensee or its Service Providers, and the Licensee shall be released from all its liabilities and obligations hereunder in the event of an assignment or sublicense to a Permitted Transferee. The Licenser specifically acknowledges and agrees that the use or occupation of all or part of the Licensed Premises by any Permitted Transferee does not constitute an assignment or sublicense and does not require the Licenser's consent provided the entirety of the Licensed Premises will continue to be used for the Contemplated Use.
- (C) If the Licenser's consent is required for an assignment or sublicense, then the Licenser's consent shall be deemed to have been given unless the Licenser notifies the Licensee in writing of the reasons for the Licenser's disapproval within fifteen (15) days of receipt of the request. Notwithstanding anything to the contrary contained in this Licence, the Licenser shall be liable for any loss, damages, costs, and expenses incurred by the Licensee (including solicitors' fees on a substantial indemnity basis) in respect thereof as a result of the Licenser unreasonably withholding or unduly delaying its consent to an assignment, subletting or other transfer proposed by the Licensee hereunder. The Licenser also acknowledges and agrees that, notwithstanding anything herein contained, the Licensee may, without the Licenser's consent but upon notice to the Licenser, permit portions of the Licensed Premises to be used by the Licensee's Service Providers. With respect to any assignment or sublease requiring the Licenser's consent, the Licensee will prepare and provide to the Licenser an assignment of licence or sublicense, as the case may be, on the Licensee's standard form, duly executed by the assignee or sublicensee, as the case may be.
- (D) Notwithstanding anything herein contained, the Licensee shall have the right upon any Transfer by way of sublicense to direct all rent and other sums payable by the Permitted Transferee under such sublicense to the Licenser rather than to the Licensee; provided, however, that the Licensee shall continue to remain liable for all License Fees and other sums payable hereunder in respect of the Licensed Premises which are demised under such sublicense and, to the extent necessary, shall pay to the Licenser any shortfall in such fees or other sums in the event that the amounts paid by the Permitted Transferee are less than the amounts required to be paid.
- (E) Any consent by the Licenser to a Transfer shall not constitute a waiver of the necessity for such consent to any subsequent Transfer.

#### Section 5.6      **Use of Licensed Premises**

To use the Licensed Premises to provide police services including without limitation, public visitation, as well as office, administrative, business and other purposes, in each case, to the extent permitted by applicable laws and, in each case, in the fulfillment of such police services (the "**Contemplated Use**").

#### Section 5.7      **Not to Affect Insurance**

Not to do or omit or permit to be done or omitted on the Licensed Premises anything which shall cause the insurance premiums for the Building to be increased and if the insurance premiums for the Building shall be increased by reason of anything done or omitted or permitted to be done or omitted by the Licensee or anyone permitted by the Licensee to be upon the Licensed Premises, the Licensee shall, within five (5) Business Days after receipt of notice from the Licenser setting out in reasonable detail the cause for such increased premiums, pay to the Licenser the amount of such increase.

#### Section 5.8      **Licensee's Compliance with Laws**

To comply with all codes and regulations of any federal, provincial or municipal laws, regulations and codes of any relevant Authority which apply to the Licensee's use or occupation

of the Licensed Premises or to the making of any repairs, replacements, additions, changes, substitutions or improvements that relate to such use or occupation by the Licensee.

#### Section 5.9      **Waste**

Not to do or allow any waste, damage, disfiguration or injury to the Licensed Premises or the fixtures and equipment forming a part thereof or permit any overloading of the floors thereof.

#### Section 5.10    **Nuisance**

Not to use or permit the use of any part of the Licensed Premises for any dangerous, noxious or offensive trade or business or cause or permit any nuisance in, at or on the Licensed Premises. The Licenser acknowledges and agrees that the Contemplated Use does not contravene this Section.

#### Section 5.11    **Licensee's Indemnity**

Subject to the paragraphs below and Section 7.14, the Licensee shall defend, protect, indemnify, and hold the Licenser and the Licenser's agents, officers, directors, employees, and contractors (collectively, the “**Licenser Indemnified Parties**”) harmless against and from any and all injuries, costs, expenses, liabilities, losses, damages, injunctions, suits, actions, fines, penalties, and demands of any kind or nature (including reasonable solicitors' fees) arising in connection with any and all third party claims arising out of: (a) injuries occurring within the Licensed Premises, (b) any intentional conduct or negligence of the Licensee or any person for whom it is in law responsible, or (c) any breach or default in the performance of any obligation on the Licensee's part to be performed under this Licence. This indemnity does not include the intentional or negligent acts or omissions of the Licenser or any person for whom it is in law responsible. This indemnity shall survive termination of this Licence only as to claims arising out of events that occur prior to termination of this Licence.

The Licenser, its employees, agents, contractors and those for whom it is in law responsible, shall have no claim against the Licensee for any damage or loss incurred by the Licenser with respect to the Licensed Premises, except and to the extent such damage or loss is as a result of the negligence or wilful misconduct of the Licensee, its employees, agents, contractors and those for whom it is in law responsible.

Notwithstanding anything in this Licence to the contrary, the Licensee shall not be liable to the Licenser or to any insurance company (by way of subrogation or otherwise) insuring the Licenser, for: (i) any loss of profit or consequential loss that is indirect or not reasonably foreseeable, or (ii) any loss or damage to the Building or other tangible property, or any resulting loss of income and benefits, even though such loss or damage might have been occasioned by the negligence of the Licensee or any person for whom the Licensee is at law responsible, if any such loss or damage is covered by insurance maintained or required to be obtained by the Licenser pursuant to this Licence. Licenser shall require its insurance company to include a waiver of subrogation provision in its policies in order to implement this paragraph.

#### Section 5.12    **Licensee's Insurance Acknowledgement**

The Licenser acknowledges that the Licensee in respect of damage to the Licensed Premises is self-insured and will maintain during the Term coverage with respect to commercial general liability risks as a ‘Protected Person’ under the Government of Ontario General and Road Liability Protection Program, which is funded by Her Majesty the Queen in right of Ontario. The coverage shall provide limits of at least Five Million Dollars (\$5,000,000.00) per occurrence. Therefore the Licenser shall not require the Licensee to obtain any additional insurance coverage.

#### Section 5.13    **Facilitate Cleaning**

To leave the Licensed Premises in a reasonably tidy state at the end of each Business Day to facilitate the Licenser's janitorial services.

## **Article 6Article 6**

### **Licensor's Covenants**

The Licensor covenants with the Licensee as follows:

#### **Section 6.1 Exclusive Use**

That the Licensee will have the exclusive use of the Licensed Premises as of the Commencement Date and throughout the Term, as may be extended.

#### **Section 6.2 Taxes**

To pay all Taxes.

#### **Section 6.3 Services and Facilities**

To provide and operate the following services and facilities for the Licensed Premises as expressed below, at the Licensor's expense, and maintain at the Licensor's expense, such services and facilities in good repair (and, if necessary, replace same) during the Term:

##### **(A) Utility Systems**

All utility systems and facilities including water, fuel and electricity, and including all charges for Utilities used or consumed within the Licensed Premises.

##### **(B) Electrical Systems/Lenses, Bulbs and Related Equipment**

An electrical system which is satisfactory for the Licensee's purposes including fixtures and outlets together with the initial installation and ongoing replacement of bulbs, fluorescent tubes and ballasts during the Term, and all maintenance and parts thereof.

##### **(C) Thermal Conditions and Air Quality**

A heating, ventilation and air-conditioning system, which is satisfactory for the Licensee's purposes.

##### **(D) Water System**

A water system capable of supplying hot and cold water to the Licensed Premises and the washrooms serving the Licensed Premises.

##### **(E) Washrooms**

Fully equipped washroom facilities for male and female employees of the Licensee in accordance with the requirements established by the *Occupational Health and Safety Act*, R.S.O. 1990, c.0.1, as amended, and the regulations made thereunder, or any successor act, an accessible male and female washroom installed in accordance with the requirements of the *Building Code Act*, 1992, S.O. 1992, c. 23, as amended and any other applicable requirements of any relevant Authority, and the provision of all washroom equipment and supplies reasonably necessary, in the opinion of the Licensee, for the use and operation of such washroom facilities, including, without limitation, a sink, vanity, toilet bowl, paper towel dispenser, garbage pail, soap dish and toilet paper dispenser.

##### **(F) Exterior, Common Areas**

Maintenance of the exterior of the Building, the landscaped grounds of the Lands, the Parking Areas and walkways of the Building and the Common Areas and Facilities of the Building in good repair and first-class condition and the prompt removal of snow and ice.

##### **(G) Life Safety and Security**

Establishment of a workable emergency evacuation program. The program applicable to Government occupants must be submitted for review to the Ontario Infrastructure and Lands Corporation, Real Estate Management, as restructured or renamed from time to time.

The Licenser agrees that upon the request of the Licensee, the Licenser, and any Person hired by the Licenser: (i) to do work on the Building; or (ii) who requires access to the Licensed Premises to do any work, whether to the Licensed Premises or otherwise, shall undergo security screening checks in compliance with Ontario Government policies. The Licenser further agrees that any Person hired by the Licenser to supply janitorial services to the Building shall be reputable and all of its employees shall be bonded.

**(H) Glass Replacement**

Prompt replacement in case of breakage, of all plate glass and other glazing materials of the Building, including without limitation, that which demises the Licensed Premises, with material of the same kind and quality as that which may be damaged or broken, save where such damage or breakage has been occasioned by the Licensee, its servants or agents.

**(I) Building Security**

The provision of Building security in accordance with the Licenser's standard practice, as would a reasonably prudent owner of a similar building.

**(J) Janitorial Services**

Janitorial service for the Licensed Premises as would a reasonably prudent owner of a similar building, including the provision of waste removal services and all cleaning materials and washroom supplies.

**Section 6.4 Access**

To permit the Licensee, its agents, invitees and those having business with any or all of them, full and uninterrupted access to the Building on those days as determined pursuant to Section 6.1 of this Licence, including access for persons with disabilities. The Licenser covenants and agrees to provide all services and facilities required to be provided by it hereunder at all times throughout the Term.

**Section 6.5 Repair**

To maintain the Licensed Premises, including the Improvements, the Building and the Structure in good repair and tenantable condition during the Term and make good any defect or want of repair and/or replacement promptly upon notice thereof with a minimum of disruption to the Licensee's business.

**Section 6.6 Licensee's Improvements**

To grant permission to the Licensee to tender for and complete, at the Licensee's sole cost and expense, such Improvements to the Licensed Premises as the Licensee may consider necessary from time to time both prior to and during the Term or any extension thereof, provided that such Improvements do not affect the Structure and that where such Improvements may affect the Mechanical and Electrical Services, the Licensee agrees to use the Licenser's professional engineers as consultants if so required by the Licenser. The Licensee will give the Licenser written notice of its intention to make Improvements and upon request shall supply the Licenser with plans of the proposed Improvements. The Licensee will obtain the prior written approval of the Licenser for any Improvements, which approval will not be unreasonably withheld.

**Section 6.7 Licenser's Improvements**

That, unless the Licenser fully complies with the terms and conditions set out below, at no time during the Term shall the Licenser commence any further construction or alterations to the Building which will have the effect of:

- (A) materially interfering with the business operations of the Licensee;
- (B) materially interfering with ingress to or egress from the Licensed Premises; or
- (C) causing noise or other nuisances, which might materially interfere with the Licensee's business operations.

unless the Licensee otherwise consents, the Licensee's consent therefor shall not to be unreasonably withheld.

In the event that the Licensor intends to commence any construction relating to items (A), (B) and (C) inclusive outlined in this Section 6.7, in or around the Building, at any time during the Term, such construction shall be subject to the following terms and conditions:

- (i) the Licensor must receive the prior written approval of any required Authorities;
- (ii) all construction must be completed promptly and in a good and workmanlike manner, and must not materially interfere with the use of the Licensed Premises or any part thereof by the Licensee;
- (iii) all Utilities and other base building systems must continue to be fully operative during any period of construction and the Licensor shall be responsible for any damages or costs incurred by the Licensee to the extent caused or contributed to by any interruption of such Utilities or systems; and
- (iv) the Licensee covenants not to suffer or permit during the Term hereof any construction liens or other liens for work, labour, services or materials ordered by it or for the cost of which it may be in any way obligated, to attach to the interest of the Licensor in the Licensed Premises or the Lands, and that whenever and so often as any claim for lien is received by the Licensee or registered on title to the Lands, the Licensee shall, as soon as reasonably possible on the earlier of receiving notice of the claim or registration, procure the discharge or vacate thereof by payment or by giving security or in such other manner as is or may be required or permitted by law.

#### Section 6.8      **Licensor's Indemnity**

Subject to Section 7.14, to indemnify the Licensee, its agents, officers, directors, employees, contractors, parents, service providers, subsidiaries, successors and assigns (collectively, the "**Licensee Indemnified Parties**") and save them harmless from and against all losses, claims, actions, damages, costs, liabilities and expenses (together the "**Claims**") in connection with loss of life, personal injury, damage to property (including any portion of the Building and its equipment, machinery, services, fixtures and Improvements) or any other loss or injury arising from or out of the conduct of any work by the Licensor, the provision of any service by the Licensor or any act or omission of the Licensor or those for whom the Licensor is at law responsible or by anyone permitted to be in the Building by the Licensor. If the Licensee is, without fault on its part, made a party to any litigation commenced by or against the Licensor, then the Licensor will protect, indemnify and hold the Licensee harmless and pay all expenses and reasonable legal fees incurred or paid by the Licensee in connection with such litigation.

#### Section 6.9      **Compliance with Laws**

To comply with all provisions of law including, without limitation, all enactments, by-laws and any regulations of any Authority which relate to the Licensed Premises or to the use or occupation thereof or to the making of any repairs, replacements, additions, changes, substitutions or improvements of or to the Licensed Premises or any part thereof.

#### Section 6.10     **Licensor's Insurance**

The Licensor acknowledges and agrees that throughout the Term, it shall maintain in full force and effect the following insurance with respect to the Building: (a) "all risks" property insurance, on a full replacement cost basis, with respect to the Building; (b) boiler and machinery insurance, on a full replacement cost basis, with respect to all pressure vessels, boilers, machinery and equipment in or servicing the Building; and (c) comprehensive general liability insurance for bodily injury (including death) and property damage, in the amount of at least Ten Million Dollars (\$10,000,000) per occurrence, which policy shall name the Licensee as an Additional Insured, and contain cross liability and severability of interests clauses. The Licensor shall provide the Licensee with a certificate evidencing such insurance, containing an undertaking by the Licensor's insurers to provide the Licensee with a minimum of thirty (30) days' notice in the event of any material change, cancellation or termination of such policies.

#### Section 6.11    **No Environmental Contaminants**

To use its continuing effort throughout the Term and any extension thereof to ensure that no part of the Building or Lands is used, without limitation, (either by the Licensor or all other licensees, occupants or tenants in the Building), to generate, manufacture, refine, treat, transport, store, handle, dispose of, transfer or produce any Environmental Contaminant, except in strict compliance with all applicable laws of any relevant Authority, including the Environmental Laws.

#### Section 6.12    **Environmental Contaminants**

To remove any Environmental Contaminant located on or in the Building whether or not known to the Licensor as of the date of execution of this Licence, and whether or not resulting from any act, omission, or negligence of the Licensor or those for whom it is in law responsible, which is not contained in accordance with all applicable laws of any relevant Authority. If any such Environmental Contaminant is not removed forthwith by the Licensor, the Licensee shall be entitled, but not required, to remove the same on the Licensor's behalf, and the Licensor shall reimburse the Licensee for the cost thereof.

#### Section 6.13    **Notification of Environmental Contaminants**

To notify the Licensee immediately in the event that the Licensor receives notice of any violation of any Environmental Law or that any order of an administrative tribunal or any Authority is made or is proposed to be made against the Licensor in respect of any Environmental Contaminant in, on or near the Lands or Building, and to notify the Licensee immediately of any discharge, release or discovery of any Environmental Contaminant which is not contained in accordance with all applicable laws of any relevant Authority, in or on any part of the Building or Lands.

#### Section 6.14    **Warranty**

The Licensor: (i) represents and warrants that to the best of the Licensor's knowledge, there has not been and there is not now; and (ii) covenants to ensure that there will not be, at any time during the Term, any Environmental Contaminant located, stored, manufactured, refined, disposed of, produced, processed or incorporated in or on any part of the Building or the Lands, except in accordance with Section 6.11 of this Licence. In the event that there is any Environmental Contaminant in the Licensed Premises, the Building, or on the Lands, which is not handled in accordance with Section 6.12 of this Licence, the Licensee may terminate this Licence if the Licensor is unwilling or unable to cleanup or decommission such within a reasonable time of becoming aware of such Environmental Contaminant.

The Licensor further represents and warrants that as of the Commencement Date and throughout the Term and any extension thereof, all Mechanical and Electrical Services and equipment serving the Licensed Premises are and will be in good working order and condition and satisfactory for the carrying on of the Licensee's business in and from the Licensed Premises.

The Licensor further covenants and agrees that, as of the Commencement Date: (i) there shall not be any by-laws (the "**By-Laws**"), including, without limitation, any restrictive covenants, development agreements, zoning or other ordinances or regulations of any Authority which will prevent the Licensee from conducting its business operations in and from the Licensed Premises in accordance with this Licence; and (ii) all such By-Laws shall permit the continual operation of the Building and every part of the Licensed Premises in accordance with this Licence. In the event that any of the By-Laws prohibit or prevent the Licensee from using any part of the Licensed Premises for the Contemplated Use, the Licensee may, on thirty (30) days prior written notice, terminate this Licence, without prejudice to the Licensee's rights to claim for damages against the Licensor arising out of any By-Law prohibiting or preventing the Licensee's use of the Licensed Premises as aforesaid.

#### Section 6.15    **Asbestos**

Notwithstanding anything to the contrary contained in this Licence, at all times, including, but not limited to, any times during which either the Licensor or the Licensee are making any Improvements or other improvements, additions or renovations in or about the Licensed

Premises or the Building, or at any times when any maintenance or repairs of any kind are being carried out in or about the Licensed Premises or the Building, the Licenser agrees to comply with the provisions of Ontario Regulation 278/05, “*Designated Substance – Asbestos on Construction Projects and in Buildings and Repair Operations*” (the “**Regulation**”) and the Environmental Laws. Failing such compliance by the Licenser, the Licensee may, at the Licensee’s sole option, (a) on twenty (20) days prior written notice to the Licenser, take all reasonable measures, at the Licenser’s sole cost and expense, to complete the work required to comply with the Regulation and the Environmental Laws, to deduct the costs and expenses incurred thereby from the License Fee and to recover the balance, if any, after such deduction, from the Licenser; or (b) terminate this Licence. The Licenser shall in no case withhold its consent to the making of any Improvements to the Licensed Premises by the Licensee because of the cost to it of compliance with this Section.

The Licenser hereby represents and warrants that the Building has no asbestos containing material (as defined in the Regulation), except as indicated in Schedule B attached hereto.

#### **Section 6.16 Consent and Approval**

That the Licenser and each Person acting for or on behalf of the Licenser making a determination, designation, calculation, estimate, conversion or allocation or in giving an approval or consent under this Licence, will act reasonable, promptly and in good faith and each accountant, architect, engineer or surveyor, or other professional Person employed or retained by the Licenser will act in accordance with the applicable principles and standards of that Person’s profession.

### **Article 7**

#### **Provisos**

#### **Section 7.1 Overholding**

If the Licensee remains in possession of the Licensed Premises after the date fixed for the expiration of the Term or any extension thereof without any further written agreement, the Licensee shall be deemed to be occupying the Licensed Premises from month to month at the monthly Licence Fee rate payable by the Licensee during the last month of the Term of this Licence and upon the terms and conditions contained in this Licence except as to the length of the Term.

#### **Section 7.2 Trade Fixtures**

The Licensee may, at its option, at any time during the Term and/or any extension thereof and/or upon the expiry or sooner termination thereof, remove or replace any Trade Fixtures installed by or on its behalf in the Licensed Premises or install new Trade Fixtures therein, as the case may be. For greater certainty, the Licensee shall not be obligated to remove its Trade Fixtures at the expiration or earlier termination of the Term.

#### **Section 7.3 Signs**

- (A) The Licensee may erect such signs on the Licensed Premises in accordance with the Building standard and in accordance with municipal laws, as it considers necessary for the proper conduct of its business.
- (B) All such signs may be removed from the Licensed Premises at the end of the Term or any extension thereof.
- (C) The Licensee shall compensate the Licenser for any damage caused to the Licensed Premises or Building, if applicable, by the removal of the signs.

#### **Section 7.4 Unavoidable Delays**

Notwithstanding anything in this Licence, if either party is bona fide delayed or hindered in or prevented from the performance of any term, covenant, or act required hereunder by reason of strikes or labour trouble; inability to procure materials or services; power failure; restrictive governmental laws or regulations; riots; insurrection; sabotage; rebellion; war; act of God; or other reason whether of a like nature or not which is not the fault of the party delayed in



performing work or doing acts required under the terms of this Licence (but excluding the inability to perform because of financial difficulties or lack of funds), then the performance of that term, covenant or act is excused for the period of the delay and the party delayed will be entitled to perform the term, covenant or act within the appropriate time period after the expiration of the period of the delay. If any of the events or problems referred to in this Section 7.4 occur and either party contemplates that it will be bona fide delayed or hindered in or prevented from the performance of any term, covenant or act required hereunder by reason thereof, such party shall forthwith deliver written notice to the other, with full and detailed particulars setting out the nature of such event or problem and the period of the delay contemplated by the party giving notice for the performance of any such term, covenant or act required hereunder.

#### Section 7.5      **Right-of-Way**

If the Licensed Premises are now or hereafter served by any alley, easement or right-of-way, the Licensee, its servants, agents, employees, licensees and invitees shall have full right of ingress and egress over such alley, easement or right-of-way in common with all others entitled thereto.

#### Section 7.6      **Common Parking**

In the event that all or part of the Parking Areas are made available to the tenants or licensees of the Building as part of the Common Areas and Facilities, then the Licensee, its employees and invitees shall be entitled to use the Parking Areas, or any portion thereof, in common with the other tenants and licensees of the Building and others entitled to the use thereof.

#### Section 7.7      **Damage and Destruction**

If, at any time during the Term, the Building shall be damaged or destroyed, either in whole or in part, by fire or other peril insured against by the Licensor, then, and in every such event:

- (A) If the damage or destruction to the Building is such that, in the opinion of the Architect to be given to the Licensee within twenty (20) days of the date of the occurrence of such damage or destruction (the “**Date of Damage**”), the Licensed Premises are rendered partially unfit for occupancy or impossible or unsafe for use or occupancy, then the Licence Fee shall abate as of the Date of Damage in proportion to the part of the Licensed Premises which is rendered unfit for occupancy or impossible or unsafe for use or occupancy, and Licence Fee will not be payable again until such time as the Licensed Premises and the Improvements have been fully restored by the Licensor to their condition as of the Commencement Date.
- (B) If the damage or destruction to the Building is such that, in the opinion of the Architect to be given to the Licensee within twenty (20) days of the Date of Damage, the Licensed Premises are rendered wholly unfit for occupancy or impossible or unsafe for use or occupancy, or that reasonable or convenient access is prevented thereto, and if, in either event, the damage, in the opinion of the Architect to be given to the Licensee within twenty (20) days of the Date of Damage, cannot be repaired with reasonable diligence within one hundred and twenty (120) days of the Date of Damage, then either the Licensor or the Licensee may terminate this tenancy within twenty (20) days following the date of the giving of the Architect’s opinion, upon written notice to the other party, in which event this Licence will be at an end as of the Date of Damage and the Licence Fee shall be apportioned and paid in full to the Date of Damage.
- (C) In the event that neither the Licensor nor the Licensee shall terminate this Licence in accordance with the provisions of Section 7.7(b) of this Licence, then the Licensor shall repair the Licensed Premises, the Improvements and the Building with all reasonable speed and the Licence Fee hereby reserved shall abate from the Date of Damage until the later date of either (i) the Licensed Premises and Improvements are restored to their condition as of the Commencement Date; or (ii) reasonable and convenient access is restored thereto, as the case may be.
- (D) If the damage or destruction is such that, in the opinion of the Architect to be given to the Licensee within twenty (20) days of the Date of Damage, the Licensed Premises are

rendered wholly unfit for occupancy or if it is impossible or unsafe to use and occupy the Licensed Premises, and if, in either event, the damage, in the opinion of the Architect to be given within twenty (20) days from the Date of Damage, can be repaired with reasonable diligence within one hundred and twenty (120) days of the Date of Damage, then the Licence Fee shall abate from the Date of Damage until the date the Licensed Premises and Improvements are restored to their condition as of the Commencement Date, provided that the Licensor shall repair the Licensed Premises and the Improvements with all reasonable speed.

- (E) Notwithstanding anything contained in this Section 7.7, if the Licensor does not commence to repair or restore the Licensed Premises, the Improvements or the Building within fifteen (15) days of the date of delivery of the Architect's opinion or, having commenced the repair or restoration of the Licensed Premises, the Improvements or the Building, does not continue to complete same with reasonable dispatch, the Licensee may terminate this Licence upon fifteen (15) days prior written notice to the Licensor, in which case, this Licence shall cease and be at an end as of the Date of Damage and the Licence Fee shall be apportioned and paid in full to the Date of Damage.

#### **Section 7.8 Removal of Leasehold Improvements**

The Licensee may, at its sole option, at any time during the Term and/or any extension thereof and/or upon the expiry or sooner termination thereof, remove or replace any Improvements or alterations made or installed by or on behalf of the Licensee in the Licensed Premises or install new Improvements or alterations therein, as the case may be.

#### **Section 7.9 Re-Entry**

If the Licence Fee hereby reserved, or any part thereof, shall be in arrears or if the Licensee defaults in the observance or performance of any of the Licensee's other covenants or agreements contained in this Licence, and the Licensee fails to pay such arrears within sixty (60) days of receipt of notice in writing from the Licensor or if the Licensee fails to remedy any other default within sixty (60) days after receipt of notice from the Licensor (or such longer period as is reasonably required under the circumstances so long as the Licensee commences to remedy within such sixty (60) day period), the Licensor may, in addition to any other remedies the Licensor may have, either in this Licence or at law, re-enter the Licensed Premises and the Term hereby granted shall thereupon be terminated. Notwithstanding the foregoing, and without limiting the remedies of the Licensor, in the event the Licensee fails to remedy a default not related to payment of the Licence Fee within the above-specified notice period, and provided the Licensee is not bona fide disputing the default, upon the expiration of the above-specified notice period the Licensor, at its option, acting reasonably, may remedy the default on behalf of the Licensee and charge the costs thereof to the Licensee.

With respect to any remedy exercised by the Licensor, the Licensor shall have an affirmative obligation to obtain another licensee for the Licensed Premises at a fair market rental and to otherwise mitigate its damages.

#### **Section 7.10 Licensor's Default**

If the Licensor defaults in the observance or performance of any of its covenants or agreements contained in this Licence, the Licensee may, at its option and upon such reasonable notice as the circumstances warrant, remedy such default and deduct the reasonable cost of such action from the Licence Fee payable under this Licence or require the Licensor to otherwise reimburse the Licensee for the reasonable cost of such action.

#### **Section 7.11 Option to Extend**

- (A) The Licensee shall be entitled to extend this Licence for one (1) further term of one (1) year (the "**Extension Term**"). The Extension Term shall be upon the same terms and conditions of this Licence, including the Licence Fee.
- (B) The Licensee shall give written notice to the Licensor of its extension of this Licence at least six (6) months prior to the end of the Term.

#### Section 7.12    **Non-Waiver**

No condoning, excusing or overlooking by the Licensor or Licensee of any default, breach or non-observance by the Licensee or the Licensor at any time or times in respect of any covenant, proviso or condition herein contained shall operate as a waiver of the Licensor's or the Licensee's rights hereunder in respect of any continuing or subsequent default, breach or non-observance, or so as to defeat or affect in any way the rights of the Licensor or the Licensee herein in respect of any such continuing or subsequent default or breach, and no waiver shall be inferred from or implied by anything done or omitted by the Licensor or the Licensee save only an express waiver in writing.

#### Section 7.13    **Notices**

Any notice required or contemplated by any provision of this Licence shall be given in writing addressed in the case of notice to the Licensor to the following address:

The Corporation of the Town of Tecumseh  
917 Lesperance Road  
Tecumseh, Ontario N8N 1W9  
Attention: Laura Moy  
Fax: (519) 735-6712

and in the case of notice to the Licensee to the following addresses:

Ontario Infrastructure and Lands Corporation  
1 Dundas Street West, Suite 2000  
Toronto, Ontario M5G 2L5  
Attention: Vice President, Asset Management  
Fax: (416) 327-3942

#### **With a copy to:**

Ontario Infrastructure and Lands Corporation  
1 Dundas Street West, Suite 2000  
Toronto, Ontario M5G 1Z3  
Attention: Director, Legal (Leasing and Contract Management)  
Fax: (416) 327-3376

#### **And an additional copy to:**

CBRE Limited  
18 King Street East, Suite 1100  
Toronto, Ontario M5C 1C4  
Attention: Global Workplace Solutions – Director, Lease Administration – OILC  
Fax: (416) 775-3989

Notices shall be delivered personally or by facsimile or mailed by either registered or signature mail and postage prepaid enclosed in a sealed envelope. The time of giving of notice by either registered or signature mail shall be conclusively deemed to be the fifth Business Day after the day of such mailing. Such notice, if personally delivered or if delivered by facsimile, shall be conclusively deemed to have been given and received at the time of such delivery. The parties hereto acknowledge and agree that notwithstanding anything to the contrary in the *Electronic Commerce Act*, 2000, S.O. 2000, c.17, as amended from time to time, any notice, statement, demand, request or other instrument which may be or is required to be given under this Licence or at law may not be validly delivered by way of electronic communication, save as specifically provided in this Section.

Either party may at any time by giving notice to the other party (in the manner provided above) change its address for notice purposes, and thereafter the address most recently provided shall be deemed to be the address so changed.

#### Section 7.14 Indemnification

The parties agree that in order to be entitled to indemnification from either the Licensee under Section 5.11, or from the Licensor under Section 6.8 of this Licence (each, an “**Indemnifying Party**”) in respect of any matter referred to therein (a “**Claim**”), each person seeking indemnification (a “**Protected Person**”) shall comply with the following terms and conditions:

- (A) if a Protected Person receives a notice of Claim or Claims, whether actual or threatened, he, she, or it shall promptly deliver to the Indemnifying Party written notice setting forth in reasonable detail all available particulars of the Claim(s);
- (B) upon the written request of the Indemnifying Party, each Protected Person shall furnish to the Indemnifying Party copies of all documents and provide any other information relating to the Claim(s) that is in the possession or under the control of the Protected Person;
- (C) each Protected Person shall take all reasonable steps necessary to secure and preserve his, her or its rights in respect of the Claim(s) and, to the extent that the Protected Person has a right to commence a proceeding against another person (whether for damages or indemnification or otherwise) in respect of a matter for which the Protected Person claims indemnification from the Indemnifying Party hereunder, the Protected Person shall assign that right to the Indemnifying Party and subrogate the Indemnifying Party to that right to the extent of the amounts paid by the Indemnifying Party or for which the Indemnifying Party is liable hereunder;
- (D) each Protected Person shall not voluntarily assume any liability in respect of or settle or compromise a Claim(s) or any proceeding relating thereto without obtaining the Indemnifying Party’s prior written consent;
- (E) the Indemnifying Party shall have the right to participate in the negotiation, settlement or defence of the Claim(s) and any proceedings relating thereto or appeal thereof, but the Indemnifying Party may not settle any action commenced against a Protected Person without the written consent of that Protected Person;
- (F) if the Indemnifying Party elects to participate in or assume control of the negotiation, settlement or defence of the Claim(s) and any proceedings relating thereto or appeal thereof, each Protected Person shall cooperate fully with the Indemnifying Party in connection with the same, and each Protected Person shall agree to be represented by legal counsel chosen by the Indemnifying Party, unless, in the opinion of such legal counsel, there would arise a conflict of interest preventing such legal counsel from representing the Protected Person, and, where it is such legal counsel's opinion that a conflict of interest prevents their representing a Protected Person, that Protected Person shall be entitled, subject to the Indemnifying Party's prior written approval, to retain legal counsel of his, her or its choice (it being understood that the Licensee may withhold its approval in relation to any counsel proposed by a Protected Person who does not agree to retainer terms, including fees, consistent with the policies of the Ministry of the Attorney General of Ontario), and the fees and expenses of the Protected Person’s counsel incurred in his, her or its representation shall be costs to which this indemnity extends;
- (G) if the Indemnifying Party is not also a party to the Claim, the Protected Person shall consent to any order or leave that may be applied for by the Indemnifying Party to be added as a party or to be allowed to make representations on its own behalf without being a party;
- (H) the expenses incurred by a Protected Person in investigating, defending or appealing any Claim(s) shall, at the Protected Person’s request, be paid by the Indemnifying Party as may be appropriate to enable the Protected Person to properly investigate, defend or appeal such Claims(s), with the understanding that if it is ultimately determined that the Protected Person is not entitled to be indemnified hereunder, the Protected Person shall immediately repay such amount(s) so paid, which shall become payable as a debt due to the Indemnifying Party; and

- (I) the Protected Person agrees to pay to the Indemnifying Party all amounts he, she, or it receives as a recovery or reimbursement of any Claim which has been previously indemnified by the Indemnifying Party hereunder.

To the extent necessary to give effect to the foregoing indemnity with respect to the Licensor Indemnified Parties (other than the Licensor), the Licensor shall hold all such rights of indemnification in trust for the benefit of the other Licensor Indemnified Parties. To the extent necessary to give effect to the foregoing indemnity with respect to the Licensee Indemnified Parties (other than the Licensee), the Licensee shall hold all such rights of indemnification in trust for the benefit of the other Licensee Indemnified Parties.

#### **Section 7.15 Conflict of Interest**

The Licensor and any of its successors, assigns, directors, officers, employees, agents, servants, and representatives shall not engage in any activity where such activity creates a conflict of interest, actual or potential, in the sole opinion of the Licensee, with the License or the exercise of any of the rights or obligations of the Licensor hereunder. The Licensor shall disclose to the Licensee in writing and without delay any actual or potential situation that may be reasonably interpreted as either a conflict of interest or a potential conflict of interest.

For clarification, a “conflict of interest” means, in relation to the performance of its contractual obligations pursuant to this License, the Licensor’s other commitments, relationships or financial interests (i) could or could be seen to exercise an improper influence over the objective, unbiased and impartial exercise of its independent judgement, or (ii) could or could be seen to compromise, impair or be incompatible with the effective performance of its contractual obligations pursuant to this Licence.

#### **Section 7.16 Entire Agreement**

The Licensee and the Licensor acknowledge that there are no covenants, representations, warranties, agreements or conditions, expressed or implied, collateral or otherwise, forming part of or in any way affecting or relating to this Licence save as expressly set out in this Licence and that this Licence and the Schedules hereto constitute the entire agreement between the Licensor and the Licensee and may not be modified except as herein explicitly provided or except by subsequent agreement in writing of equal formality hereto executed by the Licensor and the Licensee. Schedule A, Schedule B and Schedule C, which are attached to this Licence, form part of this Licence.

#### **Section 7.17 Counterparts**

The parties agree that this Licence may be executed in counterparts, each of which shall be deemed an original and all of which shall be construed together as a single binding instrument. Such counterparts may be delivered by facsimile or other electronic means, including by electronic mail in portable document format (PDF). The electronic signature of any party hereto shall constitute a valid and binding signature with the same effect as an original signature endorsed hereon. Any party delivering an executed counterpart of this Licence by facsimile or by electronic transmission shall, if requested, also deliver an originally executed counterpart within seven (7) days of the facsimile or electronic transmission. Failure to deliver an originally executed copy shall not affect the validity, enforceability or binding effect of this Licence.

#### **Section 7.18 Severability**

The Licensor and the Licensee agree that all of the provisions of this Licence are to be construed as covenants and agreements as though the words importing such covenants and agreements were used in each separate paragraph hereof. Should any provision or provisions of this Licence be illegal or not enforceable, it or they shall be considered separate and severable from this Licence and its remaining provisions shall remain in force and be binding upon the parties hereto as though the said provision or provisions had never been included.

**Section 7.19 Interpretation**

The words “herein”, “hereof”, “hereby”, “hereunder”, “hereto”, “hereinafter”, and similar expressions refer to this Licence and not to any particular paragraphs section or other portion thereof, unless there is something in the subject matter or context inconsistent therewith.

**Section 7.20 Headings and Captions**

The headings in this Licence have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope of meaning of this Licence nor any of the provisions hereof.

**Section 7.21 Effect of Agreement**

This Licence and everything herein contained shall operate to the benefit of the parties hereto and be binding upon the respective successors, assigns and other legal representatives, as the case may be, of each of the parties hereto subject to the granting of consent by the Licensor as provided herein to any assignment or sublease, and every reference herein to any party hereto shall include the successors, assigns and other legal representatives of such party.

**Section 7.22 Binding on Licensee**

This Licence shall not be binding upon the Licensee until it has been executed by or on behalf of the Minister of Government and Consumer Services.

**Section 7.23 Governing Law**

This Licence shall be governed by and construed in accordance with the laws of Ontario.

**Section 7.24 Time of Essence**

Time shall be of the essence hereof.

**The Remainder Of This Page Is Intentionally Blank.**

Section 7.25 **Freedom of Information and Open Data Directive**

The Licensor acknowledges and agrees that the commercial and financial information in this Licence is subject to the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. F.31, as amended and the Open Data Directive as amended. This acknowledgement shall not be construed as a waiver of any right to object to the release of this Licence or of any information or documents.

**In Witness Whereof** The parties hereto have executed this Licence on the dates written below.

## Signed, Sealed and Delivered

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

# The Corporation of the Town Of Tecumseh

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title:

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title:

Authorized Signing Officer(s)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Her Majesty the Queen in Right of  
Ontario as represented by the Minister of  
Government and Consumer Services, as  
represented by Ontario Infrastructure  
and Lands Corporation**

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title:

Authorized Signing Officer

**Schedule A**

**Legal Description of the Lands**

**PT LT 11 PL 468 Sandwich East; PT LT 12 PL 468 Sandwich East as in R239001 Except R632258; Tecumseh**



**Schedule B**  
**Friable Material**

**NOTIFICATION OF THE PRESENCE OF ASBESTOS CONTAINING MATERIAL IN THE BUILDING CONTAINING PREMISES LICENSED BY HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF GOVERNMENT AND CONSUMER SERVICES**

**RE: REGULATION RESPECTING ASBESTOS ON CONSTRUCTION PROJECTS AND IN BUILDING AND REPAIR OPERATIONS MADE UNDER THE OCCUPATIONAL HEALTH AND SAFETY ACT, ONTARIO REGULATION 278/05, AS AMENDED OR REPLACED FROM TIME TO TIME.**

Location: 963 Lesperance Road, Tecumseh, Ontario

Licence No: L12453

- [ ] There is no asbestos containing material in the Building.
- [ ] There is asbestos containing material in the Building.
- [ ] There is friable asbestos containing material in the Building.
- [ ] There is non-friable asbestos containing material in the Building.
- [ ] There is an asbestos containing material management plan in the Building.

**Location(s) of Asbestos Containing Materials within the Building:**

Location 1

Location 2

Location 3

[Add further locations, as may be applicable]

**Types of Asbestos:**

- 1.
- 2.
- 3.

By: \_\_\_\_\_

Name:

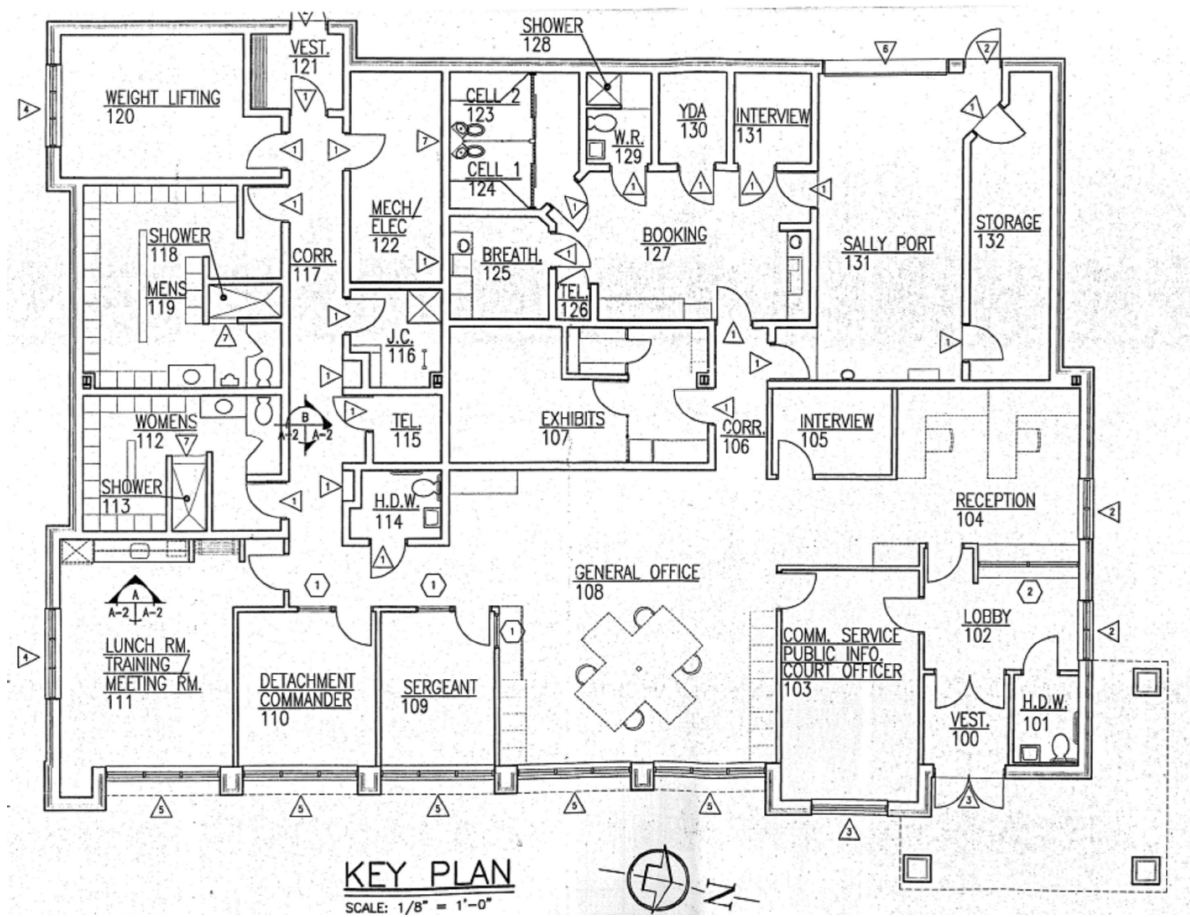
Title:

Authorized Signing Officer

Date: \_\_\_\_\_

Schedule C

Plan of Licensed Premises at 963 Lesperance Road, Tecumseh, Ontario



# **The Corporation of the Town of Tecumseh**

## **By-Law Number 2021 - 12**

Being a by-law to authorize the execution of a Servicing Agreement between The Corporation of the Town of Tecumseh and Municipality of Lakeshore and April Pawluk and Ryan Pawluk.

**Whereas** the Municipality of Lakeshore (Lakeshore) and The Corporation of the Town of Tecumseh (Tecumseh) are lower-tier municipal corporations incorporated by the Province of Ontario in the County of Essex;

**And Whereas** the April Pawluk and Ryan Pawluk (Property Owners) own the lands municipally known as 454 Brighton Road, Lakeshore and lands municipally known as 440 Brighton Road, Tecumseh (Monroe Island);

**And Whereas** the Property Owners intends to construct a residential dwelling on Monroe Island and requires municipal services to so do;

**And Whereas** Tecumseh is positioned to provide municipal services to Monroe Island in a more effective manner than Lakeshore;

**And Whereas** Tecumseh has consented to providing Municipal Services to Monroe Island subject to the terms and conditions set forth in a Servicing Agreement;

**And Whereas** sections 19 and 20 of the Municipal Act, 2001 authorize Tecumseh and Lakeshore to enter into an agreement to service Monroe Island;

**And Whereas** under Section 5 of *the Municipal Act 2001, S.O. 2001 c.25*, the powers of a municipality shall be exercised by its Council by by-law;

**Now Therefore the Council of The Corporation of The Town of Tecumseh enacts as follows:**

1. **That** the Mayor and the Clerk be and they are hereby authorized and empowered on behalf of The Corporation of the Town of Tecumseh, to execute a Servicing Agreement between The Corporation of the Town of Tecumseh and Municipality of Lakeshore and April and Ryan Pawluk, dated the 17<sup>th</sup> day of February, 2021, a copy of which Servicing Agreement is attached hereto and forms part of this by-law and to do such further and other acts which may be necessary to implement the said Servicing Agreement.
2. **That** this by-law shall come into force and take effect upon on the date of the third and final reading thereof.

**Read** a first, second, third time and finally passed this 23rd day of February, 2021.

---

Gary McNamara, Mayor

---

Laura Moy, Clerk

**This Monroe Island Servicing Agreement made this 17th day of February, 2021  
("Effective Date")**

Between:

**Municipality of Lakeshore**  
(hereinafter referred to as "Lakeshore")

-and-

**The Corporation of the Town of Tecumseh**  
(hereinafter referred to as "Tecumseh")

-and-

**April Pawluk and Ryan Pawluk**  
(hereinafter, collectively, referred to as the  
"Property Owner")

**Whereas** Lakeshore and Tecumseh are lower-tier municipal corporations incorporated  
by the Province of Ontario in the County of Essex;

**And Whereas** the Property Owner owns the lands municipally known as 454 Brighton  
Road, Lakeshore, and as legally described in Schedule "A" ("**Monroe Island**") and  
lands municipally known as 440 Brighton Road, Tecumseh and as legally described  
in Schedule "A" ("**440 Brighton**");

**And Whereas** the Property Owner intends to construct a residential dwelling on Monroe  
Island ("Residence");

**And Whereas** the Property Owner wishes to construct a residential dwelling on Monroe  
Island and requires Municipal Services to so do;

**And Whereas** Tecumseh is positioned to provide Municipal Services to Monroe Island  
in a more effective manner than Lakeshore;

**And Whereas** Tecumseh has consented to providing Municipal Services to Monroe  
Island subject to the terms and conditions set forth in this Agreement;

**And Whereas** sections 19 and 20 of the *Municipal Act*, 2001 authorize Tecumseh and  
Lakeshore to enter into the cooperative arrangement contemplated by this  
Agreement;

**And Whereas** Monroe Island will form the subject of this, a restructuring application  
under Part V of the *Municipal Act*, 2001 by Lakeshore and Tecumseh which, if  
approved, would have the effect of restructuring Lakeshore and Tecumseh by  
annexing part of Lakeshore, Monroe Island, to Tecumseh;

**Now Therefore this Agreement Witnesseth** that in consideration of the aforesaid

premises and the terms and conditions hereinafter set forth, the sufficiency whereof is hereby expressly acknowledged, the Parties hereby covenant and agree as follows:

## **Definitions**

1. In this Agreement the following terms shall have the meanings set out below, unless otherwise redefined or where the subject matter or context requires another meaning to be ascribed:
  - (a) “Agreement” means this agreement;
  - (b) “*Building Code Act*” means the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended;
  - (c) “Building Permit Fees” means those amounts imposed and collected pursuant to the *Building Code Act* and any by-law passed in relation to that Act;
  - (d) “Development Charge(s)” means those amounts imposed and collected pursuant to a by-law passed under the *Development Charges Act* or *Planning Act*;
  - (e) “*Development Charges Act*” means the *Development Charges Act, 1997*, S.O. 1997, c.27, as amended;
  - (f) “*Municipal Act, 2001*” means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, or any successor statute;
  - (g) “Municipal Services” means all municipal services including, without limitation, potable water, sanitary sewer, fire protection, police protection, garbage, recycling and yard waste pickup and public road access, and excluding storm water management;
  - (h) “*Planning Act*” means the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or any successor statute;
  - (i) “Provincial Order” means a restructuring order issued by the Province of Ontario pursuant to Part V of the *Municipal Act, 2001*;
  - (j) “Provincial Order Effective Date” means the date specified in the Provincial Order when the annexation takes effect;
  - (k) “Property Taxes” means the ad valorem taxes assessed and collected by Lakeshore on behalf of Lakeshore and the County and the Province of Ontario

2. This Agreement applies to Monroe Island and 440 Brighton.

### **Interim Agreement between Lakeshore and Tecumseh**

3. Tecumseh agrees to provide Municipal Services to Monroe Island upon receiving a request for services from the Property Owner. The installation of connections and materials for connections to Municipal Services and private access bridges shall be undertaken by and at the expense of the Property Owner and shall be completed to Tecumseh's satisfaction. The Property Owner shall be responsible for undertaking installation to the satisfaction of Tecumseh and for all installation costs as required. The Property Owner agrees to pay for all permits required by Tecumseh and for any installation costs of the Municipal Services incurred by Tecumseh.
4. The Property Owner agrees to secure required approvals from and satisfy any requirements of the Essex Region Conservation Authority and any relevant Provincial and/or Federal approvals for discharging storm water from Monroe Island to Pike Creek.
5. Lakeshore consents to Tecumseh providing Municipal Services to Monroe Island. The Property Owner agrees to waive any right, claim, or other interest that it may have to obtain Municipal Services from Lakeshore.
6. As Monroe Island is currently located within Lakeshore's jurisdiction, any construction on the lands will be subject to Lakeshore's by-laws passed pursuant to the *Planning, Development Charges and Building Code Acts*. Lakeshore will bill and collect Building Permit Fees and Development Charges in accordance with its existing by-laws from the Property Owner upon their application for a building permit.
7. The Building Permit Fees collected by Lakeshore for the construction of a residential dwelling on Monroe Island (hereinafter "Residence") will be retained by Lakeshore and Lakeshore will provide all *Building Code Act* permitting and inspection services as well as respond to all inquiries and complaints during construction.
8. Lakeshore will collect the Development Charges, where applicable, for the Residence. The Property Owner acknowledges the obligation to pay the Development Charges, where applicable, to Lakeshore.

Following Lakeshore's fiscal year end, Lakeshore will pay to Tecumseh, the Lakeshore portion of the Development Charges collected by Lakeshore for the Residence. Lakeshore will remit the education portion of the Development Charge to the applicable school boards.

Notwithstanding that either of or both of Lakeshore's Development Charges may be less than those that Tecumseh would have been able to collect had Monroe Island been located within Tecumseh's jurisdiction, Tecumseh will accept the aforementioned payment in full satisfaction of all Development Charge related obligations for Monroe Island.

9. Lakeshore will continue to collect the property taxes assessed for Monroe Island. Tecumseh shall be entitled to Lakeshore's portion of the collected property taxes on a pro-rata basis calculated from the date of occupancy of the Residence. The Property Owner acknowledges the obligation to pay the property taxes to Lakeshore.

Following Lakeshore's fiscal year end, Lakeshore will pay to Tecumseh, the Lakeshore portion of the property taxes collected by Lakeshore for Monroe Island. Lakeshore shall continue to remit the education and upper tier portions of the property taxes to the applicable school boards and County of Essex.

Notwithstanding that Lakeshore's property tax rate may be less than those that Tecumseh would have been able to collect had Monroe Island been located within Tecumseh's jurisdiction, Tecumseh will accept the aforementioned payments in full satisfaction of all property tax related obligations for Monroe Island.

10. In the event of a proceeding or application which has the effect of adjusting the amount of property taxes or Development Charges owing to Lakeshore for Monroe Island or the Residence during the term of this Agreement, Lakeshore will adjust the next payment to Tecumseh issued pursuant to this Agreement accordingly.
11. While this Agreement is in effect, the Property Owner shall be prohibited to sell Monroe Island or 440 Brighton independent of one another. The Property Owner will make best efforts to legally consolidate Monroe Island and 440 Brighton.

### **Restructuring Proposal**

12. Lakeshore and Tecumseh agree to work cooperatively on a restructuring proposal and submission of this application for a Provincial Order. Lakeshore agrees to prepare the restructuring proposal. The Property Owner agrees to pay for survey, notice and consultation costs associated with this Agreement and the application for the Provincial Order.
13. Tecumseh agrees to assume jurisdiction of Monroe Island on the Provincial Order Effective Date.

## General

14. Any notices required or permitted to be given pursuant to this Agreement shall be given to the individuals noted below, to be delivered either by email, personally or by prepaid ordinary mail, as follows:

### **The Corporation of the Town of Tecumseh**

917 Lesperance Road

Tecumseh, ON N8N 1W9

Attention: Clerk

[lmoy@tecumshe.ca](mailto:lmoy@tecumshe.ca)

### **Municipality of Lakeshore**

419 Notre Dame Street

Belle River, Ontario N0R 1A0

Attention: Clerk

[clerk@lakeshore.ca](mailto:clerk@lakeshore.ca)

### **Property Owners**

[insert current address]

Attention: Ryan Pawluk, April Pawluk

15. Where notice is given:
- (a) by prepaid ordinary mail, it shall be deemed to have been received 5 days following posting;
  - (b) where notice has been given personally, it shall be deemed to have been received immediately upon delivery; or,
  - (c) by email, it shall be deemed within 1 hour of the time that the email is sent.

Any party may change its address by giving notice of such change in accordance with the foregoing.

- (d) This Agreement shall remain in effect until such time as the date that the Provincial Order comes into effect. This Agreement shall remain in effect until such time as the Parties replace this Agreement or a Provincial Order comes into effect, whichever is earlier.
- (e) This Agreement shall be construed with all changes in number and gender as may be required by the context.
- (f) References herein to any statute or any provision thereof include such statute or provision thereof as amended, revised, re-enacted and/or consolidated from time to time and any successor statute thereto.



- (g) All obligations herein contained, although not expressed to be covenants, shall be deemed to be covenants.
- (h) This Agreement shall be registered by Lakeshore on title to Monroe Island and on title to 440 Brighton.
- (i) Tecumseh and Lakeshore agree to pass all by-laws necessary to give effect to this Agreement.
- (j) Whenever a statement or provision in this Agreement is followed by words denoting inclusion or example and then a list of or reference to specific items, such list or reference shall not be read so as to limit the generality of that statement or provision, even if words such as “without limiting the generality of the foregoing” do not precede such list or reference.
- (k) The Parties agree that all covenants and conditions contained in this Agreement shall be severable, and that should any covenant or condition in the Agreement be declared invalid or unenforceable by a court of competent jurisdiction, the remaining covenants and conditions and the remainder of the Agreement shall remain valid and not terminate thereby.
- (l) This Agreement shall be interpreted under and is governed by the laws of the Province of Ontario and the Parties attorn to the jurisdiction of the courts of the Province.
- (m) The Parties confirm that the recitals at the beginning of this Agreement are true in fact and are incorporated into this Agreement as though repeated herein.
- (n) This Agreement shall be enforceable by and against the parties hereto, their administrators, successors and permitted assigns.

**In Witness Whereof** the Parties hereto have hereunto affixed their corporate seals duly attested by the hands of their proper signing officers duly authorized in that behalf.

**Signed, Sealed And Delivered**

)  
)  
) **The Corporation of the Town of**  
) **Tecumseh**  
)  
)  
) per: \_\_\_\_\_  
) Gary McNamara, Mayor  
)  
)  
) per: \_\_\_\_\_  
) Laura Moy, Director Corporate Services/Clerk  
  
)  
)  
)  
) **Municipality of Lakeshore**  
)  
)  
) per: \_\_\_\_\_  
) Tom Bain, Mayor  
)  
)  
) per: \_\_\_\_\_  
) Kristen Newman,  
) Director of Legislative and Legal Services (Clerk)

Witness (as to both signatures):

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
April Pawluk  
  
\_\_\_\_\_  
Ryan Pawluk

## **Schedule “A”**

### **Legal Description of Monroe Island**

Part of Lot 1, Concession East of River Peche, Maidstone and Part of Lot 1, Concession West of River Peche, Maidstone (St. Clair Beach) as in R857943; Lakeshore/Tecumseh, being all of the Property Identifier Number 75001-0384(LT).

### **Legal Description of 440 Brighton**

Part of Lot 1, Concession West of Pike Creek, Maidstone (St. Clair Beach); Tecumseh, being part of the Property Identifier Number 75001-0384(LT).

No.	Meeting Date	Resolution	Subject	Action/Direction	Depart.	Status/Action Taken
18/18	April 24, 2018		Cada Library Renovations	It is directed that Administration provide a report on the Cada Library to include consultations with TAAC, SAC, YAC, CAC, and other stakeholders on the current options proposed to refresh or renovate the current library building.	PRS/CAO	Funding was approved in the 2020-2024 Buildings 5-year Capital Works Plan (RCM-397/19) to contract the services of an architect to work with the Town's and Essex County Library's administrations to hold public input sessions and complete concept designs to modernize the facility for Town and County Councils approvals.
19/18	May 22, 2018		Property Standards By-Law (Zoning)	It is directed that Administration harmonize the by-law regarding disconnected tractor-trailers on residential properties to be consistent within the Town.	PBS	In progress
1/20	October 22, 2019	RCM 330/19	Cannabis Facilities	The presentation given by Celeste O'Neil and Judy Robson regarding cannabis facilities is referred to Administration for review and to report back to Council.	PBS	Partially addressed through PBS-2020-24 Housekeeping Amendment to ZBA which recommended restricting intensive agricultural uses including greenhouses in hamlet areas. Further information to be provided to Council through the Draft New Official Plan process.
02/20	October 27, 2020	RCM 318/20	Regulations Regarding Storage and Parking of Commercial and Recreational Vehicles/Trailers in Residents' Zones	Administration to 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.	PBS	In progress

No.	Meeting Date	Resolution	Subject	Action/Direction	Depart.	Status/Action Taken
03/20	October 27, 2020	RCM 319/20	Short Term Rentals	Administration undertake a regulatory review for both the short-term, owner-absent rental and the home-sharing short term rental categories.	PBS	In progress
04/20	November 10, 2020	RCM 341/20	By-law to Prohibit and Regulate Public Nuisances Related to Odours and Lighting from Cannabis Cultivation	Administration to review and report back to Council on the appropriateness of a By-law in accordance with the <i>Municipal Act</i> that will address and regulate nuisances related to odour and lighting from the cultivation of cannabis plants; and investigate opportunities to consider the matter with the other municipalities in Essex County to try to seek a common regional regulatory approach.	PBS	In progress
06/20	November 24, 2020		Broadband in Rural Areas	Administration provide a report on the Rural Broadband issues and investigate the creation of a task force.	ICS	In progress
01/21	January 26, 2021	RCM 28/21	Rodent Control Subsidy Program	Administration to review the Rodent Control subsidies in several Ontario municipalities including Niagara Falls, St. Catharines, and Welland, and the regional municipality of Peel, as well as the cancellation of subsidies in Sault Ste. Marie and Toronto. And to report back on outcomes and deliverables reported from operating these subsidy programs to the Policies and Priorities Committee in a timeframe that allows for prospective consideration as part of the 2022 Budget.	CAO/FS	In time for 2022 Budget deliberations

# **The Corporation of the Town of Tecumseh**

## **By-Law Number 2021 - 13**

Being a by-law to confirm the proceedings of the February 23, 2021 regular meeting of the Council of The Corporation of the Town of Tecumseh.

**Whereas** pursuant to Section 5(1) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, the powers of a municipality shall be exercised by its Council; and

**Whereas** pursuant to Section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8 of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

**Whereas** it is deemed expedient that the proceedings of the Council of The Corporation of the Town of Tecumseh at this Session be confirmed and adopted by by-law.

**Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:**

1. **That** the actions of the Council of The Corporation of the Town of Tecumseh in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all other action passed and taken by the Council of The Corporation of the Town of Tecumseh, documents and transactions entered into during the February 23, 2021, meeting of Council, are hereby adopted and confirmed, as if the same were expressly embodied in this By-law.
2. **That** the Mayor and proper officials of The Corporation of the Town of Tecumseh are hereby authorized and directed to do all the things necessary to give effect to the action of the Council of The Corporation of the Town of Tecumseh during the said February 23, 2021, meeting referred to in paragraph 1 of this By-law.
3. **That** the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-law and to affix the Corporate Seal of The Corporation of the Town of Tecumseh to all documents referred to in said paragraph 1.

**Read** a first, second, third time and finally passed this 23rd day of February, 2021.

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Gary McNamara, Mayor

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Laura Moy, Clerk