

## Regular Council Meeting Agenda

**Date:** Tuesday, November 14, 2023, 7:00 pm  
**Location:** Tecumseh Town Hall - Council Chambers  
917 Lesperance Road  
Tecumseh, Ontario N8N 1W9

Pages

- A. Roll Call
- B. Order
- C. Report Out of Closed Meeting
- D. Moment of Silence
- E. National Anthem
- F. Land Acknowledgement

We acknowledge that we are on land and surrounded by water, originally inhabited by Indigenous Peoples who have travelled this area since time immemorial. This territory is within the lands honoured by the Wampum Treaties; agreements between the Anishinaabe, Haudenosaunee, Lenni Lenape and allied Nations to peacefully share and care for the resources around the Great Lakes. Specifically, we would like to acknowledge the presence of the Three Fires Confederacy Ojibwe, Odawa, Potawatomi and Huron/Wendat Peoples. We are dedicated to honouring Indigenous history and culture while remaining committed to moving forward respectfully with all First Nations, Inuit and Métis.

- G. Disclosure of Pecuniary Interest
- H. Minutes

- 1. Regular Council Meeting - October 24, 2023

7 - 15

2. Special Council Meeting - October 21, 2023 Capital Projects Roads and Facilities Tour 16 - 18

**Recommendation**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the October 24, 2023 minutes of the Regular Council Meeting and the October 21, 2023 minutes of the Special Council meeting, as were duplicated and delivered to the members, **be adopted**.

**I. Supplementary Agenda Adoption**

**Recommendation**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the supplementary items added to the Regular Meeting agenda regarding Communications for Information item D, **be approved**.

**J. Consent Agenda Items**

As per the Procedural By-Law 2023-076, all items listed under the Consent Agenda will be voted on through one Consent Motion and that Motion shall be neither debatable nor amendable.

1. LCS-2023-31 Proposed New Legislative and Clerks Administrative Fees 19 - 25
2. PWES-2023-72 Appointment to Drainage Engineer - Malden Road East Drain 26 - 38

**Recommendation**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Reports LCS-2023-31 Proposed New Legislative and Clerk User Fees and PWES-2023-72 Appointment to Drainage Engineer- Malden Road East Drain as listed under the Consent Agenda be **received and approved**.

**K. Delegations**

1. The War Amps 39 - 39
- Re: Able Walker, 2023 The War Amps National Ambassador; and Kevin Delany, War Amps Regional Representative
- Profile: Able and the Ticats - [View Here](#)
2. 2022 Audit Findings Report and Financial Statements 40 - 112
- Re: Cynthia Swift, KPMG Partner

### Recommendation

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the Town of Tecumseh 2022 Audited Financial Statements presented by Cynthia Swift, Partner, KPMG, Municipal Auditor, **be received.**

#### 3. Essex Region Conservation Authority

Tim Byrne, CAO Secretary Treasurer; and Shelley McMullen,  
CFO/Director Finance & Corporate Services

2023 Essex Region Conservation Authority video [here](#)

- a. FS-202-11 Essex Region Conservation Authority, Non Mandatory Fees Service Agreement Municipal Cost Apportioning Agreement

113 - 127

### Recommendation

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Report FS-2023-11 entitled “Essex Region Conservation Authority-Non-Mandatory Programs and Services, Cost Apportioning Agreement” **be received;**

**And that** a by-law authorizing the execution of a “Cost Apportioning Agreement” with the Essex Region Conservation Authority regarding the Town’s funding contribution for various non-mandatory Essex Region Conservation Authority programs and services for the four-year term January 1, 2024 to December 31, 2027, **be prepared and considered for adoption** at the Regular Council meeting of November 28, 2023.

#### 4. Tourism Windsor Essex Pelee Island 2024 Marketing Brand

Re: Gordon Orr, CEO; Lynette Bain, Vice President, Destination Development; Jason Toner, Director of Marketing and Communications

### L. Communications

#### 1. For Information:

- a. City of Cambridge dated October 27, 2023  
Re: Fixing Long Term Care Amendment Act

128 - 129

- b. Town of Aurora dated October 30, 2023  
Re: Cannabis Retail Applications

130 - 133

- c. Municipality of Lakeshore dated November 8, 2023 134 - 134  
Re: Notice of Public Information Centre No. 2, Water and Wastewater Master Plan Update
- d. Adam Mourad dated November 13, 2023 135 - 135  
Re: Shawanoe Park Playground Equipment Reduction

**Recommendation**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Communications - For Information A through D as listed on the Tuesday, November 14, 2023 Regular Council Agenda, **be received.**

2. For Action:

**M. Update from County Council and Boards**

**N. Committee Minutes**

**O. Reports**

1. Community & Recreation Services

- a. CRS-2023-20 Amend 2023 Municipal Buildings Capital Works Plan - Cada Library Renovation Project 136 - 141

**Recommendation**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the Cada Library Building Renovation capital project budget **be increased** by \$125,000 to fund the repairs as outlined in this report;

**And that** the requested amount of \$125,000 including non-refundable HST, **be authorized and funded** through the Infrastructure Reserve;

**And further that** previously approved funding in the amount of \$4,260,000 for planned Recreation projects as identified in CRS-2023-16 **be reduced** to \$4,010,000 to reflect funding reallocations of CRS-2023-19 and CRS-2023-20;

**And further moreover that** funding from the Infrastructure Reserve originally approved for \$2,500,000 of the \$4,260,000 for projects identified in CRS-2023-16 be reduced to \$2,250,000.

- b. CRS-2023-21 Lakewood Park South, Level of Services and Security for Parking Lot 142 - 146

**Recommendation**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Report CRS-2023-21 entitled “Lakewood Park South – Parking Lot Security” **be received**;

**And that** operational and capital costing for Option 4 outlined in Report CRS-2023-21 for additional security controls for Lakewood Park North and South **be referred to** 2024 budget deliberations.

2. Public Works & Engineering Services

- a. PWES-2023-71 County Road 46 Municipal Class Environmental Assessment Award of Consulting Services 147 - 152

**Recommendation**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** subject to County Council awarding the County Road 46 Municipal Class Environmental Assessment (CR46 Class EA) to BT Engineering Inc. on November 15, 2023, that BT Engineering Inc. **be retained** for the Engineering Consulting Services for the CR46 Class EA, specific to the Town of Tecumseh’s scope of the study being the 8<sup>th</sup> and 9<sup>th</sup> Concession Roads between Highway 401 and County Road 46, in the amount of \$66,720 excluding HST;

**And that** By-law 2023-108 **be considered** for first, second, third and final reading, to authorize the Mayor and Clerk to execute an agreement, satisfactory in form to the Town’s solicitor, with BT Engineering Inc at the November 28, 2023 Regular Council Meeting.

**P. By-Laws**

1. By-Law 2023-095 Shuttleworth Drain - Third and Final Reading 153 - 154
- Being a by-law to provide for the repair and improvements to the Shuttleworth Drain

**Recommendation**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law 2023-095 being a by-law to provide for the repair and improvements to the Shuttleworth Drain;

**Be given** third and final reading.

**Q. Unfinished Business**

1. November 14, 2023 155 - 155

**R. New Business**

**S. Motions**

1. Confirmatory By-Law 2023-109 156 - 157

**Recommendation**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law 2023-109 being a by-law to confirm the proceedings of the Tuesday, November 14, 2023, regular meeting of the Council of The Corporation of the Town of Tecumseh **be given** first, second, third and final reading.

**T. Notices of Motion**

**U. Next Meeting**

Tuesday, November 24, 2023

4:30 pm Policies & Priorities Committee Meeting

7:00 pm Regular Council Meeting

**V. Adjournment**

**Recommendation**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** there being no further business, the Tuesday, November 14, 2023 meeting of the Regular Council **be adjourned** at     pm.

## **Regular Meeting of Council**

### **Minutes**

Date: Tuesday, October 24, 2023  
Time: 7:00 pm  
Location: Tecumseh Town Hall - Council Chambers  
917 Lesperance Road  
Tecumseh, Ontario N8N 1W9

#### **Present:**

Mayor, Gary McNamara  
Deputy Mayor, Joe Bachetti  
Councillor, James Dorner  
Councillor, Alicia Higgison  
Councillor, Brian Houston  
Councillor, Tania Jobin  
Councillor, Rick Tonial

#### **Also Present:**

Chief Administrative Officer, Margaret Misek-Evans  
Director Public Works & Engineering Services, Phil Bartnik  
Director Community Safety & Fire Chief, Wade Bondy  
Director People & Culture, Michelle Drouillard  
Director Technology & Client Services, Shaun Fuerth  
Director Community & Recreation Services, Beth Gignac  
Director Development Services, Brian Hillman  
Director Financial Services & Chief Financial Officer, Tom Kitsos  
Deputy Clerk & Manager Legislative Services, Jennifer Alexander  
Manager Customer Service, Amanda Circelli  
Manager Water Services, Brad Dupuis  
Deputy Clerk - Clerks Services & Policy Advisor, Christina Hebert  
Manager Planning Services & Local Economic Development, Chad Jeffery  
Senior Manager Recreation Services, Brett Palmer  
Deputy Treasurer & Manager Financial Services, Zora Visekruna  
Manager Facilities & Energy Management, Daniel Wolicki

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

#### **B. Order**

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

**C. Report Out of Closed Meeting**

A closed meeting of Council was held at 6:00 pm in accordance with and as permitted by Section 239 (2)(c)(d)(h) of the Municipal Act, 2001, which states that a meeting or part of a meeting may be closed to the public if the subject matter being considered is:

c) a proposed or pending acquisition or disposition of land by the municipality or local board;

(d) labour relations or employee negotiations.

During the meeting Council discussed and gave directions to Administration with respect to pending acquisitions of land by the Municipality and with respect to various further matters arising from or relation to information that was explicitly supplied in confidence to the municipality by Canada, a province or territory or a Crown agency of any of them.

**D. Moment of Silence**

The Members of Council and Administration observe a Moment of Silence.

**E. National Anthem**

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

**F. Land Acknowledgement**

We acknowledge that we are on land and surrounded by water, originally inhabited by Indigenous Peoples who have travelled this area since time immemorial. This territory is within the lands honoured by the Wampum Treaties; agreements between the Anishinaabe, Haudenosaunee, Lenni Lenape and allied Nations to peacefully share and care for the resources around the Great Lakes. Specifically, we would like to acknowledge the presence of the Three Fires Confederacy Ojibwe, Odawa, Potawatomi and Huron/Wendat Peoples. We are dedicated to honouring Indigenous history and culture while remaining committed to moving forward respectfully with all First Nations, Inuit and Métis.

**G. Disclosure of Pecuniary Interest**

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



**H. Minutes**

1. Regular Council Meeting - October 10, 2023

**Motion: RCM - 283/23**

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Rick Tonial

**That** the Tuesday, October 10, 2023 minutes of the Regular Council as were duplicated and delivered to the members, **be adopted**.

Carried

**I. Supplementary Agenda Adoption**

**Motion: RCM - 284/23**

Moved by Councillor Alicia Higgison

Seconded by Councillor Rick Tonial

**That** the supplementary items added to the Regular Council Meeting agenda regarding Report CRS-2023-19 Attachment 2, Letter from St. Clair College, **be approved**.

Carried

**J. Consent Agenda Items**

1. DS-2023-22 Tecumseh Transit Service, Recommended Minor Route Revisions
2. LCS-2023-30 Cat Intake and Voucher Program Renewal Agreement

**Motion: RCM - 285/23**

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

**That** Reports DS-2023-2023-22 Tecumseh Transit Service, Recommended Minor Route Revisions and LCS-2203-30 Cat Intake and Voucher Program Renewal Agreement as listed under the Consent Agenda **be received and approved**.

Carried

**K. Delegations**

1. Chantel Budinsky, Pro Disc Golf Champion; Ronald Hebert, Windsor Essex Disc Golf

Ronald Hebert, Windsor Essex Disc Golf introduces Chantel Budinsky, a Pro Disc Golf Champion. Ms. Budinsky will be representing Canada at the Disc Golf World Championships in Florida. The Members congratulate Ms. Budinsky with her accomplishments in the sport and presents a certificate of service recognition. The Windsor Essex Disc Golf league operates out of Lakewood Park.

**L. Communications**

1. For Information:
  - a. Essex Region Conservation Authority dated October 16, 2023  
Re: ERCA Summary of Grant Funding Received in 2021-2023

**Motion: RCM - 286/23**

Moved by Councillor Alicia Higgison  
Seconded by Deputy Mayor Joe Bachetti

**That** Communications - For Information item 1 listed on the Tuesday, October 24, 2023 Regular Council Agenda, **be received**.

Carried

2. For Action:
 

There are no action items presented to Council.

**M. Update from County Council and Boards**

**From County Council:**

**Regional Waste Management**

Disappointment is expressed on the vote with area municipalities not to upload waste management services to the County especially with organic waste being implemented in 2025. The County By-law for waste management services has been rescinded.

**Integrity Commissioner Workshop**

County Council received conflict of interest training with the County's Integrity Commissioner.

**From the County Library Board:**

The Board received an update on the Cada Library construction and it is progressing.

**From the BIA Board:**

The BIA hosting the first BIA mixer on Thursday, October 19, 2023 and it was a success. The Board is hoping to host similar events in the future.

**N. Committee Minutes**

1. Court of Revision - October 10, 2023, Shuttleworth Drain

**Motion: RCM - 287/23**

Moved by Councillor Alicia Higgison

Seconded by Councillor Rick Toniai

**That** the Tuesday, October 10, 2023 minutes of the Court of Revision as were duplicated and delivered to the members, **be adopted**.

Carried

2. Personnel Committee - October 10, 2023

**Motion: RCM - 288/23**

Moved by Councillor Rick Toniai

Seconded by Councillor Tania Jobin

**That** the October 10, 2023 minutes of the Personnel Committee Meeting, as were duplicated and delivered to the members, **be adopted**;

**And that** the attached Personnel Committee Terms of Reference presented at the October 10, 2023 Personnel Committee Meeting **be adopted**.

Carried

**O. Reports**

1. Community & Recreation Services
  - a. CRS-2023-19 Amend 2023 Parks Capital Works Plan, Bert Lacasse Baseball Diamond Upgrades

**Motion: RCM - 289/23**

Moved by Councillor Alicia Higgison

Seconded by Councillor Rick Toniai

**That** in-ground dugouts as part of the Bert Lacasse Baseball Park Upgrades capital project **be added** to the 2023 CRS Parks Capital Works Plan;

**And that** the Bert Lacasse Baseball Park Upgrades capital project budget **be increased** by \$375,000 to accommodate the addition of in-ground dugouts as outlined in this report;

**And further that** the Town's share of the cost of in-ground dugouts in the amount of \$125,000 including non-refundable HST, **be authorized and funded** out of the Infrastructure Reserve.

Carried

2. Development Services

- a. DS-2023-21 Zoning By-law Amendment 12207 County Road 42, Scheduling of a Public Meeting

**Motion: RCM - 290/23**

Moved by Councillor Brian Houston  
Seconded by Councillor Tania Jobin

**That** Report DS-2023-21 entitled "Zoning By-law Amendment 12207 County Road 42 Scheduling of a Public Meeting" **be received**;

**And that** the scheduling of a public meeting, to be held on Tuesday, November 14, 2023 at 5:30 p.m., in accordance with the *Planning Act* for a zoning by-law amendment application submitted for an approximate 0.50 hectare (1.23 acre) parcel of land located on the south side of County Road 42, approximately 60 metres (196 feet) west of its intersection with Lesperance Road (12207 County Road 42), seeking to amend Zoning By-law 85-18 by rezoning the subject land from "Residential Zone 1 (R1)" to a site-specific "Residential Zone 2 (R2-6)" to permit the construction of a 3-storey, 23-unit, residential development, **be authorized**.

Carried

3. Financial Services

- a. FS-2023-10 2023 Water Division Financial Plan No. 041-301

**Motion: RCM - 291/23**

Moved by Councillor Brian Houston  
Seconded by Councillor Rick Tonial

**That** the Town of Tecumseh 2023 Water Financial Plan No. 040-301, covering the years 2023-2029, and prepared in accordance with O. Reg. 453/07 under the Safe Drinking Water Act, 2002, **be approved**;

**And that** notice of availability of the 2023 Water Financial Plan No. 040-301 **be advertised** to the public on the Town's website in accordance with O. Reg. 453/07, Section 3 (1) 5;

**And further that** the 2023 Water Financial Plan No. 040-301 **be posted** to the Town's website in accordance with O. Reg. 453/07, Section 3 (1) 5; and

**And furthermore, that** the 2023 Water Financial Plan No. 040-301 **be submitted** to the Ministry of Municipal Affairs and Housing in accordance with O. Reg. 453/07, Section 3 (1) 6.

Carried

4. Public Works & Engineering Services
- a. PWES-2023-69 Lesperance Road Multi-Use Trail, CR 22 to CR42 Project Update

**Motion: RCM - 292/24**

Moved by Deputy Mayor Joe Bachetti  
Seconded by Councillor Brian Houston

**That** Report PWES-2022-69 entitled "Lesperance Road Multi-Use Path, County Road 22 to County Road 42 – Project Update" **be received.**

Carried

**P. By-Laws**

There are no By-laws presented to Council.

**Q. Unfinished Business**

1. October 24, 2023

The Members receive the Unfinished Business listing for Tuesday, October 24, 2023.

**R. New Business**

Replacement of Play Equipment at Shawanoe Park

A Member inquired on the procedure for replacing play equipment in the Town's Parks. The Director Community & Recreation Services explains the process and considerations for the replacement of park amenities which are identified in the Parks Master Plan. This Plan is used as a guide for Administration for maintaining and replacing amenities in accordance with their lifecycle. Playset equipment has a 20 year lifecycle and are inspected annually. Lifecycle can be extended with preventative maintenance hence the annual inspection process which informs and influences repairs prior to full replacement.

The Director advises that the playset at Shawanoe Park was identified for replacement in the Plan for 2023 in approved report CRS-2022-17 due to the pea stone ground cover being identified as a hazard for the site due to the impact for

increased injuries in falls due to the material. The Shawanoe Park playset was identified for the replacement with a Council approved budget allocation of \$100,000. The new equipment has 11 features.

The Director explains that the costs for equipment has significantly increased in the past three years due to supply issues. The Director also explained that the annual Parks Lifecycle Reserve as an allocation distribution allocation from Council, per the budget process, of \$400K. This reserve is responsible for the repair/replacement of the following park amenities: playsets (21), tennis courts (7), pickleball courts (14), basketball courts (11), baseball diamonds (17) and soccer fields (28).

The Director of Finance also informed the Members that the Parks Lifecycle Reserve is currently at an annual funding deficit of \$100,000.

#### **S. Motions**

1. Confirmatory By-Law 2023-107

##### **Motion: RCM - 293/23**

Moved by Councillor Alicia Higgison  
Seconded by Councillor Tania Jobin

**That** By-Law 2023-107 being a by-law to confirm the proceedings of the Tuesday, October 24, 2023, regular meeting of the Council of The Corporation of the Town of Tecumseh **be given** first, second, third and final reading.

Carried

#### **T. Notices of Motion**

There are no Notices of Motion presented to Council.

#### **U. Next Meeting**

Tuesday, November 14, 2023

5:30 pm Public Council Meeting - Zoning By-law Amendment 12207 County Road 42

7:00 pm Regular Council Meeting

**V. Adjournment**

**Motion: RCM - 294/23**

Moved by Councillor Rick Toniai

Seconded by Councillor James Dorner

**That** there being no further business, the Tuesday, October 24, 2023 meeting of the Regular Council **be adjourned** at 8:17 pm.

Carried

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Gary McNamara, Mayor

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Robert Auger, Clerk

## **Special Meeting of Council**

### **Minutes**

Date: Saturday, October 21, 2023  
Time: 9:00 am  
Location: Tecumseh Town Hall - Council Chambers  
917 Lesperance Road  
Tecumseh, Ontario N8N 1W9

#### **Present:**

Mayor, Gary McNamara  
Councillor, James Dorner  
Councillor, Alicia Higgison  
Councillor, Brian Houston  
Councillor, Tania Jobin  
Councillor, Rick Tonial

#### **Absent:**

Deputy Mayor, Joe Bachetti

#### **Also Present:**

Chief Administrative Officer, Margaret Misk-Evans  
Director Legislative Services & Clerk, Robert Auger  
Director People & Culture, Michelle Drouillard  
Director Community & Recreation Services, Beth Gignac  
Director Development Services, Brian Hillman  
Manager Engineering Services, John Henderson

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

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

The Mayor calls the meeting to order at 9:00 am

#### **C. Land Acknowledgement**

We acknowledge that we are on land and surrounded by water, originally inhabited by Indigenous Peoples who have travelled this area since time immemorial. This territory is within the lands honoured by the Wampum Treaties; agreements between the Anishinaabe, Haudenosaunee, Leni Lenape, and allied Nations to peacefully share and care for the resources around the Great Lakes. Specifically, we would like to acknowledge the presence of the Three Fires Confederacy Ojibwe, Odawa, Potawatomi, and Huron/Wendat Peoples. We



are dedicated to honouring Indigenous history and culture while remaining committed to moving forward respectfully with all First Nations, Inuit, and Métis.

**D. Disclosure of Pecuniary Interest**

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

**E. Delegations**

**1. 2023 Capital Projects Road Tour**

The Members and Administration participate in a bus tour of the Town in the areas shown in the Capital Projects Road Tour Booklet.

The tour is for information purposes only. It gives the Members an opportunity to view the proposed projects, or project areas, as well as future development areas, in order to provide a greater understanding the works to be undertaken.

**Motion: SCM - 27/23**

Moved By Councillor Brian Houston  
Seconded By Councillor Tania Jobin

That the "2023 Capital Projects Roads Tour presentation" **be received.**

Carried

**F. Communications**

There are no Communications presented to Council.

**G. Reports**

There are no Reports presented to Council.

**H. Adjournment**

**Motion: SCM - 28/23**

Moved By Councillor Tania Jobin

Seconded By Councillor Rick Toniai

**That** there being no further business, the Saturday, October 21, 2023, meeting of the Special Council Meeting **be adjourned** at 11:15 am.

Carried

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Gary McNamara, Mayor

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Robert Auger, Clerk



## The Corporation of the Town of Tecumseh

Legislative & Clerk Services

**To:** Mayor and Members of Council

**From:** Robert Auger, Director Legislative Services & Clerk

**Date to Council:** November 14, 2023

**Report Number:** LCS-2023-31

**Subject:** Proposed New Legislative & Clerk Services Administrative Fees

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### Recommendations

It is recommended:

**That** Report LCS-2023-31 entitled “Proposed New Legislative & Clerk Services Administrative Fees” **be received**;

**And that** the fees proposed herein **be included** in the Administrative Fees and Charges By-law for 2024 for Council consideration during budget deliberations;

**And further that** the Director Legislative Services & Clerk **be authorized** to not perform a particular commissioning or notarization of a document if, in their sole professional discretion, doing so would otherwise conflict with their obligations under the rules of professional conduct applicable to Ontario Lawyers.

### Background

In May 2022, Council received the Clerk’s Service Delivery Review (Review) which was conducted by WSCS Consulting. The Review examined the Town’s various services offered including Commissioning of Oaths, and the level of staff support by the Department to offer such services. As part of the principles established by the Review and in preparation for Council’s consideration of the 2024 Administrative Fees and Charges By-Law, the Department has undertaken what is to be an annual internal review of its services that are offered to the public with due consideration to cost

recovery in administering these services. In 2022, as part of this annual review Council approved fee increases for the issuance of burial permits and marriage licences. At this time, Administration is not recommending a fee increase to these two services. However, this report will outline proposed new fees for the following specific services offered in the Department which currently are performed without cost recovery.

## **Comments**

### **1. Commissioner of Oaths**

Since amalgamation, the Town's Clerk and Deputy Clerks have, in accordance with the Commissioners for Taking Affidavits Act (Ontario), provided the services of a Commissioner of Oaths to Tecumseh residents and have done so without a fee. A Commissioner of Oaths can take affidavits or declarations by asking a person to swear or affirm that what is in a document is true. Once completed, the Commissioner will then sign to verify the document was sworn or affirmed.

The demand for this service from residents has increased in the past few years for commissioning documents such as name changes, student school immunization exemptions, pension verification for proof of life, and vehicle registration transfers. It is recommended that a fee of \$15.00 per document be implemented with the exemption of annual pensioner declarations, which will remain free of charge.

### **2. Notary Public Services**

Since January 2023, the Town has had the ability to provide the services of a Notary Public with the hiring of the Director Legislative Services & Clerk who is a licensed Lawyer and Notary Public (in accordance with the Notaries Act, Ontario) in the Province of Ontario. Prior to the hiring of the Director, any resident seeking notarization was directed to seek this service elsewhere in the community.

A Notary Public has all the powers of a Commissioner of Oaths; however, they can additionally verify and certify that signatures, marks, and copies of documents are true or genuine. Some documents that may require notarization include travel documents for children, documents for immigration or emigration purposes, passport-related documents, and documents that originate outside of Ontario or Canada.

The Director reserves the right not to perform a particular commissioning or notarization of a document if doing so would conflict with their obligations under the rules of professional conduct applicable to Ontario Lawyers.

Furthermore, the Town will not notarize any contentious documents such as divorce papers, custody agreements, real estate transactions, or testamentary documents which often require legal advice or independent legal review prior to or at time of signing.

The Director, over the last year has offered this service from time to time to residents. Moving forward, it is recommended that an administrative fee of \$40.00 per document be implemented for 2024 in an effort to meet this service demand with cost recovery.

### **3. Municipal Review of Liquor Licence Applications**

The Alcohol and Gaming Commission of Ontario (AGCO) requires the following municipal information and documentation be provided to support business applications for new liquor licences or additions to existing liquor licences:

- Municipal Information Forms: which are completed and signed by the municipal Clerk's office. This form not only indicates whether the area in which the premises will be located is "wet", "damp" or "dry" (in relation to the sale of liquor) but as well provides notification to the Municipality and an opportunity to provide comments within a 30-day period regarding zoning or other concerns.
- Compliance Letters to be completed and signed by the Building and Fire Departments indicating the applicant's establishment meets the standards administered by AGCO. The Compliance Letter from the Building and Fire Departments indicates the occupant load for the licensed area, including inspection of a licensed outdoor area (patio), if applicable.

The Department receives notification of liquor licence applications from the AGCO and circulates the information internally for departmental review before providing municipal approval and Compliance Letters to the applicant. It is recommended that an administrative fee of \$50.00 per application be implemented to recover costs associated with the Clerk, Chief Building Official, and Deputy Fire Chief time in reviewing the application and completing the required AGCO forms.

### **4. Review of Applications for Noise By-law Exemptions**

The Noise By-law [2002-07](#), adopted in 2002, was amended in 2007 to allow residents and businesses to apply for an exemption from the by-law as this by-law prohibits certain sounds and types of noise at all times. In Report CS-2021-26, Council approved and delegated authority to the Clerk to grant exemptions to the Noise By-Law no later than 11:30 p.m.

Currently, when a request for a noise by-law is received, the Clerk's Office circulates the request both to internal departments and to the OPP for review and issues a letter to the applicant advising if the Noise By-law Exemption has been approved or denied, and any required conditions thereto. After approval, if granted, the approval letter is prepared and circulated to the OPP for follow-up if warranted. In some cases, certain requests seek noise exemptions that exceed the Clerk's authority to approve. In those cases, an Administrative Report is then prepared and brought to Council for approval. It is

recommended therefore that a request for Noise By-Law Exemption requires a fee of \$50.00 per request.

Administration is aware of potential concerns from the public related to the Noise By-law and the exemption process. A report detailing a comprehensive review of the by-law will be forthcoming to the Policies & Priorities Committee on November 28, 2023.

## Proposed New Fees

The table below summarizes the proposed administrative fees to be considered and included in the 2024 Administrative Fees and Charges By-law:

Type of Fee	2024 Fee
Signing of Document by Commissioner of Oaths (pension papers exempt)	\$15.00
Signing of Document by Notary Public	\$40.00
Review of Liquor Licence Application	\$50.00
Requests for Noise By-law Exemption	\$50.00

In comparison, in Attachment 1, the fees for these same noted services as charged by other municipalities in the Essex County region for the 2023 calendar year are noted. The administrative fees proposed fall within the range of fees charged within surrounding municipalities.

## Consultations

Financial Services

## Financial Implications

It is estimated that approximately 50 documents are **commissioned** per year. Based on the proposed fee of \$15 per document, the estimated revenue would be **\$750 per year**.

As 2023 was the first-year notary services were provided and only done so on a limited basis, it is difficult to estimate the number of notarizations per year. In 2023, approximately 10 documents were **notarized**. Based on the proposed fee of \$40 per document, the estimated revenue would be **\$400 per year**. It is expected that the number of notarizations will increase as promotions of this service increase in 2024.

It is estimated that approximately 8 applications for a **liquor licence** are reviewed each year. Based on the proposed fee of \$50 for this service, the estimated revenue would be **\$400 per year**.

It is estimated that approximately 10 requests for **noise by-law exemptions** are reviewed each year. Based on the proposed fee of \$50 per application, the estimated revenue would be **\$500 per year**.

Should these user fees not be approved, the costs of administrative time spent providing these services would not be recovered and the approximate revenue of **\$2,050 per year** would not be realized by the Town.

## Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input checked="" type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

## 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:

Robert Auger, LL.B.  
Director Legislative Services & Clerk

Reviewed by:

Christina Hebert, BA (Hons), MA, Dipl. M.A.  
Deputy Clerk - Clerks Services & Policy Advisor

Reviewed by:

Jennifer Alexander, AOMC, MPA  
Deputy Clerk & Manager Legislative Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

Attachment Number	Attachment Name
1	2023 Clerks User Fee Comparison – Local Municipalities



2023 Clerks User Fee Comparison - Local Municipalities									
Type of Fee	County of Essex	City of Windsor	Amherstburg	Essex	Kingsville	Lakeshore	LaSalle	Leamington	AVERAGE
<b><i>Signing of Document by Commissioner of Oaths</i></b>									
Resident	\$20.00	\$10.00	\$21.00	\$15.62	\$15.00	\$10.00	\$15.00	N/A	\$15.23
Non-Resident	\$20.00	\$10.00	\$27.00	\$31.25	\$15.00	\$10.00	\$15.00	N/A	\$18.32
<b><i>Signing of Document by Notary Public</i></b>									
Resident	N/A	N/A	N/A	\$31.26	\$50.00	N/A	N/A	N/A	\$40.63
Non-Resident	N/A	N/A	N/A	\$62.52	\$50.00	N/A	N/A	N/A	\$56.26
<b><i>Review of Liquor Licence Application</i></b>	N/A	\$55.00	\$59.00	N/A	\$25.00	\$25.00	\$50.00	\$25.00	\$39.83
<b><i>Application for Noise By-law Exemption</i></b>	N/A	\$106.50	\$59.00	N/A	\$50.00	N/A	\$50.00	\$25.00	\$58.10



## The Corporation of the Town of Tecumseh

Public Works & Engineering Services

**To:** Mayor and Members of Council

**From:** Phil Bartnik, Director Public Works & Engineering Services

**Date to Council:** November 14, 2023

**Report Number:** PWES-2023-72

**Subject:** Request to Appoint a Drainage Engineer – Malden Road East Drain

---

### Recommendations

It is recommended:

**That** Oliver Moir, P.Eng., of Dillon Consulting Ltd. **be appointed** Drainage Engineer to make an examination of the Malden Road East Drain drainage area as submitted by the landowner (Roll No. 400000024000000) in the “Notice of Request for Drainage Improvement” dated July 23, 2019;

**And that** a Drainage Report **be prepared** in accordance with Section 78 of the *Drainage Act* (Act), including provisions for future maintenance.

### Background

The purpose of this report is to provide a summary of the background and other information to assist Council in appointing an engineer to examine the drainage area on the Malden Road East Drain (Drain).

The Drain is located on the east side of Malden Road with its upper limit located on the south side of South Talbot Road and its outlet into Pike Creek (refer to Attachment 1).

### Comments

The “Notice of Request for Drain Improvement” was submitted on July 23, 2019, from the landowner with Roll No. 4000000024000000. N.J. Peralta Engineering Ltd. (Peralta) was

appointed Drainage Engineer at the September 10, 2019, Regular Council meeting to examine the Drain and prepare a drainage report.

The Drainage Superintendent and Peralta have met on-site and examined the condition of the Drain. They concluded that the Drain needed to be cleaned out and brushed, which could be performed under maintenance. Since the last report for the Drain was completed in 1980, it was determined that a new maintenance schedule is required.

Peralta initially recommended preparing an updated maintenance schedule under Section 76 of the Act, along with maintenance to be undertaken under Section 74 of the Act. After further review, however, it was discovered that the 1980 report lacked future maintenance specifications for culvert replacements. Administration concluded that a Section 78 report would be the best path forward to address the outdated maintenance schedule and lack of specifications for culvert replacements.

Peralta is an experienced engineering firm with one of its specialties being municipal drainage. At the present time, however, there is a very small number of engineering firms that work on municipal drainage. As a result, there is limited capacity within the drainage industry and it is not uncommon for drainage reports to take years to complete. Due to staffing changes, Peralta recently notified Administration that they did not have the capacity to complete a Section 78 report in the near future and further advised that they had no objection to the project being appointed to another engineer to allow the drainage needs of the affected lands to be addressed in a timely manner. Following these discussions, Administration contacted Dillon Consulting Ltd. (Dillon) who advised they would accept the appointment.

## **Legislation**

The sections of the Act referenced within this report are included in Schedule A, which is attached to this Council Report as Attachment 2.

## **Required Approvals**

On July 23, 2019, the Town sent notification to the Essex Region Conservation Authority (ERCA) that the Town received a request for the repair and improvement of the Drain.

The Town will be required to conduct a self-assessment with respect to the requirements of the Department of Fisheries and Oceans Canada (DFO) to determine if this project will require a formal review by DFO for issues related to the federal Fisheries Act and/or the federal Species at Risk Act.

The Drain may contain significant species (aquatic species at risk (SAR) as well as plants, animals, habitat, etc.) that are protected under the provincial Endangered Species Act (ESA). As of April 1, 2019, the administration of the ESA transitioned responsibility from the Ministry of Natural Resources and Forestry (MNRF) to the Ministry of Environment, Conservation and Parks (MECP). Though the responsibility has transitioned to the MECP, the Town's Species-At-Risk (SAR) Mitigation plan continues to comply with the ESA. As such, the Town, along with its contractors, gathers data with respect to information on any encountered species and/or

mitigation plans implemented before and during construction for all registered municipal drainage works permitted under Section 23.9 of Ontario Reg. 242/08. Annual reports may be requested by the MECP.

## Appointment of Engineer

It is recommended that Oliver Moir, P.Eng. of Dillon Consulting Ltd. be appointed Drainage Engineer to the Drain to produce an updated report for the Drain that will include the watershed boundary, plans and profiles, and updated future maintenance assessment schedules. Administration has notified Peralta that they would be appointing another Drainage Engineer to which they had no objection.

Dillon is aware of the history of the request and will look to complete their work on the Drain expeditiously. Administration has asked Peralta to submit previous notes and documentation for the Drain for Dillon to refer to.

## Consultations

Dillon Consulting Ltd.  
N.J. Peralta Engineering Ltd.

## Financial Implications

There are no financial implications associated with this report.

The Engineer's Report shall assess for Special Benefit, Benefit and Outlet Liability. A schedule of assessment is to be contained in the report which details in separate columns, the sums assessed for each parcel of land/utility liable for drainage assessments under the Act.

## Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input checked="" type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

## 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:

Alessia Mussio, E.I.T.  
Drainage Superintendent

Reviewed by:

John Henderson, P.Eng.  
Manager Engineering Services

Reviewed by:

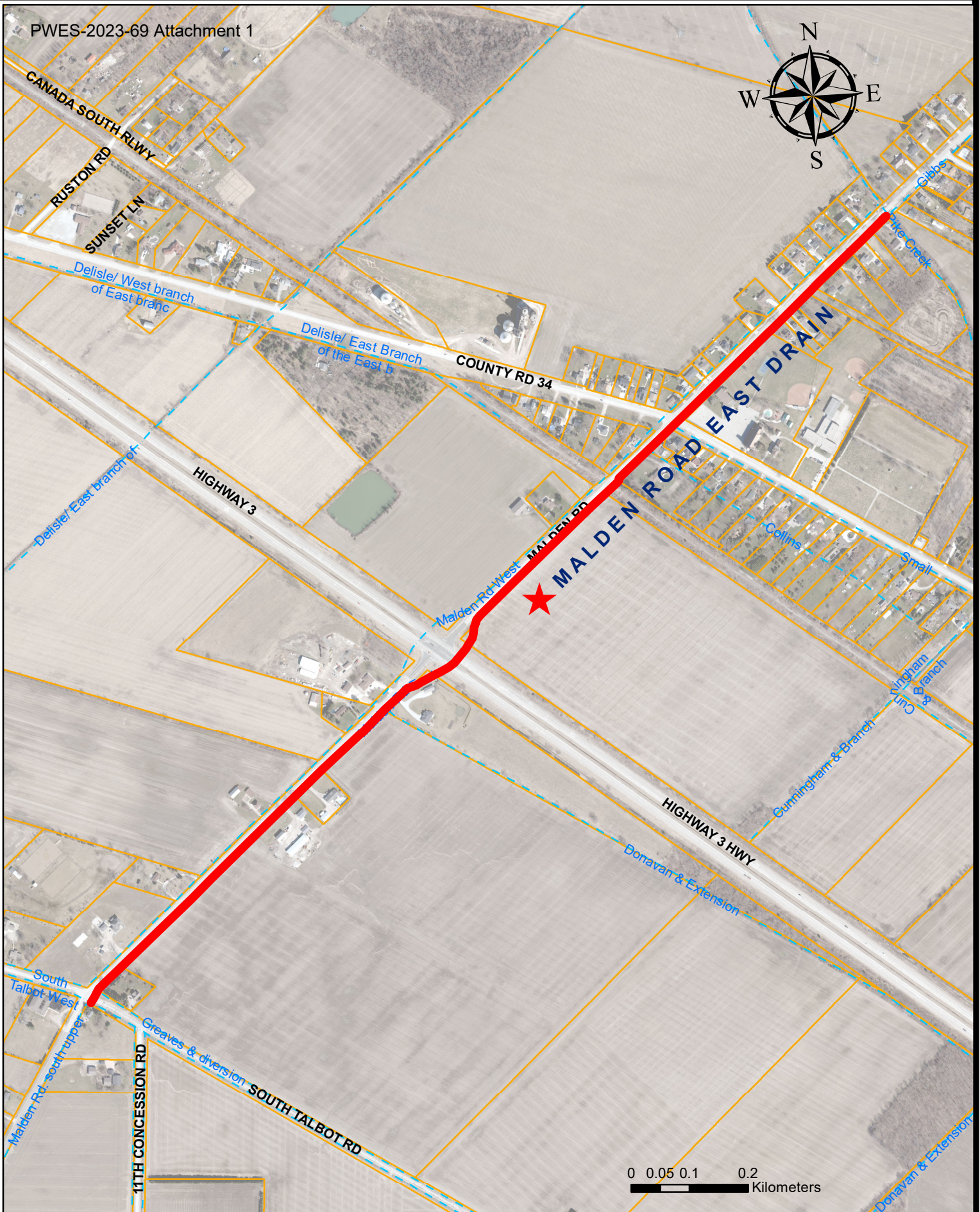
Phil Bartnik, P.Eng.  
Director Public Works & Engineering Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Malden Road East Drain Map
2	Schedule A – Drainage Act Excerpts





0 0.05 0.1 0.2  
Kilometers

**Conditions of Use**  
**DISCLAIMER**  
The information within this map is provided "as is" without warranty of any kind, either expressed or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The Corporation of the Town assumes no liability for any alleged or actual, incidental or consequential damages resulting from the furnishing, performance or use of this map.



**TOWN OF**  
**Tecumseh**  
ONTARIO • CANADA

3

Work Done:  
Author: Jell  
HJK  
Date: 2023-09-21  
Scale:  
See Scale

**TOWN OF TECUMSEH**  
**LOCATION MAP**  
**MALDEN RD. EAST DRAIN**

PROJECT No.  
SHEET No.  
1 of 1

## Legislation

### Petition

4 (1) A petition for the drainage by means of a drainage works of an area requiring drainage as described in the petition may be filed with the clerk of the local municipality in which the area is situate by,

- (a) the majority in number of the owners, as shown by the last revised assessment roll of lands in the area, including the owners of any roads in the area;
- (b) the owner or owners, as shown by the last revised assessment roll, of lands in the area representing at least 60 per cent of the hectarage in the area;
- (c) where a drainage works is required for a road or part thereof, the engineer, road superintendent or person having jurisdiction over such road or part, despite subsection 61 (5);
- (d) where a drainage works is required for the drainage of lands used for agricultural purposes, the Director. R.S.O. 1990, c. D.17, s. 4 (1).

### Form of petition

(2) A petition under subsection (1) shall be in the form prescribed by the regulations and, where it is filed by an owner or owners under clause (1) (a) or (b), shall be signed by such owner or owners. R.S.O. 1990, c. D.17, s. 4 (2).

### Petition where area lies on each side of boundary line

(3) Where it is desired to construct a drainage works for the drainage of an area composed of lands or roads lying on each side of a boundary line between two or more local municipalities, the council of any of them may proceed upon a petition as required by this Act in all respects, including the sending of notices, as if such area were entirely within the limits of the municipality. R.S.O. 1990, c. D.17, s. 4 (3).

### Person deemed owner

(4) Where a person who is the owner of land, but does not appear by the last revised assessment roll of the municipality to be the owner, is a petitioner, the person shall be deemed an owner if the person's ownership is proved to the satisfaction of the clerk, and, if the person who appears by the assessment roll to be the owner is a petitioner, the person's name shall be disregarded in determining the sufficiency of the petition. R.S.O. 1990, c. D.17, s. 4 (4).

### Persons jointly assessed

(5) Where two or more persons are jointly assessed for a property, in determining the sufficiency of a petition, they shall be deemed to be one owner. R.S.O. 1990, c. D.17, s. 4 (5).

### Section 25(1) – Engineer may assess a block, etc.

The council of the local municipality may direct the engineer to assess as a block, a



built-up area designated by the council, and the sum assessed therefor may be levied against all the ratable properties in the designated area proportionately on the basis of the assessed value of the land and buildings.

### **Section 25(2) – Assessments to be charged against public roads**

Where the engineer makes a block assessment under subsection (1), the engineer shall designate the proportion of the assessment to be charged against the public roads in the designated area.

### **Section 26 – Increased cost, how borne**

In addition to all other sums lawfully assessed against the property of a public utility or road authority under this Act, and despite the fact that the public utility or road authority is not otherwise assessable under this Act, the public utility or road authority shall be assessed for and shall pay all the increase of cost of such drainage works caused by the existence of the works of the public utility or road authority.

### **Section 41(1) – Notice of drainage works**

Upon the filing of the engineer's report, the council of the initiating municipality, if it intends to proceed with the drainage works, shall, within thirty days of the filing of the report, cause the clerk of the initiating municipality to send a copy of the report and a notice stating,

- 1) the date of the filing of the report;
- 2) the name or other designation of the drainage works; and
- 3) the date of the council meeting at which the report will be considered, to;
  - a) the owners, in the initiating municipality, as shown by the last revised assessment roll to be the owners of lands and roads assessed for the drainage works or for which compensation or other allowances have been provided in the report;
  - b) the clerk of every other local municipality in which any land or road that is assessed for the drainage works or for which compensation or other allowances have been provided in the report is situate;
  - c) the secretary-treasurer of each conservation authority that has jurisdiction over any land affected by the report;
  - d) any railway company, public utility or road authority affected by the report, other than by way of assessment;
  - e) the Minister of Natural Resources where land under his or her jurisdiction may be affected by the report; and
  - f) the Director.

### **Section 41(3) – Copy of report not required**

Despite subsections (1) and (2), where a block assessment is made, the notice to the owners of the lands so assessed need not be accompanied by a copy of the report.

**Section 41(3.1) – Same**

Despite subsections (1) and (2), the council of a local municipality is not required to send a copy of the report to owners of lands and roads assessed for a sum of less than \$100.

**Section 42 – Consideration of report**

The council of the initiating municipality at the meeting mentioned in section 41 shall consider the report, and, where the drainage works is requested on petition, shall give an opportunity to any person who has signed the petition to withdraw from it by filing a signed withdrawal with the clerk and shall also give those present owning lands within the area requiring drainage who have not signed the petition an opportunity to do so, and should any of the lands or roads owned by the municipality within the area requiring drainage as described in the petition be assessed, the council may by resolution authorize the head of the municipality to sign the petition for the municipality, and such signature counts as that of one person in favour of the petition.

**Section 48(1) – Appeal to Tribunal**

Any owner of land or any public utility affected by a drainage works, if dissatisfied with the report of the engineer on the ground that,

- (a) The benefits to be derived from the drainage works are not commensurate with the estimated cost thereof;
- (b) The drainage works should be modified on grounds to be stated;
- (c) The compensation or allowances provided by the engineer are inadequate or excessive;
- (d) The engineer has reported that the drainage works is not required, or is impractical, or cannot be constructed, may appeal to the Tribunal, and in every case a notice of appeal shall be served within 40 days after the sending of the notices under Section 40 or subsection 46(2), as the case may be.

**Section 54(1) – Appeal to Tribunal**

Any party to an appeal before the court of revision may appeal to the Tribunal by giving notice addressed to the clerk of the Tribunal, given to the clerk of the initiating municipality, from the decision of the court of revision or from its omission, neglect or refusal to hear or decide an appeal within twenty-one days of the pronouncement of the decision of the court of revision or of any matter evidencing such omission, neglect or refusal.

**Section 57 – Referral back to engineer**

The council of the initiating municipality, at any time before passing the by-law, if it appears that there are or may be errors in the report of the engineer or that for any other reason the report should be reconsidered, may refer the report back to the engineer for reconsideration, and the engineer shall thereupon reconsider the report and shall further report to the council, which report has the same effect and shall be dealt with in the same manner and the proceedings thereon shall be the same as upon the original report.

**Section 61(1) – Imposition of special assessment**

The council of each local municipality that is required to raise the whole or any part of the cost of the drainage works shall by by-law impose upon the land assessed for the drainage works the assessment with which it is chargeable, and the amount so imposed is payable in such instalments as the council may prescribe.

**Section 61(2) – Commutation of special assessment**

The council of any local municipality may provide that persons whose lands are assessed may commute for a payment in cash the assessments imposed thereon and may prescribe the terms and conditions thereof.

**Section 61(3) – Assessments of \$50 or less**

Where the assessment against any parcel of land is \$50 or less, the council of the local municipality may that the assessment shall be paid out of the general funds of the municipality or that the assessment shall be paid in the first year in which the assessment is imposed upon the land assessed.

**Section 65(1) – Subsequent subdivision of land**

If, after the final revision of an engineer's assessment of land for a drainage works, the land is divided by a change in ownership of any part, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to apportion the assessment among the parts into which the land was divided, taking into account the part of the land affected by the drainage works.

**Section 65(2) – Agreement on share of assessment**

If the owners of the subdivided land mutually agree on the share of the drainage assessment that each should pay, they may enter into a written agreement and file it with the clerk of the local municipality and, if the agreement is approved by the council by resolution, no engineer need be instructed under subsection (1).

**Section 65(3) – Subsequent connection to drainage works, etc.**

If an owner of land that is not assessed for a drainage works subsequently connects the land with the drainage works for the purpose of drainage, or if the nature or extent of the use of a drainage works by land assessed for the drainage works is subsequently altered, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and assess it for a just proportion of the drainage works, taking into account any compensation paid to the owner of the land in respect of the drainage works.

**Section 65(4) – Subsequent disconnection from drainage works**

If an owner of land that is assessed for a drainage works subsequently disconnects the land from the drainage works, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and determine the amount by which the assessment of the land should change.

**Section 65(5) – Restriction on connection or disconnection**

No person shall connect to or disconnect from drainage works without the approval of the council of the municipality.

**Section 65(6) – Notice of instructions**

The clerk of the local municipality shall send a copy of the instructions mentioned in subsection (1), (3) or (4) to the owners of the affected lands as soon as reasonably possible.

**Section 65(7) – Engineer’s assessment**

An engineer who prepares an assessment pursuant to instructions received under subsection (1), (3) or (4) shall file the assessment with the clerk of the local municipality.

**Section 65(8) – Notice of assessment**

The clerk of the local municipality shall attach the engineer’s assessment to the original assessment and send a copy of both to the owners of the affected lands.

**Section 65(9) – Assessment binding**

Subject to subsection (11), the engineer’s assessment is binding on the assessed land.

**Section 65(10) – Costs**

The costs of the assessment, including the fees of the engineer, shall be paid by the owners of the lands in the proportion fixed by the engineer or, on appeal, by the Tribunal, and subsection 61(4) applies to these costs.

**Section 65(11) – Appeal of assessment**

If the engineer’s assessment is for an amount greater than \$500, the owner of the land may appeal to the Tribunal within 40 days after the date the clerk sends a copy of the assessment to the owner.

**Section 65(12) – Use of amount collected**

Any amount collected under subsection (3) shall be credited to the account of the drainage works and shall be used only for the improvement, maintenance or repair of the whole or any part of the drainage works.

**Section 76(1) - Varying original assessments for maintenance**

The Council of any local municipality liable for contribution to a drainage works in connection with which conditions have changed or circumstances have arisen such as to justify a variation of the assessment for maintenance and repair of the drainage works may make an application to the Tribunal, of which notice has been given to the head of every other municipality affected by the drainage works, for permission to procure a report of an engineer to vary the assessment, and, in the event of such permission being given, such council may appoint an engineer for such purpose and may adopt the report but, if all the lands and roads assessed or intended to be assessed lie within the limits of one local municipality, the council of that municipality may procure and adopt such report without such permission.

**Section 76(2) – Proceedings on report of engineer**

The proceedings upon such report, excepting appeals, shall be the same, as nearly as may be, as upon the report for construction of the drainage works.

**Section 76(3) – Appeal from report of engineer**

Any council served with a copy of such report may, within 45 days of such service, appeal to the Tribunal from the finding of the engineer as to the portion of the cost of the drainage works for which the municipality is liable.

**Section 76(4) – Appeal from assessment**

Any owner of land assessed for maintenance or repair may appeal from the assessment in the report on the grounds and in the manner provided by Section 52 in the case of the construction of the drainage works.

**Section 76(5) – Basis of future assessments**

An assessment determined under this section shall thereafter, until it is further varied, form the basis of any assessment for maintenance or repair of the drainage works affected thereby.

**Section 78(1) – Improving, upon examination and report of engineer**

If a drainage works has been constructed under a by-law passed under this Act or any predecessor of this Act, and the council of the municipality that is responsible for maintaining and repairing the drainage works considers it appropriate to undertake one or more of the major improvement projects listed in subsection (1.1) for the better use, maintenance or repair of the drainage works or of lands or roads, the municipality may undertake and complete the project in accordance with the report of an engineer appointed by it and without the petition required by section 4. 2010, c.16, Sched. 1, s. 2 (27); 2020, c. 18, Sched. 4, s. 9 (1).

**Section 78(1.1) – Projects**

The projects referred to in subsections (1) are:

- 1) 1. Changing the course of the drainage works.
- 2) 2. Making a new outlet for the whole or any part of the drainage works.
- 3) 3. Constructing a tile drain under the bed of the whole or any part of the drainage works.
- 4) 4. Constructing, reconstructing or extending embankments, walls, dykes, dams, reservoirs, bridges, pumping stations or other protective works in connection with the drainage works.
- 5) 5. Extending the drainage works to an outlet.
- 6) 5.1 Improving or altering the drainage works if the drainage works is located on more than one property.
- 7) 6. Covering all or part of the drainage works.
- 8) 7. Consolidating two or more drainage works.
- 9) 8. Any other activity to improve the drainage works, other than an activity prescribed by the Minister as a minor improvement. 2010, c. 16, Sched. 1, s. 2 (27); 2020, c. 18, Sched. 4, s. 9 (2-4).

**Section 78(2) – Notice to conservation authority**

2) An engineer shall not be appointed under subsection (1) until 30 days after a notice has been sent to the following persons advising them of the municipality's intent to undertake the major improvement project:

1. The secretary-treasurer of each conservation authority that has jurisdiction over any lands that would be affected by the project.
2. The prescribed persons. 2020, c. 18, Sched. 4, s. 9 (5).

**Section 78(3) – Powers and duties of engineer**

(3) The engineer has all the powers and shall perform all the duties of an engineer appointed with respect to the construction of a drainage works under this Act. R.S.O. 1990, c. D.17, s. 78 (3).

**Section 78(4) – Proceedings**

(4) All proceedings, including appeals, under this section shall be the same as on a report for the construction of a drainage works. R.S.O. 1990, c. D.17, s. 78 (4).

**Minor improvements to drainage works**

(5) Despite subsections (2) to (4), the Minister may prescribe the process for approving minor improvements to a drainage works mentioned in paragraph 8 of subsection (1.1). 2020, c. 18, Sched. 4, s. 9 (6).

**AMENDMENTS TO ENGINEER'S REPORT**

84.1 (1) This section applies with respect to engineer's reports that are prepared for the purpose of a petition under section 4 or for the purpose of section 78 and that are adopted by a municipal by-law. 2020, c. 18, Sched. 4, s. 10.

**Approval process**

(2) The Minister may, by regulation, set out the process by which the engineer's report may be amended and the process by which those amendments are to be approved. 2020, c. 18, Sched. 4, s. 10.

Section Amendments with date in force (28/09/2021)

Sent to mayor on Oct. 16

Dear Mayor McNamara,

Nine-year-old **Abel Walker, of Tecumseh**, is a member of The War Amps Child Amputee (CHAMP) Program and has been spreading important messages in your community and across Canada. **Do you have any opportunities to acknowledge his efforts on behalf of the municipality, whether that be presenting him with a certificate or recognizing him at your town hall meeting?** This would also be a media and/or social media opportunity, which we can organize.

Despite being born with a left arm amputation, Abel has not let this challenge hinder his zest for life. His inspiring journey, supported by artificial limbs and adaptive devices, has enabled him to actively participate in various sports such as basketball, football, baseball, and swimming. He also enjoys riding his bike and his scooter, showcasing his determination and passion for living life to the fullest.

As a testament to his resilience and positive attitude, Abel has been named The War Amps 2023 National Ambassador. He recently collaborated with the Hamilton Tiger-Cats in a powerful public service announcement (PSA), this is now being broadcasted on television screens across Canada. Abel's PSA can be viewed on The War Amps website <https://waramps.ca/abel-and-the-ticats/>

If you have any questions, and/or would like to recognize his accomplishments, please **contact Martine Lepine at 1 800 465-2677 ext. 2225** or by email at [martine.lepine@waramps.ca](mailto:martine.lepine@waramps.ca).



# The Corporation of the Town of Tecumseh

**Audit Findings Report  
for the year ended  
December 31, 2022**

*KPMG LLP*

November 14, 2023

[kpmg.ca/audit](https://kpmg.ca/audit)



# KPMG contacts

Key contacts in connection with this engagement



**Cynthia Swift, CPA, CA**

Lead Audit Engagement Partner

519-251-3520

[caswift@kpmg.ca](mailto:caswift@kpmg.ca)



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Senior Manager

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# Table of contents

## Digital use information

This Audit Findings Report is also available as a “hyper-linked” PDF document.

If you are reading in electronic form (e.g. In “Adobe Reader” or “Board Books”), clicking on the home symbol on the top right corner will bring you back to this slide.



Click on any item in the table of contents to navigate to that section.

4	Audit highlights	5	Technology highlights	6	Status of the audit	7	Materiality
9	Audit risks and results	12	Control deficiencies	13	Additional matters		
15	Independence	16	Audit quality	17	Appendices		

The purpose of this report is to assist you in your review of the results of our audit of the consolidated financial statements as at and for the period ended December 31, 2022. This report is intended solely for the information and use of Management and Council and should not be used for any other purpose or any other party. KPMG shall have no responsibility or liability for loss or damages or claims, if any, to or by any third party as this report has not been prepared for, and is not intended for, and should not be used by, any third party or for any other purpose.

# Audit highlights

## Status of the audit

We have completed the audit of the consolidated financial statements (“financial statements”), with the exception of certain remaining outstanding procedures, which are highlighted on slide 6 of this report.

## Uncorrected audit misstatements

No matters to report.

## Control deficiencies

We did not identify any control deficiencies that we determined to be significant deficiencies in internal control over financial reporting. See slide 12 for certain required communications regarding control deficiencies.

## Materiality

Materiality has been established by considering various metrics with the prior year’s total expenses deemed to the presumed benchmark. We have determined materiality to be \$720,000 CAD. See slides 7 and 8.

## Corrected audit misstatements

No matters to report.

## Accounting policies and practices

No matters to report.

## Audit risks and results – significant risks

Findings related to significant risks are discussed on slides 9-11.

## Significant unusual transactions

No matters to report.

## Other financial reporting matters

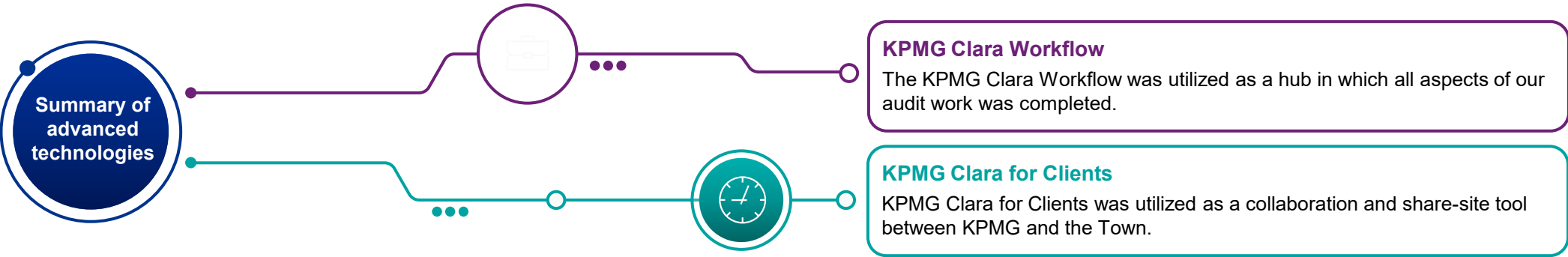
No matters to report.

## Audit risks and results – going concern assessment

No matters to report.

# Technology highlights

As previously communicated in our Audit Planning Report, we have utilized technology to enhance the quality and effectiveness of the audit.



# Status of the audit

As of November 14, 2023, we have completed the audit of the consolidated financial statements, with the exception of certain remaining procedures, which include amongst others:

- Completing our discussions with Council
- Obtaining evidence of Council's approval of the financial statements
- Receipt of legal letter responses
- Receipt of signed management representation letter
- Final partner and manager review of audit file

We will update Council on significant matters, if any, arising from the completion of the audit, including the completion of the above procedures.

Our auditor's report, a draft of which is provided alongside the draft financial statements, will be dated upon the completion of any remaining procedures.

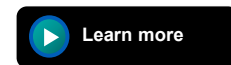
## KPMG Clara for Clients (KCfc)



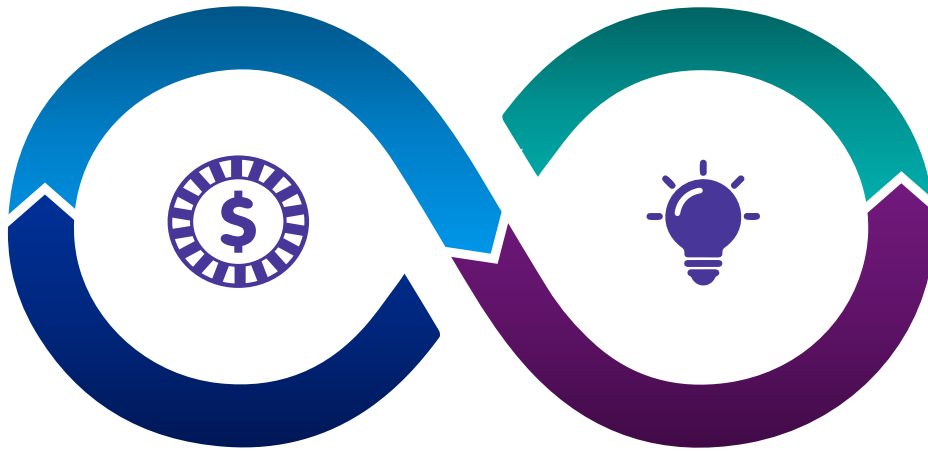
### Real-time collaboration and transparency

We leveraged **KCfc** to facilitate real-time collaboration with your team and provide visual insights into the status of the audit!

On your audit we used KCfc to coordinate requests from Town of Tecumseh employees.



# Materiality



We **initially determine materiality** at a level at which we consider that misstatements could reasonably be expected to influence the economic decisions of users. Determining materiality is a matter of **professional judgement**, considering both quantitative and qualitative factors, and is affected by our perception of the common financial information needs of users of the financial statements as a group. We do not consider the possible effect of misstatements on specific individual users, whose needs may vary widely.

We **reassess materiality** throughout the audit and revise materiality if we become aware of information that would have caused us to determine a different materiality level initially.

## Plan and perform the audit

We **initially determine materiality** to provide a basis for:

- Determining the nature, timing and extent of risk assessment procedures;
- Identifying and assessing the risks of material misstatement; and
- Determining the nature, timing, and extent of further audit procedures.

We design our procedures to detect misstatements at a level less than materiality in individual accounts and disclosures, to reduce to an appropriately low level the probability that the aggregate of uncorrected and undetected misstatements exceeds materiality for the financial statements as a whole.

## Evaluate the effect of misstatements

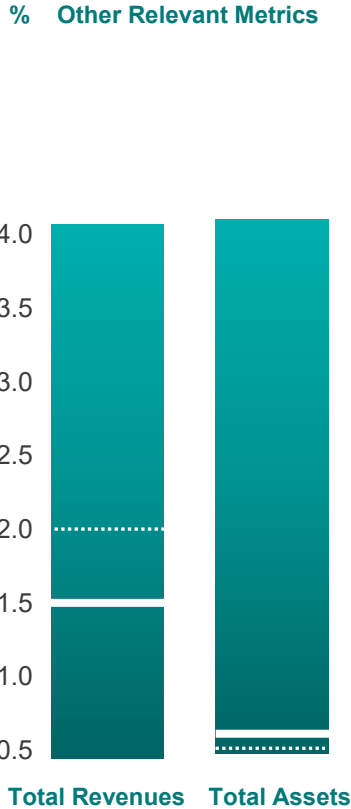
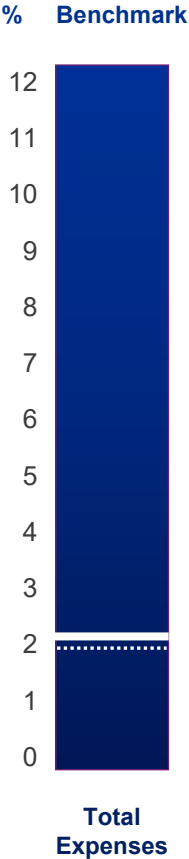
We also use materiality to evaluate the effect of:

- Identified misstatements on our audit; and
- Uncorrected misstatements, if any, on the financial statements and in forming our opinion.

# Materiality



..... Prior year  
— Current year



**Prior Year Total Expenses**  
**\$36,463,160**  
(2021: \$35,562,538)

**Prior Year Total Revenues**  
**\$49,207,341**  
(2021: \$42,106,800)

**Prior Year Total Assets**  
**\$324,636,483**  
(2021: \$309,157,345)

# Significant risks and results

We highlight our significant findings in respect of **significant risks** as well as any additional significant risks identified.

	Risk of material misstatement due to fraud resulting from management override of controls
Significant risk	Estimate?
<p>The risk of material misstatement due to fraud resulting from management override of controls is a presumed risk for all entities under Canadian Auditing Standards (“CAS”).</p> <p>We have not identified any specific areas which highlight this risk over the course of our audit.</p>	No
Our response	
<ul style="list-style-type: none"> <li>• The risk resides with management’s ability to perpetrate fraud because of its ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively.</li> <li>• As this risk is non-rebuttable, our audit methodology incorporates the required procedures in professional standards to address this risk. KPMG performed procedures as noted in our audit planning report, including testing of journal entries and other adjustments, performed a retrospective review of estimates and evaluated the business rationale of significant unusual transactions.</li> <li>• KPMG reviewed a sample of expense reports for the Mayor, his staff, Council and the Corporate Leadership Team. We reviewed the policies of the Corporation and ensured that the expense reports adhered to the policies and were appropriately authorized and supported.</li> </ul>	
Significant findings	
<ul style="list-style-type: none"> <li>• No exceptions were noted in our testing.</li> <li>• All expenses were appropriately authorized, supported and in compliance with the Corporation’s policies.</li> </ul>	



# Other significant findings and results

We highlight **other significant findings** as follows:

Tangible capital assets and other non-financial assets	
Other significant finding	Estimate?
KPMG performed procedures over the carrying value of tangible capital assets and other non-financial assets due to their monetary significance	No
Our response	
<ul style="list-style-type: none"><li>Amortization is charged on a straight-line basis over the useful life of the assets.</li><li>KPMG performed substantive tests of details over additions to tangible capital assets as well as substantive analytical procedures over the current year amortization.</li></ul>	
Significant findings	
<ul style="list-style-type: none"><li>The estimated useful lives of the tangible capital assets that the Town uses are consistent with industry standards.</li><li>There have been no indications of valuation or impairment issues in relation to the total value of tangible capital assets and other non-financial assets recorded.</li></ul>	

# Other significant findings and results

We highlight **other significant findings** as follows:

Valuation of employee future benefit obligations	
Other significant finding	Estimate?
Employee future benefit obligations are a significant estimate in the financial statements.	Yes
Our response	
<ul style="list-style-type: none"><li>Obligations related to employee future benefits are valued based on actuarial assumptions.</li><li>We have reviewed the assumptions provided by Management and the management expert, including the discount rate, valuation method applied, and the qualifications of the Actuary.</li></ul>	
Significant findings	
<ul style="list-style-type: none"><li>We determined that the assumptions determined by the actuary are reasonable in nature.</li><li>Employee future benefits were adequately disclosed within the financial statements.</li></ul>	

# Control deficiencies

## Consideration of internal control over financial reporting (ICFR)



In planning and performing our audit, we considered ICFR relevant to the Entity's preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances for the purpose of expressing an opinion on the financial statements, but not for the purpose of expressing an opinion on ICFR.

Our understanding of internal control over financial reporting was for the limited purpose described above and was not designed to identify all control deficiencies that might be significant deficiencies. The matters being reported are limited to those deficiencies that we have identified during the audit that we have concluded are of sufficient importance to merit being reported to those charged with governance.

Our awareness of control deficiencies varies with each audit and is influenced by the nature, timing, and extent of audit procedures performed, as well as other factors. Had we performed more extensive procedures on internal control over financial reporting, we might have identified more significant deficiencies to be reported or concluded that some of the reported significant deficiencies need not, in fact, have been reported.



## A deficiency in internal control over financial reporting


A deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A deficiency in design exists when (a) a control necessary to meet the control objective is missing or (b) an existing control is not properly designed so that, even if the control operates as designed, the control objective would not be met. A deficiency in operation exists when a properly designed control does not operate as designed, or when the person performing the control does not possess the necessary authority or competence to perform the control effectively.



## Significant deficiencies in internal control over financial reporting


A significant deficiency in internal control over financial reporting is a deficiency, or combination of deficiencies, in internal control that, in the auditor's professional judgment, is of sufficient importance to merit the attention of those charged with governance.

# Significant accounting policies and practices




**Initial selections of significant accounting policies and practices**

There were no new significant accounting policies and practices selected and applied during the period.



**Description of new or revised significant accounting policies and practices**

No matters to report.



**Significant qualitative aspects of the Company's accounting policies and practices**

No matters to report.

# Other financial reporting matters

We also highlight the following:

	Financial statement presentation - form, arrangement, and content	➔	No matters to report.
	Concerns regarding application of new accounting pronouncements	➔	<p><b>Asset Retirement obligations (ARO)</b></p> <ul style="list-style-type: none"><li>The new standard <i>PS 3280 Asset retirement obligations</i> is effective for fiscal years beginning on or after April 1, 2022. This standard will require the public sector entity to record a liability related to future costs of any legal obligations to be incurred upon retirement of any controlled tangible capital assets. The amount of the initial liability will be added to the historical cost of the asset and amortized over its useful life if the asset is in productive use.</li></ul> <p><b>Financial Instruments and Foreign Currency Translation</b></p> <ul style="list-style-type: none"><li>The new standards <i>PS 3450 Financial instruments</i>, <i>PS 2601 Foreign currency translation</i>, <i>PS 1201 Financial statement presentation</i> and <i>PS 3041 Portfolio investments</i> are effective for fiscal years beginning on or after April 1, 2022. Equity instruments quoted in an active market and free-standing derivatives are to be carried at fair value. All other financial instruments can be carried at cost or fair value depending on the entity's choice. This choice must be made on initial recognition of the financial instrument and is irrevocable.</li></ul>
	Significant qualitative aspects of financial statement presentation and disclosure	➔	No matters to report.

# New IESBA requirements

The International Ethics Standards Board for Accountants (IESBA) is an independent standard-setting board that develops, in the public interest, independence and ethics standards for professional accountants worldwide. IESBA has issued revisions to the non-assurance services (NAS) provisions of the IESBA Code of Ethics for Professional Accountants.

## Key changes to the IESBA code of ethics



The revisions create new requirements for public interest entities (PIEs), which include Canadian reporting issuer and US SEC issuer audit clients. As a reminder, before accepting a NAS for a PIE audit client, the auditor is required to:

- inform Those Charged with Governance (TCWG) (e.g. the Audit Committee) of the firm's determination that the service is not prohibited and that the service will not create a threat to the firm's independence; and
- provide information to enable the Audit Committee to make an informed assessment about the impact of the provision of each service on the firm's independence and obtain their pre-approval (also referred to as "concurrence").



This is effective for audits and reviews of financial statements for periods beginning **on or after December 15, 2022** and applies for NAS engagements provided to:

- a PIE audit client;
- an entity that controls the PIE directly or indirectly; or
- an entity controlled by the PIE directly or indirectly (regardless of consolidation).

## Impact for reporting issuers



The IESBA NAS standard creates incremental pre-approval requirements for Canadian reporting issuer and US SEC issuer audit clients.

- pre-approval will be required to perform NAS for entities that are currently not in scope under existing Canadian and/or SEC/PCAOB pre-approval rules, specifically upstream controlling entities and downstream controlled entities that are not consolidated by the reporting issuer audit client.

# Audit quality: How do we deliver audit quality?

**Quality** essentially means doing the right thing and remains our highest priority. Our **Global Quality Framework** outlines how we deliver quality and how every partner and staff member contributes to its delivery.

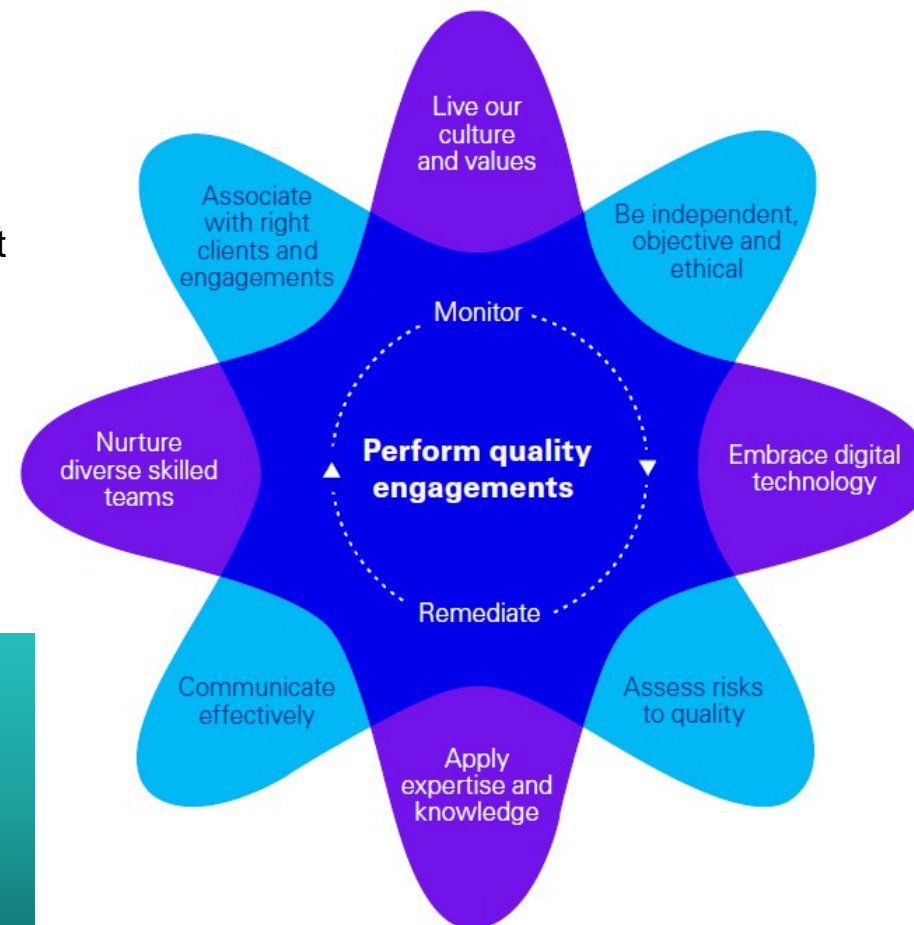
**Perform quality engagement** sits at the core along with our commitment to continually monitor and remediate to fulfil on our quality drivers.

Our **quality value drivers** are the cornerstones to our approach underpinned by the **supporting drivers** and give clear direction to encourage the right behaviours in delivering audit quality.

[KPMG 2022 Audit Quality and Transparency Report](#)

We define 'audit quality' as being the outcome when:

- audits are **executed consistently**, in line with the requirements and intent of **applicable professional standards** within a strong **system of quality controls**; and
- all of our related activities are undertaken in an environment of the utmost level of **objectivity, independence, ethics and integrity**.





# Appendices

A

Management  
representation letter

B

Newly effective and  
upcoming  
changes to accounting  
standards

C

Audit and assurance  
insights

D

Technology

E

Environmental,  
social and  
governance (ESG)



# Appendix A: Management representation letter

KPMG LLP  
618 Greenwood Centre  
3200 Deziel Drive  
Windsor, Ontario N8W 5K8  
Canada

November 14, 2023

We are writing at your request to confirm our understanding that your audit was for the purpose of expressing an opinion on the financial statements (hereinafter referred to as "financial statements") of The Corporation of the Town of Tecumseh ("the Entity") as at and for the period ended December 31, 2022.

**GENERAL:**

We confirm that the representations we make in this letter are in accordance with the definitions as set out in **Attachment I** to this letter.

We also confirm that, to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves:

**RESPONSIBILITIES:**

- 1) We have fulfilled our responsibilities, as set out in the terms of the engagement letter dated April 29, 2019, including for:
  - a) the preparation and fair presentation of the financial statements and believe that these financial statements have been prepared and present fairly in accordance with the relevant financial reporting framework.
  - b) providing you with all information of which we are aware that is relevant to the preparation of the financial statements ("relevant information"), such as financial records, documentation and other matters, including:
    - the names of all related parties and information regarding all relationships and transactions with related parties;
    - the complete minutes of meetings, or summaries of actions of recent meetings for which minutes have not yet been prepared, of shareholders, board of directors and committees of the board of directors that may affect the financial statements. All significant actions are included in such summaries.
  - c) providing you with unrestricted access to such relevant information.
  - d) providing you with complete responses to all enquiries made by you during the engagement.
  - e) providing you with additional information that you may request from us for the purpose of the engagement.
  - f) providing you with unrestricted access to persons within the Entity from whom you determined it necessary to obtain audit evidence.

- g) such internal control as we determined is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error. We also acknowledge and understand that we are responsible for the design, implementation and maintenance of internal control to prevent and detect fraud.
- h) ensuring that all transactions have been recorded in the accounting records and are reflected in the financial statements.
- i) ensuring that internal auditors providing direct assistance to you, if any, were instructed to follow your instructions and that we, and others within the entity, did not intervene in the work the internal auditors performed for you.

**INTERNAL CONTROL OVER FINANCIAL REPORTING:**

- 2) We have communicated to you all deficiencies in the design and implementation or maintenance of internal control over financial reporting of which we are aware.

**FRAUD & NON-COMPLIANCE WITH LAWS AND REGULATIONS:**

- 3) We have disclosed to you:
  - a) the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
  - b) all information in relation to fraud or suspected fraud that we are aware of that involves:
    - management;
    - employees who have significant roles in internal control over financial reporting; or
    - otherswhere such fraud or suspected fraud could have a material effect on the financial statements.
  - c) all information in relation to allegations of fraud, or suspected fraud, affecting the financial statements, communicated by employees, former employees, analysts, regulators, or others.
  - d) all known instances of non-compliance or suspected non-compliance with laws and regulations, including all aspects of contractual agreements or illegal acts, whose effects should be considered when preparing financial statements.
  - e) all known actual or possible litigation and claims whose effects should be considered when preparing the financial statements.

**SUBSEQUENT EVENTS:**

- 4) All events subsequent to the date of the financial statements and for which the relevant financial reporting framework requires adjustment or disclosure in the financial statements have been adjusted or disclosed.

**RELATED PARTIES:**

- 5) We have disclosed to you the identity of the Entity's related parties.
- 6) We have disclosed to you all the related party relationships and transactions/balances of which we are aware.
- 7) All related party relationships and transactions/balances have been appropriately accounted for and disclosed in accordance with the relevant financial reporting framework.

**ESTIMATES:**

- 8) The methods, the data and the significant assumptions used in making accounting estimates, and their related disclosures are appropriate to achieve recognition, measurement or disclosure that is reasonable in the context of the applicable financial reporting framework.

**GOING CONCERN:**

- 9) We have provided you with all information relevant to the use of the going concern assumption in the financial statements.

**NON-SEC REGISTRANTS OR NON-REPORTING ISSUERS:**

- 10) We confirm that the Entity is not a Canadian reporting issuer (as defined under any applicable Canadian securities act) and is not a United States Securities and Exchange Commission ("SEC") Issuer (as defined by the Sarbanes-Oxley Act of 2002).
- 11) We also confirm that the financial statements of the Entity will not be included in the group financial statements of a Canadian reporting issuer audited by KPMG or an SEC Issuer audited by any member of the KPMG organization.

Yours very truly,

---

By: Mr. Tom Kitsos, Director Financial Services & Chief Financial Officer

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By: Ms. Margaret Misek-Evans, Chief Administrative Officer

## **Attachment I – Definitions**

### **MATERIALITY**

Certain representations in this letter are described as being limited to matters that are material.

Information is material if omitting, misstating or obscuring it could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

Judgments about materiality are made in light of surrounding circumstances, and are affected by perception of the needs of, or the characteristics of, the users of the financial statements and, the size or nature of a misstatement, or a combination of both while also considering the entity's own circumstances.

### **FRAUD & ERROR**

Fraudulent financial reporting involves intentional misstatements including omissions of amounts or disclosures in financial statements to deceive financial statement users.

Misappropriation of assets involves the theft of an entity's assets. It is often accompanied by false or misleading records or documents in order to conceal the fact that the assets are missing or have been pledged without proper authorization.

An error is an unintentional misstatement in financial statements, including the omission of an amount or a disclosure.

DRAFT

# Appendix B: Newly effective and upcoming changes to accounting standards

Standard	Summary and implications
<b>Asset retirement obligations</b>	<ul style="list-style-type: none"> <li>• The new standard PS 3280 <i>Asset retirement obligations</i> is effective for fiscal years beginning on or after April 1, 2022.</li> <li>• The new standard addresses the recognition, measurement, presentation and disclosure of legal obligations associated with retirement of tangible capital assets. Retirement costs will be recognized as an integral cost of owning and operating tangible capital assets.</li> <li>• The asset retirement obligations (“ARO”) standard will require the public sector entity to record a liability related to future costs of any legal obligations to be incurred upon retirement of any controlled tangible capital assets (“TCA”). The amount of the initial liability will be added to the historical cost of the asset and amortized over its useful life if the asset is in productive use.</li> <li>• As a result of the new standard, the public sector entity will: <ul style="list-style-type: none"> <li>• Consider how the additional liability will impact net debt, as a new liability will be recognized with no corresponding increase in a financial asset;</li> <li>• Carefully review legal agreements, senior government directives and legislation in relation to all controlled TCA to determine if any legal obligations exist with respect to asset retirements;</li> <li>• Begin considering the potential effects on the organization as soon as possible to coordinate with resources outside the finance department to identify ARO and obtain information to estimate the value of potential ARO to avoid unexpected issues.</li> </ul> </li> <li>• We have varying levels of support to assist the Town, led by Bailey Church who leads our ARO standard implementation services.</li> </ul>

# Appendix B: Newly effective and upcoming changes to accounting standards

Standard	Summary and implications
Financial instruments and foreign currency translation	<ul style="list-style-type: none"> <li>The new standards PS 3450 <i>Financial instruments</i>, PS 2601 <i>Foreign currency translation</i>, PS 1201 <i>Financial statement presentation</i> and PS 3041 <i>Portfolio investments</i> are effective for fiscal years beginning on or after April 1, 2022.</li> <li>Equity instruments quoted in an active market and free-standing derivatives are to be carried at fair value. All other financial instruments, including bonds, can be carried at cost or fair value depending on the public sector entity’s choice and this choice must be made on initial recognition of the financial instrument and is irrevocable.</li> <li>Hedge accounting is not permitted.</li> <li>A new statement, the Statement of Remeasurement Gains and Losses, will be included in the financial statements. Unrealized gains and losses incurred on fair value accounted financial instruments will be presented in this statement. Realized gains and losses will continue to be presented in the statement of operations.</li> <li>PS 3450 <i>Financial instruments</i> was amended subsequent to its initial release to include various federal government narrow-scope amendments.</li> </ul>
Revenue	<ul style="list-style-type: none"> <li>The new standard PS 3400 <i>Revenue</i> is effective for fiscal years beginning on or after April 1, 2023.</li> <li>The new standard establishes a single framework to categorize revenue to enhance the consistency of revenue recognition and its measurement.</li> <li>The standard notes that in the case of revenue arising from an exchange transaction, a public sector entity must ensure the recognition of revenue aligns with the satisfaction of related performance obligations.</li> <li>The standard notes that unilateral revenue arises when no performance obligations are present, and recognition occurs when there is authority to record the revenue and an event has happened that gives the public sector entity the right to the revenue.</li> </ul>

# Appendix B: Newly effective and upcoming changes to accounting standards

Standard	Summary and implications
<b>Purchased Intangibles</b>	<ul style="list-style-type: none"> <li>The new Public Sector Guideline 8 <i>Purchased intangibles</i> is effective for fiscal years beginning on or after April 1, 2023 with earlier adoption permitted.</li> <li>The guideline allows public sector entities to recognize intangibles purchased through an exchange transaction. The definition of an asset, the general recognition criteria and GAAP hierarchy are used to account for purchased intangibles.</li> <li>Narrow scope amendments were made to PS 1000 <i>Financial statement concepts</i> to remove the prohibition to recognize purchased intangibles and to PS 1201 <i>Financial statement presentation</i> to remove the requirement to disclose purchased intangibles not recognized.</li> <li>The guideline can be applied retroactively or prospectively.</li> </ul>
<b>Public Private Partnerships</b>	<ul style="list-style-type: none"> <li>The new standard PS 3160 <i>Public private partnerships</i> is effective for fiscal years beginning on or after April 1, 2023.</li> <li>The standard includes new requirements for the recognition, measurement and classification of infrastructure procured through a public private partnership.</li> <li>The standard notes that recognition of infrastructure by the public sector entity would occur when it controls the purpose and use of the infrastructure, when it controls access and the price, if any, charged for use, and it controls any significant interest accumulated in the infrastructure when the public private partnership ends.</li> <li>The public sector entity recognizes a liability when it needs to pay cash or non-cash consideration to the private sector partner for the infrastructure.</li> <li>The infrastructure would be valued at cost, which represents fair value at the date of recognition with a liability of the same amount if one exists. Cost would be measured in reference to the public private partnership process and agreement, or by discounting the expected cash flows by a discount rate that reflects the time value of money and risks specific to the project.</li> <li>The standard can be applied retroactively or prospectively.</li> </ul>



# Appendix B: Newly effective and upcoming changes to accounting standards

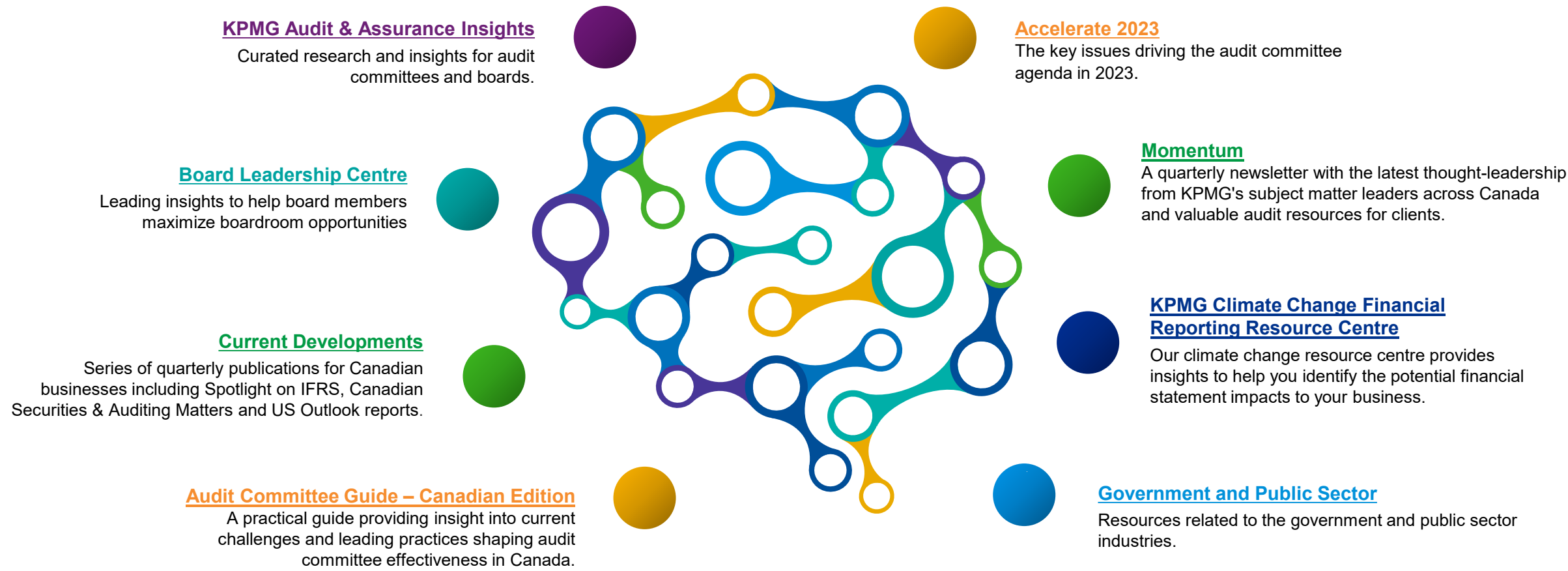
Standard	Summary and implications
<b>Concepts Underlying Financial Performance</b>	<ul style="list-style-type: none"> <li>The revised conceptual framework is effective for fiscal years beginning on or after April 1, 2026 with earlier adoption permitted.</li> <li>The framework provides the core concepts and objectives underlying Canadian public sector accounting standards.</li> <li>The ten chapter conceptual framework defines and elaborates on the characteristics of public sector entities and their financial reporting objectives. Additional information is provided about financial statement objectives, qualitative characteristics and elements. General recognition and measurement criteria, and presentation concepts are introduced.</li> </ul>
<b>Financial Statement Presentation</b>	<ul style="list-style-type: none"> <li>The proposed section PS 1202 <i>Financial statement presentation</i> will replace the current section PS 1201 <i>Financial statement presentation</i>. PS 1202 <i>Financial statement presentation</i> will apply to fiscal years beginning on or after April 1, 2026 to coincide with the adoption of the revised conceptual framework. Early adoption will be permitted.</li> <li>The proposed section includes the following: <ul style="list-style-type: none"> <li>Relocation of the net debt indicator to its own statement called the statement of net financial assets/liabilities, with the calculation of net debt refined to ensure its original meaning is retained.</li> <li>Separating liabilities into financial liabilities and non-financial liabilities.</li> <li>Restructuring the statement of financial position to present total assets followed by total liabilities.</li> <li>Changes to common terminology used in the financial statements, including re-naming accumulated surplus (deficit) to net assets (liabilities).</li> <li>Removal of the statement of remeasurement gains (losses) with the information instead included on a new statement called the statement of changes in net assets (liabilities). This new statement would present the changes in each component of net assets (liabilities), including a new component called “accumulated other”.</li> <li>A new provision whereby an entity can use an amended budget in certain circumstances.</li> <li>Inclusion of disclosures related to risks and uncertainties that could affect the entity’s financial position.</li> </ul> </li> <li>The Public Sector Accounting Board is currently deliberating on feedback received on exposure drafts related to the reporting model.</li> </ul>

# Appendix B: Newly effective and upcoming changes to accounting standards

Standard	Summary and implications
Employee benefits	<ul style="list-style-type: none"> <li>• The Public Sector Accounting Board has initiated a review of sections PS 3250 <i>Retirement benefits</i> and PS 3255 <i>Post-employment benefits, compensated absences and termination benefits</i>.</li> <li>• The intention is to use principles from International Public Sector Accounting Standard 39 <i>Employee benefits</i> as a starting point to develop the Canadian standard.</li> <li>• Given the complexity of issues involved and potential implications of any changes that may arise from the review of the existing guidance, the new standards will be implemented in a multi-release strategy. The first standard will provide foundational guidance. Subsequent standards will provide additional guidance on current and emerging issues.</li> <li>• The proposed section PS 3251 <i>Employee benefits</i> will replace the current sections PS 3250 <i>Retirement benefits</i> and PS 3255 <i>Post-employment benefits, compensated absences and termination benefits</i>. It will apply to fiscal years beginning on or after April 1, 2026. Early adoption will be permitted and guidance applied retroactively.</li> <li>• This proposed section would result in public sector entities recognizing the impact of revaluations of the net defined benefit liability (asset) immediately on the statement of financial position. Organizations would also assess the funding status of their post-employment benefit plans to determine the appropriate rate for discounting post-employment benefit obligations.</li> <li>• The Public Sector Accounting Board is in the process of evaluating comments received from stakeholders on the exposure draft.</li> </ul>

# Appendix C: Audit and assurance insights

Our latest thinking on the issues that matter most to Audit Committees, board of directors and management.



# Appendix D: Technology – Continuous improvement powered by transformation

### Our investment: \$5B

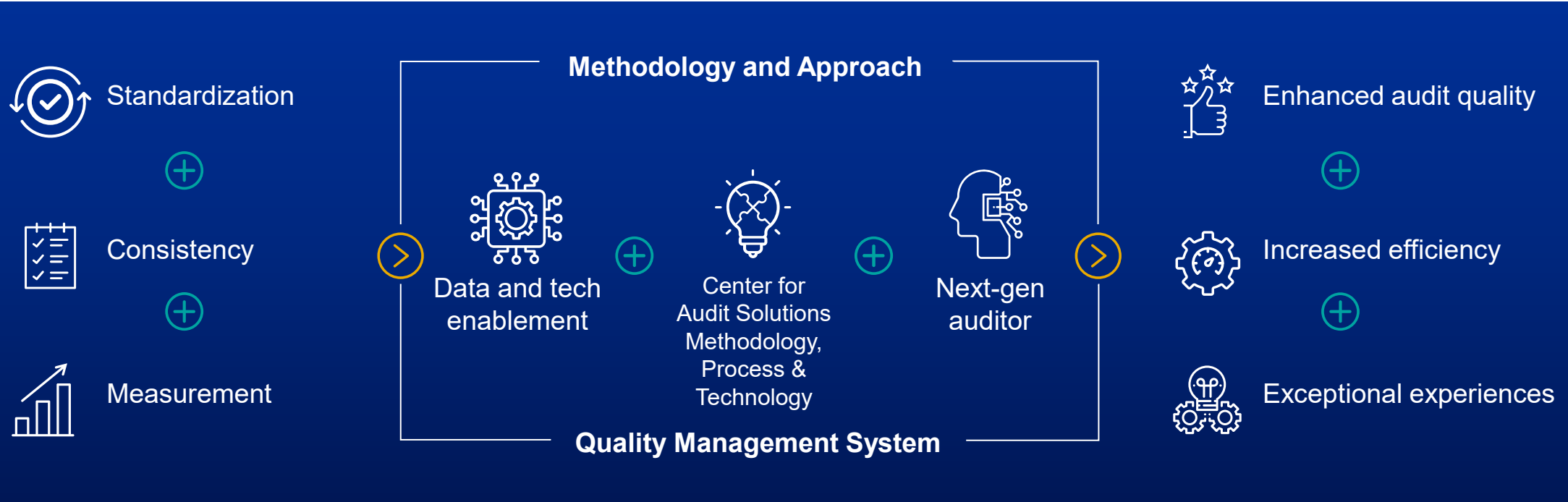
We are in the midst of a five-year investment to develop our people, digital capabilities, and advanced technology.

### Responsive delivery model

Tailored to you to drive impactful outcomes around the quality and effectiveness of our audits.

### Result: A better experience

Enhanced quality, reduced disruption, increased focus on areas of higher risk, and deeper insights into your business.



# Appendix D: Technology - KPMG Clara - Bringing the audit to one place

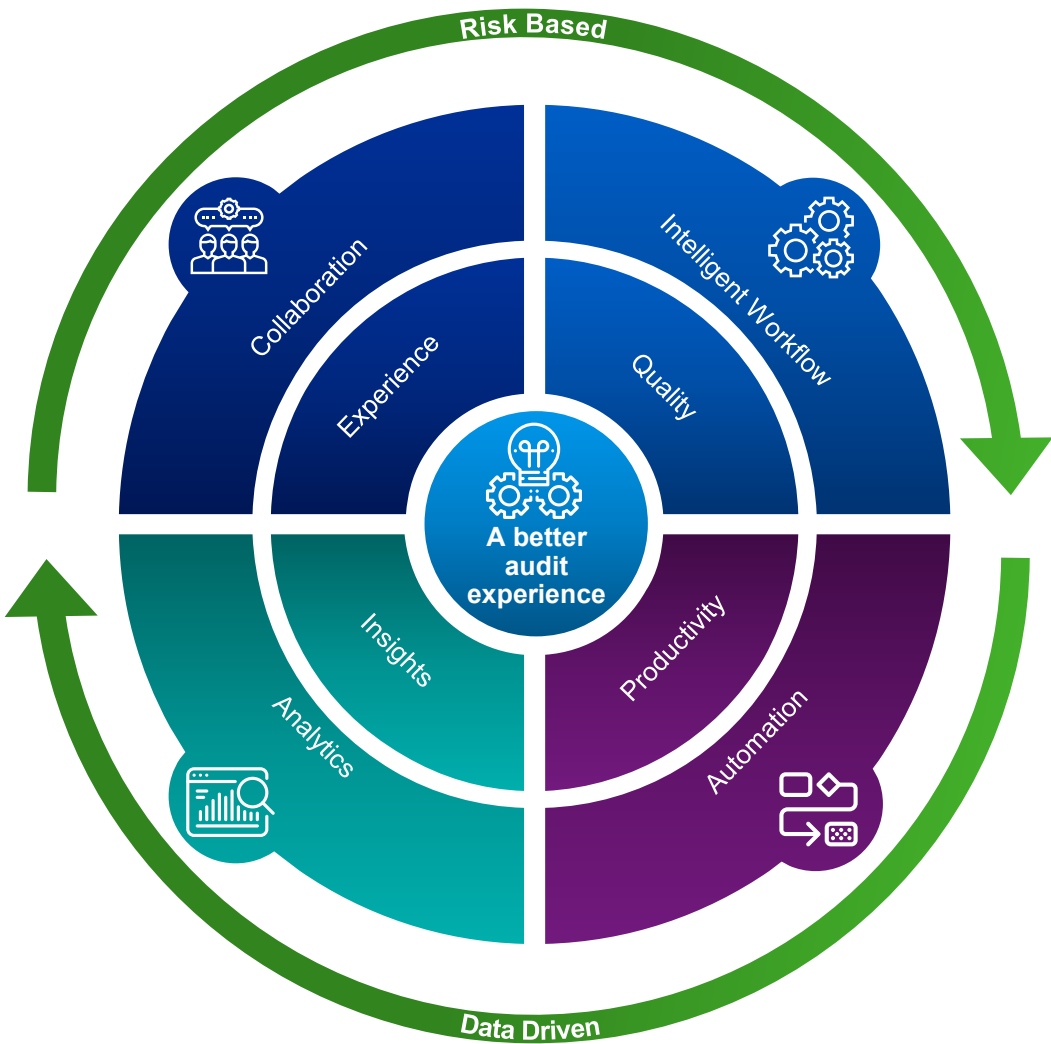
- Streamlined client experience

And deeper insights into your business, translating to a better audit experience.
- Secure

A secure client portal provides centralized, efficient coordination with your audit team.
- Intelligent workflow

An intelligent workflow guides audit teams through the audit.
- Increased precision

Advanced data analytics and automation facilitate a risk-based audit approach, increasing precision and reducing your burden.



# Appendix E: Environmental, Social and Governance (ESG)

## The Importance of Sustainability Reporting



### Sustainability Reporting – Who is impacted?

- **Lenders and underwriters** – increased focus on ESG considerations when making access to capital decisions
- **Investors** – ESG integration has become an investment norm
- **Employees** – ESG has become a key factor in attracting and retaining top talent
- **Consumers** – stakeholders increasingly scrutinize companies' ESG performance and transparency affecting brand acceptance and consumer demand



### Importance to the Audit Committee

- **Regulatory developments** – ESG-related compliance costs and disclosure requirements continue to evolve as rules are finalized
- **Material ESG issues** – Audit Committees should understand stakeholder priorities and the company's material ESG risks and opportunities
- **Value creation** – developing a clear ESG strategy, along with a standardized reporting process can set a company apart from its competitors



### Governance on ESG Data and Sustainability Reporting

- **Data collecting and reporting** – understand the ESG frameworks and reporting standards most commonly adopted in the industry and jurisdiction (benchmark to others in the industry)
- **ESG assurance** – Audit Committees are best positioned to understand which ESG metrics merit assurance. An assurance readiness assessment on Carbon is a common and often recommended first place to start





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KPMG member firms around the world have 227,000 professionals, in 145 countries.



Consolidated Financial Statements of

**THE CORPORATION OF THE  
TOWN OF TECUMSEH**

Year ended December 31, 2022

DRAFT



# THE CORPORATION OF THE TOWN OF TECUMSEH

## Consolidated Financial Statements

Year ended December 31, 2022

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### Management's Responsibility for the Consolidated Financial Statements

### Independent Auditor's Report

### Consolidated Financial Statements:

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### **Management's Responsibility for the Consolidated Financial Statements**

The accompanying consolidated financial statements of The Corporation of the Town of Tecumseh (the "Town") are the responsibility of the Town's management and have been prepared in compliance with legislation, and in accordance with Canadian public sector accounting standards. A summary of the significant accounting policies are described in Note 1 to the consolidated financial statements. The preparation of financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

The Town's management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for preparation of the consolidated financial statements. These systems are monitored and evaluated by management.

Management meets with the external auditors to review the consolidated financial statements and discuss any significant financial reporting or internal control matters prior to their approval of the consolidated financial statements.

The consolidated financial statements have been audited by KPMG LLP, independent external auditors appointed by the Town. The accompanying Independent Auditors' Report outlines their responsibilities, the scope of their examination and their opinion on the Town's consolidated financial statements.

## INDEPENDENT AUDITOR'S REPORT

To the Members of Council, Inhabitants and Ratepayers of The Corporation of the Town of Tecumseh

### ***Opinion***

We have audited the consolidated financial statements of The Corporation of the Town of Tecumseh (the Entity), which comprise:

- the consolidated statement of financial position as at end December 31, 2022
- the consolidated statement of operations and accumulated surplus for the year then ended
- the consolidated statement of changes in net financial assets for the year then ended
- the consolidated statement of cash flows for the year then ended
- and notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the consolidated financial position of the Entity as at end of December 31, 2022, and its consolidated results of operations and accumulated surplus, its consolidated changes in net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our auditor's report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### ***Responsibilities of Management and Those Charged with Governance for the Financial Statements***

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.

- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the group Entity to express an opinion on the financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

Chartered Professional Accountants, Licensed Public Accountants

Windsor, Canada

(date)

# THE CORPORATION OF THE TOWN OF TECUMSEH

## Consolidated Statement of Financial Position

December 31, 2022, with comparative information for 2021

	2022	2021
<b>Financial assets</b>		
Cash and cash equivalents	\$ 72,183,956	\$ 65,725,397
Taxes receivable	2,373,021	2,234,100
Accounts receivable	4,743,400	2,284,539
Promissory note receivable - government business enterprise (note 2)	1,544,408	1,544,408
Due from government business enterprise (note 2)	2,031,631	1,887,237
Accounts receivable - long term (note 3)	721,830	1,006,402
Investment - government business enterprise (note 4)	12,272,362	12,103,362
Investment - portfolio	1,808,404	1,575,381
	<b>\$ 97,679,012</b>	<b>\$ 88,360,826</b>
<b>Liabilities</b>		
Accounts payable and accrued liabilities	\$ 4,442,511	\$ 4,981,382
Other current liabilities	2,616,552	3,504,275
Deferred revenue (note 5)	11,837,922	9,448,944
Employee future benefits payable (note 6)	11,781,805	11,991,193
Landfill post-closure liability (note 7)	622,135	619,935
Municipal debt (note 8)	11,723,349	13,023,592
	<b>43,024,274</b>	<b>43,569,321</b>
Net financial assets	54,654,738	44,791,505
<b>Non-financial assets</b>		
Tangible capital assets (schedule 1)	236,968,892	236,052,026
Inventories of supplies	176,176	138,845
Prepaid expenses	20,907	84,786
	<b>237,165,975</b>	<b>236,275,657</b>
Contingent liabilities (note 10)		
Contractual obligations (note 11)		
Accumulated surplus (note 9)	<b>\$ 291,820,713</b>	<b>\$ 281,067,162</b>

See accompanying notes to consolidated financial statements.

Approved on behalf of Council:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Treasurer

# THE CORPORATION OF THE TOWN OF TECUMSEH

## Consolidated Statement of Operations and Accumulated Surplus

Year ended December 31, 2022, with comparative information for 2021

	2022 Budget (note 14)	2022 Actual	2021 Actual
<b>Revenues:</b>			
Property taxes	\$ 26,537,479	\$ 26,656,490	\$ 25,555,844
User charges	13,099,064	13,337,779	12,409,733
Capital contributions	1,398,700	873,058	3,877,397
Government transfers	7,153,817	5,469,385	4,809,590
Investment income	1,276,534	2,236,238	1,163,891
Penalties and interest on property taxes	380,000	402,356	400,884
Income from government business enterprise (note 4)	776,275	629,099	1,019,099
Loss on disposal of tangible capital assets	(194,326)	(347,706)	(101,624)
Other	6,500	94,616	72,527
	<b>50,434,043</b>	<b>49,351,315</b>	<b>49,207,341</b>
<b>Expenses:</b>			
General government	6,281,755	5,573,305	5,480,370
Protection to persons and property	6,727,886	6,517,478	6,275,760
Transportation	7,907,327	7,845,111	6,971,236
Environmental	12,118,567	11,177,720	11,277,426
Social and family	52,348	52,488	49,632
Recreational and cultural	5,775,845	5,473,017	4,937,873
Planning and development	2,086,464	1,958,645	1,500,863
	<b>40,950,192</b>	<b>38,597,764</b>	<b>36,493,160</b>
Annual surplus	9,483,851	10,753,551	12,714,181
Accumulated surplus, beginning of year	273,895,723	281,067,162	268,352,981
Accumulated surplus, end of year	\$ 283,379,574	\$ 291,820,713	\$ 281,067,162

See accompanying notes to consolidated financial statements.

# THE CORPORATION OF THE TOWN OF TECUMSEH

## Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2022, with comparative information for 2021

	2022 Budget (note 14)	2022 Actual	2021 Actual
Annual surplus	\$ 9,483,851	\$ 10,753,551	\$ 12,714,181
Acquisition of tangible capital assets	(5,147,750)	(8,839,323)	(4,749,425)
Change in tangible capital assets WIP	(22,013,170)	(424,704)	(3,347,846)
Amortization of tangible capital assets	7,979,590	7,783,817	7,704,303
Loss on disposal of tangible capital assets	194,326	347,706	101,624
Proceeds from sale of tangible capital assets	-	215,638	22,895
	(18,987,004)	(916,866)	(268,449)
Net change in inventories of supplies	-	(37,331)	25,090
Net change in prepaid expense	-	63,879	(58,406)
	-	26,548	(33,316)
Change in net financial assets	(9,503,153)	9,863,233	12,412,416
Net financial assets, beginning of year	44,791,505	44,791,505	32,379,089
Net financial assets, end of year	\$ 35,288,352	\$ 54,654,738	\$ 44,791,505

See accompanying notes to consolidated financial statements.



# THE CORPORATION OF THE TOWN OF TECUMSEH

## Consolidated Statement of Cash Flows

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Cash provided by (used in):		
Operations:		
Annual surplus	\$ 10,753,551	\$ 12,714,181
Items not involving cash:		
Amortization	7,783,817	7,704,303
Income from government business enterprise	(629,099)	(1,019,099)
Loss on disposal of tangible capital assets	347,706	101,624
Change in non-cash operating working capital:		
Financial assets	(2,742,176)	(273,414)
Liabilities	755,196	3,345,348
Non-financial assets	26,548	(33,316)
Cash provided from operating transactions	16,295,543	22,539,627
Capital:		
Acquisition of tangible capital assets	(8,839,323)	(4,749,425)
Change in assets under construction	(424,704)	(3,347,846)
Proceeds on sale of tangible capital assets	215,638	22,895
Cash used in capital transactions	(9,048,389)	(8,074,376)
Investing:		
Accounts receivable - long-term - new	(33,682)	(616,028)
Accounts receivable - long-term - repayment	318,254	288,109
Investment portfolio purchases	(150,000)	-
Investment portfolio reinvestment	(83,023)	(129,043)
Dividends from government business enterprise	460,099	460,099
Cash used in investing activities	511,648	3,137
Financing:		
Proceeds from issuance of municipal debt	-	616,000
Municipal debt principal repayment	(1,300,243)	(1,196,391)
Cash used in financing activities	(1,300,243)	(580,391)
Change in cash and cash equivalents	6,458,559	13,887,997
Cash and cash equivalents, beginning of year	65,725,397	51,837,400
Cash and cash equivalents, end of year	\$ 72,183,956	\$ 65,725,397

See accompanying notes to consolidated financial statements.

# THE CORPORATION OF THE TOWN OF TECUMSEH

## Notes to Consolidated Financial Statements

Year ended December 31, 2022

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The Corporation of the Town of Tecumseh was formed on January 1, 1999, by the amalgamation of the former municipalities of the Village of St. Clair Beach, the Town of Tecumseh and the Township of Sandwich South.

### 1. Significant accounting policies:

The consolidated financial statements of The Corporation of the Town of Tecumseh (the "Municipality") are the responsibility of management. They have been prepared in accordance with Canadian generally accepted accounting principles established by the Public Sector Accounting Board ("PSAB") of the Chartered Professional Accountants Canada. The Corporation of the Town of Tecumseh is a municipality in the Province of Ontario and operates under the provisions of the Community Charter. The Municipality provides municipal services such as fire, policing, roads, water, wastewater, planning, parks, recreation and other general government services.

The focus of PSAB consolidated financial statements is on the financial position of the Municipality and the changes thereto. The Consolidated Statement of Financial Position includes all the assets and liabilities of the Municipality. Financial assets are those which provide resources to discharge existing liabilities or finance future operations. Municipal position represents the financial position and is the difference between assets and liabilities. This provides information about the Municipality's overall future revenue requirements and its ability to finance activities and meet its obligations.

#### (a) Basis of consolidation:

##### (i) Consolidated entities:

The consolidated financial statement reflect the financial assets, liabilities, revenue and expenses of all municipal organizations, committees and Boards which are owned or controlled by the Municipality. The following entities have been consolidated:

Tecumseh Business Improvement Area Board

Tecumseh Police Services Board

All inter-entity transactions and balances have been eliminated.

# THE CORPORATION OF THE TOWN OF TECUMSEH

## Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

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### 1. Significant accounting policies (continued):

#### (a) Basis of consolidation (continued):

##### (ii) Non-consolidated entity:

The investment in Essex Power Corporation ("EPC") is accounted for using the modified equity basis of accounting. Under this method, the government business enterprise's accounting policies, which follow International Financial Reporting Standards ("IFRS"), are not adjusted to conform with Public Sector Accounting Standards. Inter-entity transactions and balances are not eliminated.

The Municipality recognizes its equity interest in the annual income or loss of EPC in its Consolidated Statement of Operations with a corresponding increase or decrease in its' investment account. Any dividends that the Municipality receives from EPC are reflected as reductions in the investment account.

##### (iii) Accounting for County of Essex and School Board transactions:

Taxation and other revenues with respect to the operations of the County of Essex (the "County") and School Boards are not reflected in the Consolidated Statement of Operations. In addition, the revenues, expenses, assets and liabilities with respect to the operations of the County and School Boards are not reflected in these consolidated financial statements except to the extent that any amounts due to or from are reported on the Consolidated Statement of Financial Position in "accounts receivable" or "accounts payable".

##### (iv) Trust funds:

Trust funds and their related operations that are administered by the Municipality are not consolidated.

##### (v) Municipal debt:

The charges for municipal debt assumed by non-consolidated entities or by individuals, in the case of tile drainage and shoreline property assistance loans, are not reflected in these consolidated financial statements.

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

---

## 1. Significant accounting policies (continued):

### (b) Basis of accounting:

#### (i) Accrual basis of accounting:

Revenues and expenses are reported on the accrual basis of accounting. The accrual basis of accounting recognizes revenues, as they become available and measurable; expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

#### (ii) Cash and cash equivalents:

Management considers all highly liquid investments with maturity of three months or less at acquisition to be cash equivalents.

#### (iii) Portfolio investments:

Portfolio investments are recorded at cost unless there has been a decline in the market value which is other than temporary in nature in which case the investments are written down to market value.

#### (iv) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They generally have useful lives extending beyond the current year, and are not intended for sale in the ordinary course of operations. The change in non-financial assets during the year, together with the excess of revenues over expenses, provides the Change in Net Financial Assets for the year.

#### (v) Accounts receivable – long term:

Interest is recognized as income in the year that it is earned.

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 1. Significant accounting policies (continued):

### (b) Basis of accounting (continued):

#### (vi) Tangible capital assets:

Tangible capital assets are recorded at cost less accumulated amortization. Cost includes all costs directly attributable to acquisition or construction of the tangible capital asset including transportation costs, installation costs, design and engineering fees, legal fees and site preparation costs. Contributed tangible capital assets are recorded at fair value at the time of the donation, with a corresponding amount recorded as revenue. Amortization is recorded on a straight-line basis over the estimated life of the tangible capital asset commencing once the asset is available for productive use as follows:

Asset	Rate
Land improvements	20 – 50 years
Buildings	20 – 50 years
Leasehold improvements	15 – 50 years
Equipment / vehicles	3 – 40 years
Computer	4 – 12 years
Furniture and fixtures	10 years
Linear assets – roads	20 – 50 years
Linear assets – water	20 – 80 years
Linear assets – wastewater	65 years
Linear assets – stormwater	65 years

One half of the annual amortization is charged in the year of acquisition and in the year of disposal. Assets under construction are not amortized until the asset is available for productive use at which time they are capitalized.

The Municipality has a capitalization threshold of \$5,000 to \$10,000, so that individual tangible capital assets of lesser value are expensed, unless they are pooled because, collectively, they have greater than \$100,000 value, or for operational reasons. Examples of pools are desktop computer systems, furniture and fixtures, sidewalks and water meters.

#### (vii) Contribution of tangible capital assets:

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt, and that fair value is also recorded as revenue. Similarly, transfers of assets to third parties are recorded as an expense equal to the net book value of the asset as of the date of transfer.

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

---

## 1. Significant accounting policies (continued):

### (b) Basis of accounting (continued):

#### (viii) Leased assets:

Leases entered into that transfer substantially all the benefits and risks associated with ownership are recorded as the acquisition of a tangible capital asset and the incurrence of an obligation. The asset is amortized in a manner consistent with tangible capital assets owned by the Municipality, and the obligation, including interest thereon, is liquidated over the term of the lease. All other leases are accounted for as operating leases, and the rental costs are expensed as incurred.

#### (ix) Inventories:

Inventories held for consumption are recorded at the lower of cost and replacement cost.

#### (x) Taxation and related revenue:

Taxes are recognized as revenue in the year they are levied. Property tax billings are prepared by the Municipality based on assessment rolls issued by the Municipal Property Assessment Corporation ("MPAC"). Tax rates are established annually by Municipal Council, incorporating amounts to be raised for local services, the requisition made by the County in respect of County services and amounts the Municipality is required to collect on behalf of the Province of Ontario in respect of education taxes. A normal part of the assessment process is the issuance of supplementary assessment rolls, which provide updated information with respect to changes in property assessment. Once a supplementary assessment roll is received, the Municipality determines the taxes applicable and renders supplementary tax billings. Taxation revenue is recorded at the time tax billings are issued. Assessments and the related property taxes are subject to appeal and write off for physical changes to the property. Tax adjustments as a result of appeals are recorded when the results of the appeal process are known. The Municipality is entitled to collect interest and penalties on overdue taxes. This revenue is recorded in the period the interest and penalties are levied.

Government transfers without eligibility criteria or stipulations are recognized as revenue when the transfer is authorized. Government transfers with eligibility criteria but without stipulations are recognized as revenue when the transfer is authorized and all eligibility criteria have been met. Government transfers with or without eligibility criteria but with stipulations are recognized as revenue in the period the transfer is authorized, except when and to the extent that the transfer gives rise to an obligation that meets the definition of a liability.

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

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## 1. Significant accounting policies (continued):

### (b) Basis of accounting (continued):

#### (x) Taxation and related revenue (continued):

Sanitary sewer and water operations are funded by various revenues including frontage, connection and usage charges. Charges for sewer and water usage are recorded as user fees. Connection fee revenues are recognized when the connection has been established.

#### (xi) Deferred revenue:

Funds received for specific purposes which are externally restricted by legislation, regulation or agreement and are not available for general municipal purposes are accounted for as deferred revenue on the Consolidated Statement of Financial Position. Government transfers of gas taxes, development charges collected under the Development Charges Act, 1997 and parkland contributions collected under the Planning Act are reported as deferred revenue in the Consolidated Statement of Financial Position. The revenue is recognized in the Consolidated Statement of Operations in the year in which it is used for the specified purpose.

#### (xii) Retirement benefits and other employee benefit plans:

The Municipality accounts for its participation in the Ontario Municipal Employees Retirement System ("OMERS"), a multi-employer public sector pension fund, as a defined contribution plan. The OMERS plan specifies the retirement benefits to be received by employees based on length of service and pay rates.

Employee benefits include vacation entitlement, sick leave benefits and certain post-employment benefits. Vacation entitlements are accrued as entitlements are earned. Sick leave benefits and other post-employment benefits that accumulate over the period of service provided by employees are subject to actuarial valuations and are accrued in accordance with the projected benefit method, prorated on service and management's best estimate of salary escalation and retirement ages of employees, inflation rates, investment returns, wage and salary escalation, insurance and health care cost trends, employee turnover and discount rates. Actuarial gains and losses are amortized on a straight-line basis over the expected average remaining service life of the employee group.

# THE CORPORATION OF THE TOWN OF TECUMSEH

## Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

### 1. Significant accounting policies (continued):

#### (b) Basis of accounting (continued):

##### (xiii) Use of estimates:

The preparation of consolidated financial statements in accordance with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Significant items subject to such estimates and assumptions include valuation allowances for receivables, certain accrued liabilities and obligations related to employee future benefits and the landfill post closure liability, the carrying value of tangible capital assets and the evaluation of contingencies. Actual results could differ from management's best estimates as additional information becomes available in the future.

### 2. Government business enterprise:

	2022	2021
Note receivable from EPC (note 4), long-term interest rate of 3.80%, repayable up to 20% of the original balance of \$1,544,408 in each year. The Municipality can request payment in full upon a year's notice subject to EPC's ability to make such payment. Term is from January 1, 2018 to December 31, 2022. The Municipality can defer any payment to a subsequent year.	\$ 1,544,408	\$ 1,544,408
Amount due from EPC relates to water and sewer billings collected by EPC on behalf of the Municipality under an ongoing agreement.	2,031,631	1,887,237

### 3. Accounts receivable - long term:

Accounts receivable – long term consists of the following:

	2022	2021
Debentures	\$ 616,616	\$ 874,773
Other	105,214	131,629
	\$ 721,830	\$ 1,006,402



# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 3. Accounts receivable - long term (continued):

### (a) Debentures:

These accounts receivable are owing from taxpayers and are related to amounts recoverable with regards to infrastructure work completed and paid for by the Municipality but for which the taxpayers are responsible. Due to the work performed being substantial and the related costs being significant, the Municipality provides taxpayers the option to pay when the work is completed or to provide payments over a term of five years. If the taxpayer could prove undue hardship, then the Municipality allows for a term of 10 years.

	2022	2021
Receivable over a five year term in annual instalments of \$43,013 at an interest rate of 3.04% and matured during the year	\$ —	\$ 41,744
Receivable over a 10 year term in annual instalments of \$24,310 at an interest rate of 4.04% and matured during the year	—	23,366
Receivable over a five year term in annual instalments of \$22,077 at an interest rate of 3.67% and will mature in 2023	21,296	41,838
Receivable over a five year term in annual instalments of \$63,790 at an interest rate of 4.00% and will mature in 2023	61,337	120,314
Receivable over a 10 year term in annual instalments of \$5,349 at an interest rate of 4.53% and will mature in 2029	27,562	31,484
Receivable over a five year term in annual instalments of \$114,739 at an interest rate of 2.21% and will mature in 2026	434,677	537,537
Receivable over a 10 year term in annual instalments of \$9,352 at an interest rate of 3.32% and will mature in 2031	71,744	78,490
	\$ 616,616	\$ 874,773

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 3. Accounts receivable - long term (continued):

(b) Other:

	2022	2021
Municipal Drain receivable over a five year term in annual instalments of \$14,381 at an interest rate of 3.45% and matured during the year	\$ —	\$ 13,902
Municipal Drain receivable over a five year term in annual instalments of \$7,910 at an interest rate of 2.95% and matured during the year	—	7,683
Sanitary Sewer receivable over a five year term in annual instalments of \$6,565 at an interest rate of 3.95% and matured during the year	—	3,084
Municipal Drain receivable over a five year term in annual instalments of \$18,618 at an interest rate of 3.95% and will mature in 2023	12,635	24,789
Municipal Drain receivable over a five year term in annual instalments of \$1,376 at an interest rate of 4.00% and will mature in 2023	1,323	2,595
Municipal Drain receivable over a five year term in annual instalments of \$13,488 at an interest rate of 4.00% and will mature in 2024	24,564	36,142
Municipal Drain receivable over a five year term in annual instalments of \$11,598 at an interest rate of 2.70% and will mature in 2025	32,998	43,434
Municipal Drain receivable over a five year term in annual instalments of \$8,997 at an interest rate of 2.70% and will mature in 2026	33,694	—
	\$ 105,214	\$ 131,629

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 4. Investment – Government Business Enterprise:

- (a) Pursuant to the Energy Competition Act, the Municipality incorporated companies created for the purposes of generating, distributing and retailing electricity. The corporations include the former Utilities of the Towns of Amherstburg, Lasalle, Leamington and Tecumseh.

The Corporation of the Town of Tecumseh holds a 26.44% interest in Essex Power Corporation.

- (b) Investment balance at December 31, is comprised of the following:

	2022	2021
2,678,177 Class A voting common shares – EPC	\$ 2,678,177	\$ 2,678,177
2,289,242 Class B non-voting common shares – EPC	2,289,242	2,289,242
373,943 special shares, Class A non-voting – EPC	373,943	373,943
Share of accumulated earnings 26.44%	6,931,000	6,762,000
	<u>\$ 12,272,362</u>	<u>\$ 12,103,362</u>

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 4. Investment – Government Business Enterprise (continued):

(c) Supplementary financial information for EPC:

	(in thousands of dollars)	
	2022	2021
Cash and cash equivalents	\$ 2,919	\$ 4,442
Accounts receivable	8,577	7,826
Unbilled revenue	6,657	5,711
Other current assets	2,882	1,794
Property, plant and equipment	79,593	76,379
Intangible assets	5,186	5,521
Right-of-use assets	1,771	1,950
Goodwill	1,623	1,623
Deferred assets	461	345
Note receivable	2,250	2,339
Regulatory balances	11,605	14,119
<b>Total assets and regulatory balances</b>	<b>\$ 123,524</b>	<b>\$ 122,049</b>
Current liabilities	\$ 23,434	\$ 21,752
Long-term debt	35,694	36,980
Post-employment benefits	2,592	3,162
Deferred revenue	8,594	7,181
Deferred tax liabilities	5,334	4,793
Other non-current liabilities	1,337	1,526
<b>Total liabilities</b>	<b>76,985</b>	<b>75,394</b>
Share capital	19,667	19,667
Retained earnings	20,281	19,906
Net assets attributable to external Limited Partners	1,995	2,162
Accumulated other comprehensive income	2,157	1,752
<b>Total equity</b>	<b>44,100</b>	<b>43,487</b>
<b>Regulatory balances</b>	<b>2,439</b>	<b>3,168</b>
<b>Total liabilities, equity and regulatory balances</b>	<b>\$ 123,524</b>	<b>\$ 122,049</b>
Total revenues	\$ 101,354	\$ 96,050
Total expenses	(94,971)	(90,773)
Finance costs	(1,132)	(1,244)
Income tax expense	(810)	(838)
Net movement in regulatory balances, net of tax	(1,785)	137
Other comprehensive income	405	135
<b>Total comprehensive income for the year</b>	<b>\$ 3,061</b>	<b>\$ 3,467</b>
26.44% share of comprehensive income	\$ 809	\$ 917
26.44% share of Green Share Dividend	(16)	(16)
26.44% share of regulatory adjustments	(164)	119
<b>Income from government business enterprise</b>	<b>\$ 629</b>	<b>\$ 1,020</b>

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 5. Deferred revenue:

	2022 Opening balance	Contributions received	Externally restricted investments income	Revenue recognized	2022 Ending balance
Development charges	\$ 1,875,489	\$ 492,279	\$ 30,150	\$ (198,731)	\$ 2,199,187
Gas tax	5,625,631	1,153,805	194,565	—	6,974,001
Parkland development fees	705,652	153,217	11,345	—	870,214
Storm sewer	1,242,172	2,321,955	77,927	(1,850,000)	1,792,054
Town	9,448,944	4,121,256	313,987	(2,048,731)	11,835,456
BIA	—	2,466	—	—	2,466
	\$ 9,448,944	\$ 4,123,722	\$ 313,987	\$ (2,048,731)	\$ 11,837,922

## 6. Employee future benefits payable:

Employee future benefits payable consists of the following:

	2022	2021
Sick leave benefit plan (note 6 (b))	\$ 332,070	\$ 345,619
Health and dental (note 6 (c))	11,449,735	11,645,574
	\$ 11,781,805	\$ 11,991,193

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 6. Employee future benefits payable (continued):

### (a) Pension:

Certain employees of the Municipality are eligible to be members of the Ontario Municipal Employees Retirement System ("OMERS"), a multi-employer pension plan. The plan provides defined pension benefits to employees based on their length of credited service and rates of pay. However, as OMERS does not segregate its pension assets and liabilities information by individual employer, there is not sufficient information to enable the Municipality to account for the plan as a defined benefit plan. At December 31, 2022, the OMERS plan is in a deficit position. Contributions rates for 2022 were 9.0% (2021 - 9.0%) for employee earnings below the year's maximum pensionable earnings and 14.6% (2021 - 14.6%) thereafter. During the year ended December 31, 2022, the Municipality contributed \$729,299 (2021 - \$690,834) to the plan. These contributions are the Municipality's pension benefit expense. No pension liability for this type of plan is included in the Municipality's Consolidated Statement of Financial Position.

### (b) Sick leave benefit plan:

The Municipality provides paid sick leave that can be carried forward up to a maximum of 65 days and employees may become entitled to a cash payment of one-half of the sick bank balance when they leave the Municipality's employment. The benefit costs and liabilities recorded in 2022 are based on an actuarial valuation prepared by an independent firm. The most recent actuarial valuation was performed as at December 31, 2022. Information about the Municipality's sick leave benefit plan is as follows:

	2022	2021
Accrued benefit liability, January 1	\$ 345,619	\$ 351,742
Expense for the year:		
Current service cost	44,172	36,149
Interest	9,719	7,275
Amortization of actuarial (gain) loss	(66)	(1,284)
Benefits paid for the year	(67,374)	(48,263)
Accrued benefit liability, December 31	332,070	345,619
Unamortized actuarial (gain) loss	(31,730)	17,704
Obligation, December 31	\$ 300,340	\$ 363,323

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 6. Employee future benefits payable (continued):

### (b) Sick leave benefit plan (continued):

The main actuarial assumptions employed for the valuations are as follows:

	2022	2021
Discount rate	5.10%	2.60%
Rate of compensation increase	3.00%	3.00%

A sick leave reserve has been established in the amount of \$321,418 (2021 - \$303,503).

### (c) Health and dental:

The Municipality pays certain benefits on behalf of its retired employees.

The Municipality provides life insurance, dental and health care benefits to certain employee groups after retirement until the members reach 65 years of age. In addition, the Municipality provides dental and health care benefits beyond age 65 until death for the union employees hired prior to March 31, 2010 and for management employees hired prior to January 9, 2007. The benefit costs and liabilities related to this plan are based on an actuarial valuation prepared by an independent firm. The date of the last actuarial valuation was as of December 31, 2022.

Information about the Municipality's health and dental plan is as follows:

	2022	2021
Accrued benefit liability, January 1	\$ 11,645,574	\$ 11,104,742
Expense for the year:		
Current service cost	156,087	255,733
Interest	254,663	308,847
Amortization of actuarial (gain) loss	(427,024)	108,738
Benefits paid for the year	(179,565)	(132,486)
Accrued benefit liability, December 31	11,449,735	11,645,574
Unamortized actuarial gain	(5,408,851)	(3,222,989)
Obligation, December 31	\$ 6,040,884	\$ 8,422,585

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 6. Employee future benefits payable (continued):

(c) Health and dental (continued):

The main actuarial assumptions employed for the valuations are as follows:

	2022	2021
Discount rate	5.10%	3.00%
Rate of compensation increase:		
Dental	4.50%	4.50%
Health care:		
Initial	6.50%	6.50%
Ultimate reached in 2022	4.50%	4.50%

## 7. Landfill post-closure liability:

Landfill #3 was closed in 1997 and requires care consisting of hauling and treating leachate for an indefinite period of time. Landfill #3 is the joint responsibility of the Municipality, the Town of Lakeshore and the City of Windsor. The site is administered by the Essex Windsor Solid Waste Authority.

	2022	2021
Landfill post-closure liability, January 1	\$ 619,935	\$ 615,950
Expense for the year:		
Interest	25,387	25,083
Amortization of actuarial loss	4,973	6,632
Amounts paid for the year	(28,160)	(27,730)
Landfill post-closure liability, December 31	622,135	619,935
Unamortized actuarial (gain) loss	(76,960)	240,372
Obligation, December 31	\$ 545,175	\$ 860,307

The main actuarial assumptions employed for the valuations are as follows:

	2022	2021
Discount rate	4.90%	3.00%
Annual growth rate	2.50%	2.50%



# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 8. Municipal debt:

- (a) The balance of municipal debt reported on the Consolidated Statement of Financial Position is made up of the following:

	2022	2021
Ontario Infrastructure and Lands Corporation Debenture - repayable in semi-annual instalments of \$348,228 including interest at 3.78%, due 2036	\$ 7,517,442	\$ 7,918,338
Ontario Strategic Infrastructure Financing Authority Debenture - repayable in semi-annual instalments of \$106,736 including interest at 4.71%, due 2025	590,777	770,065
Ontario Strategic Infrastructure Financing Authority Debenture - repayable in semi-annual instalments of \$75,229 including interest at 4.76%, due 2026	542,173	662,510
Ontario Strategic Infrastructure Financing Authority Debenture - repayable in semi-annual instalments of \$68,111 including interest at 4.95%, due 2027	596,884	699,727
Ontario Strategic Infrastructure Financing Authority Debenture - repayable in semi-annual instalments of \$61,485 including interest at 5.62%, due 2028	619,025	703,624
Ontario Strategic Infrastructure Financing Authority Debenture - repayable in semi-annual instalments of \$31,583 including interest at 4.77%, due 2029	372,193	416,031
Ontario Strategic Infrastructure Financing Authority Debenture - repayable in semi-annual instalments of \$26,241 including interest at 4.40%, due 2030	350,718	386,581
Ontario Infrastructure and Lands Corporation Debenture - repayable in semi-annual instalments of \$20,666 including interest at 3.59%, due 2031	315,484	344,702
Ontario Infrastructure and Lands Corporation Debenture - repayable in semi-annual instalments of \$28,680 including interest at 2.69%, repaid during the year	—	56,223
Ontario Infrastructure and Lands Corporation Debenture - repayable in semi-annual instalments of \$11,979 including interest at 3.41%, due 2032	201,564	218,221
Ontario Infrastructure and Lands Corporation Debenture - repayable in semi-annual instalments of \$20,941 including interest at 2.29%, repaid during the year	—	41,173
Balance carryforward	11,106,260	12,217,195

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 8. Municipal debt (continued):

(a) (continued):

	2022	2021
Balance carryforward	\$ 11,106,260	\$ 12,217,195
Ontario Infrastructure and Lands Corporation Debenture - repayable in semi-annual instalments of \$11,356 including interest at 2.79%, repaid during the year	–	22,245
Ontario Infrastructure and Lands Corporation Debenture - repayable in semi-annual instalments of \$2,651 including interest at 3.97% due 2033	46,879	50,219
Ontario Infrastructure and Lands Corporation Debenture - repayable in semi-annual instalments of \$10,649 including interest at 2.62%, due 2023	10,511	31,127
Ontario Strategic Infrastructure Financing Authority Debenture - repayable in semi-annual instalments of \$14,530 including interest at 3.00%, due 2023	28,419	56,005
Ontario Strategic Infrastructure Financing Authority Debenture - repayable in semi-annual instalments of \$2,480 including interest at 3.28%, due 2028	26,818	30,801
Ontario Strategic Infrastructure Financing Authority Debenture - repayable in semi-annual instalments of \$55,932 including interest at 1.46%, due 2026	433,105	537,500
Ontario Strategic Infrastructure Financing Authority Debenture - repayable in semi-annual instalments of \$4,365 including interest at 2.07%, due 2031	71,357	78,500
Net municipal debt at the end of the year	\$ 11,723,349	\$ 13,023,592

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 8. Municipal debt (continued):

(b) Principal due on municipal debt reported in (a) is summarized as follows:

	Recoverable from taxes	Recoverable from benefiting landowners	Total
2023	\$ 1,061,969	\$ 156,261	\$ 1,218,230
2024	1,109,097	119,171	1,228,268
2025	1,158,360	121,041	1,279,401
2026	993,868	122,942	1,116,810
2027	885,156	12,603	897,759
	5,208,450	532,018	5,740,468
2028 - 2032	5,522,867	38,193	5,561,060
Thereafter	421,821	—	421,821
	\$ 11,153,138	\$ 570,211	\$ 11,723,349

(c) The municipal debt in the name of the Municipality has received the approval of the Ontario Municipal Board or has been approved by the Council of the Municipality by by-law. The annual principal and interest payments required to service these liabilities are within the annual debt repayment limit prescribed by the Ministry of Municipal Affairs and Housing.

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 9. Accumulated surplus:

(a) Accumulated surplus consists of individual fund surplus (deficit) as follows:

	2022	2021
Surplus:		
Invested in tangible capital assets	\$ 236,968,892	\$ 236,052,026
Inventories	176,176	138,845
To be used to offset user charges and taxation	1,285,649	1,359,417
To be financed by user charges and municipal debt	(3,290,147)	(3,371,916)
Equity in EPC	11,837,623	11,668,624
Amounts to be recovered:		
Benefitting landowners	616,616	874,774
Vacation pay liability	(476,000)	(539,000)
Employee benefits payable	(11,722,407)	(11,931,795)
Landfill post-closure liability	(622,135)	(619,935)
Accrued interest on net long term liabilities	(33,700)	(37,300)
Municipal debt	(11,723,349)	(13,023,592)
Reserves and reserve funds (note 9 (b))	68,803,495	60,497,014
<b>Total surplus</b>	<b>\$ 291,820,713</b>	<b>\$ 281,067,162</b>

(b) Reserves and reserve funds consist of the following:

	2022	2021
Reserves set aside for specific purposes by Council:		
Capital / lifecycle	\$ 37,458,457	\$ 33,787,852
Tax rate stabilization	3,901,678	3,364,518
Community Improvement Plan	599,782	509,467
Sick and vacation leave	571,834	725,855
Storm sewer	284,345	284,345
Working capital	216,300	216,300
Business improvement area	60,346	69,791
General	17,435	17,435
Fire Education Awareness	7,500	7,500
<b>Total reserves</b>	<b>43,117,677</b>	<b>38,983,063</b>
Reserve funds set aside for specific purposes by Council:		
Water capital	16,332,804	14,770,776
Sanitary sewers	7,304,668	4,782,836
Post-retirement benefits	2,048,346	1,960,339
<b>Total reserve funds</b>	<b>25,685,818</b>	<b>21,513,951</b>
<b>Total reserve and reserve funds</b>	<b>\$ 68,803,495</b>	<b>\$ 60,497,014</b>

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 10. Contingent liabilities:

During the normal course of operations, the Municipality is subject to various legal actions, including some which could be substantial. The settlement of the actions that can be reasonably estimated is not expected to have a material effect on the consolidated financial statements of the Municipality. Other legal actions may be at an early stage and therefore the likelihood and magnitude of impact cannot be reasonably determined.

## 11. Contractual obligations:

- (a) The former municipalities entered into agreements with the City of Windsor ("Windsor") whereby Windsor provides sewage treatment services to the Municipality at its Little River plant. In exchange for treatment services, the Municipality is responsible to the City of Windsor for a portion of debt charges associated with the Little River plant. Currently, there are no debt charges outstanding.

The Consolidated Statement of Financial Position does not reflect any assets or liabilities related to the Little River plant as the Municipality does not and will not have any ownership interest in the plant.

Included in the Consolidated Statement of Operations, are the following charges from the City of Windsor:

	2022	2021
Sewage treatment	\$ 1,222,850	\$ 1,232,998

- (b) The Municipality has entered into various service agreements. The two largest relate to Waste Collection and The Solicitor General of Ontario ("Police Services"). The obligations under these contracts approximate \$0.7M and \$3.4M respectively in expenditures on an annual basis. The duration of these contracts is five years. The contract with Police Services can be terminated by either party with written notice of one year.

## 12. Trust funds:

The Municipality does not administer any trust funds and, as such, there are no trust funds included in these consolidated financial statements.

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 13. Operations of School Boards and the County of Essex:

The taxation, other revenues and expenditures of the School Boards and the County of Essex are comprised of the following:

	2022	2021
Taxation and share of payments in lieu and rights of way:		
School Boards	\$ 8,968,795	\$ 8,955,432
County	16,872,194	16,587,504
	25,840,989	25,542,936
Requisitions	25,840,989	25,542,936
Over levy for the year	\$ —	\$ —

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 14. Budget:

- (a) The Financial Plan (Budget) By-Law adopted by Council on December 14, 2021, was not prepared on a basis consistent with that used to report actual results ("Canadian public sector accounting standards"). The budget was prepared on a modified accrual basis while Canadian public sector accounting standards now require a full accrual basis. The budget figures anticipated using surpluses accumulated in previous years to reduce current year expenditures in excess of current year revenues to \$nil. In addition, the budget expensed all tangible capital expenditures rather than including amortization expense. Subsequently Council approved a report from the Treasurer restating the Financial Plan (Budget) to conform with PSAB basis of accounting. As a result, the budget figures presented in the Consolidated Statements of Operations and change in net financial assets represent the Financial Plan adopted by Council on December 14, 2021, with adjustments as follows:

	2022	2021
Financial Plan (Budget By-Law surplus/(deficit)) for the year	\$ (9,689,044)	\$ (9,823,804)
Add:		
Share of government business enterprises surplus	750,000	748,000
Landfill post-closure expenditures	27,692	26,400
Loss on sale of tangible capital assets	(194,326)	(21,199)
Capital expenditures	27,160,919	22,956,400
	27,744,285	23,709,601
Less:		
Accrued interest expense	(3,900)	—
Dividend from government business enterprise	460,000	460,100
Employee future benefits expense	75,000	87,000
Landfill post-closure expense	29,000	26,000
Amortization	7,979,590	7,839,746
	8,539,690	8,412,846
Budget surplus	\$ 9,515,551	\$ 5,472,951

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 14. Budget (continued):

- (b) The Business Improvement Area (BIA) is a Consolidated Entity which is not included in the Budget By-Law adopted by Council. These Consolidated Budget figures include the BIA budget approved by the BIA Board. Total overall budget surplus is \$5,449,401:

	2022
Town	\$ 9,515,551
BIA	(31,700)
Budget surplus per Consolidated Statement of Operations	\$ 9,483,851

## 15. Tangible capital assets:

The Consolidated Schedule of Tangible Capital Assets (Schedule 1) provides information on the tangible capital assets of the Town by major assets as well as accumulated amortization of the assets controlled. The reader should be aware of the following relating to tangible capital assets:

### (a) Contributed capital assets:

The Town records all tangible capital assets contributed by an external party at fair value on the earlier of the date received or of the transfer of risk and responsibility. Typical examples are roadways, water and sewer lines installed by a developer as part of a subdivision agreement. Transfers recorded amounted to \$nil (2021 - \$nil).

### (b) Tangible capital assets recognized at nominal value:

Certain assets have been assigned a nominal value of one Canadian Dollar, because of the difficulty of determining a tenable valuation. These assets generally consist of small parcels of land acquired over seventy years ago.

### (c) Works of art and historical treasures:

The town has been given and purchased a number of paintings and other pieces of artwork. Altogether, there are 35 pieces that were appraised at \$96,000 in 2005. These pieces are insured for \$100,000. These have not been capitalized.



# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 15. Tangible capital assets (continued):

### (d) Capitalization of interest:

The Town has a policy of not capitalizing borrowing costs incurred when financing the acquisition of a tangible capital asset.

Tangible capital assets consist of:

	2022	2021
General:		
Land	\$ 22,623,758	\$ 22,623,758
Land improvements	6,452,247	5,826,185
Buildings	25,478,001	26,168,695
Leasehold improvements	613,406	660,757
Equipment and vehicles	6,486,381	6,228,735
Computer	365,500	404,204
Furniture and fixtures	234,690	224,647
Infrastructure:		
Roads	59,573,537	59,781,086
Underground and other networks	102,033,139	101,450,430
Assets under construction	13,108,233	12,683,529
	\$ 236,968,892	\$ 236,052,026

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

## 16. Public Sector Salary Disclosure Act:

The Public Sector Salary Disclosure Act requires all municipalities to disclose which, if any, employees or officers received remuneration totaling more than \$100,000 during the year.

Position	Name	Salary paid	Taxable benefits
Chief Administrative Officer	M. Misek-Evans	\$ 212,058	\$ 2,257
Director Community and Recreation Services	P. Anthony	175,523	1,711
Director Public Works and Engineering Services	P. Bartnik	163,052	1,711
Director Development Services	B. Hillman	162,741	1,711
Director Financial Services and CFO	T. Kitsos	156,480	1,644
Director People and Culture	M. Bonnici	148,187	1,612
Director Technology and Client Services	S. Fuerth	145,792	1,517
Director Community Safety and Fire Chief	W. Bondy	137,007	1,490
Manager Planning Services and Local Economic Development	C. Jeffery	130,919	1,379
Manager Public Works and Transportation	K. McArdle	130,798	1,379
Manager Water Services and Volunteer Firefighter	B. Dupuis	129,159	1,275
Manager Engineering Services	J. Henderson	126,539	1,379
Deputy Treasurer and Manager Revenue Services	Z. Visekruna	118,799	1,269
Deputy Clerk and Manager Legislative Services	J. Alexander	113,428	1,216
Manager Facilities and Energy Management	D. Wolicki	113,195	1,228
Senior Manager Recreation Services	B. Palmer	113,036	1,184
Manager Parks and Horticulture	K. Colthurst	111,980	1,183
Deputy Fire Chief Operations	K. Kavanagh	109,250	1,184
Deputy Fire Chief Compliance and Volunteer Firefighter	N. Fields	106,507	1,178
Deputy Clerk – Clerks Services and Policy Advisor	C. Hebert	101,877	1,072
Director Legislative Services and Clerk	L. Moy	101,152	956

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

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## 17. Segmented information:

The Town of Tecumseh is a diversified local municipal government that provides a wide range of services to its citizens, including police, fire, water, wastewater and parks and recreation. For management reporting purposes the Government's operations and activities are organized and reported by Fund. Funds were created for the purpose of recording specific activities to attain certain objectives in accordance with special regulations, restrictions or limitations. Town services are provided by departments and their activities are reported in these funds. Certain departments that have been separately disclosed in the segmented information, along with the services they provide, are as follows:

(a) General government:

General government consists of three categories: governance, corporate management and program support. It includes offices of Council, Chief Administrative Officer, Information Technology, Financial and Clerk Services.

(b) Protection to persons and property:

Protection is comprised of Fire, Police, Conservation Authority and Protective Inspection and Control. Police Services ensures the safety of the lives and property of citizens; preserves peace and good order; prevents crimes from occurring; detects offenders; and enforces the law. Conservation Authority includes the Town's share of the Essex Region Conservation Authority. Fire Services is responsible to provide fire suppression services; fire prevention programs; training and education. Protective Inspection and Control ensures an acceptable quality of building construction and maintenance of properties through enforcement of construction codes, building standards and by-laws.

(c) Transportation:

The Public Works department is responsible for the delivery of municipal public works services to the planning, development and maintenance of roadway systems, snow clearing and removal and street lighting.

(d) Environmental:

Includes water, wastewater as well as garbage collection and disposal. The department provides drinking water to the citizens of Tecumseh, is responsible for collecting wastewater, and providing collection and disposal of waste. Recycling is provided at the County level.

(e) Social and family:

This consists of the Town's share of the Golden Age Club operations.

# THE CORPORATION OF THE TOWN OF TECUMSEH

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2022

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## 17. Segmented information (continued):

(f) Recreational and cultural:

The department provides public services that responds to citizens' leisure and cultural requirements. Facilities include a wide variety of parks plus a twin pad arena, pool and various community facilities.

(g) Business Improvement Area (BIA):

The BIA, a geographic area of the municipality, has a board of management which is an organization set up to provide business promotion and improvement functions. A BIA allows local business people and property owners to join together and with the support of the municipality, organize, finance and carry out physical improvement and promote economic development in their district. The local municipality is the body responsible for approving the budget of the BIA.

(h) Planning and development:

The Planning and Development department facilitates the orderly growth of the Town through approval to all land development plans in accordance with the Official Plan.

For each reported segment, revenues and expense represent both amounts that are directly attributable to the segment and amounts that are allocated on a reasonable basis. Therefore, certain allocation methodologies are employed in the preparation of segmented financial information. The General Revenue Fund reports on municipal services that are funded primarily by taxation such as property and business tax revenues. Taxation and payments-in-lieu of taxes are apportioned to General Revenue Fund services based on the Fund's net surplus. Certain government transfers, transfer from other funds, and other revenues have been apportioned based on a percentage of budgeted expenses. The accounting policies used in these segments are consistent with those followed in the preparation of the consolidated financial statements as disclosed in note 1. For additional information see the Consolidated Schedule of Segmented Disclosure (Schedule 2).

# THE CORPORATION OF THE TOWN OF TECUMSEH

Consolidated Schedule of Tangible Capital Assets

Schedule 1

Year ended December 31, 2022

	General							Infrastructure			Totals	
	Land	Land improvements	Buildings	Leasehold improvements	Equipment / vehicles	Computer	Furniture and fixtures	Linear assets - Roads	Linear assets - Water, wastewater and storm	Assets under construction	2022	2021
2022												
Cost:												
Balance, beginning of year	\$ 22,623,758	11,453,521	43,323,836	1,518,005	14,572,355	1,376,143	368,016	122,271,269	157,901,767	12,683,529	\$ 388,092,199	\$ 380,878,071
Add: Additions during the year	-	1,142,429	543,134	22,973	1,253,295	53,007	46,135	2,531,742	3,246,608	6,984,912	15,824,235	11,267,166
Less: Disposals during the year	-	(51,068)	(347,254)	-	(697,663)	(11,213)	(60,327)	(261,362)	(540,500)	-	(1,969,387)	(883,143)
Other	-	-	-	-	-	-	-	-	-	(6,560,208)	(6,560,208)	(3,169,895)
Balance, end of year	22,623,758	12,544,882	43,519,716	1,540,978	15,127,987	1,417,937	353,824	124,541,649	160,607,875	13,108,233	395,386,839	388,092,199
Accumulated amortization:												
Balance, beginning of year	-	5,627,337	17,155,141	857,248	8,343,619	971,940	143,369	62,490,183	56,451,336	-	152,040,173	145,094,494
Add: amortization	-	504,968	1,183,473	70,324	982,156	91,711	36,092	2,514,520	2,400,573	-	7,783,817	7,704,303
Less: accumulated amortization on disposals	-	(39,669)	(296,899)	-	(684,170)	(11,213)	(60,327)	(36,591)	(277,174)	-	(1,406,043)	(758,624)
Balance, end of year	-	6,092,636	18,041,715	927,572	8,641,605	1,052,438	119,134	64,968,112	58,574,735	-	158,417,947	152,040,173
Net book value of tangible capital assets	\$ 22,623,758	\$ 6,452,246	\$ 25,478,001	\$ 613,406	\$ 6,486,382	\$ 365,499	\$ 234,690	\$ 59,573,537	\$ 102,033,140	\$ 13,108,233	\$ 236,968,892	\$ 236,052,026

# THE CORPORATION OF THE TOWN OF TECUMSEH

Consolidated Schedule of Tangible Capital Assets

Schedule 1

Year ended December 31, 2022

	General							Infrastructure			Totals	
	Land	Land improvements	Buildings	Leasehold improvements	Equipment / vehicles	Computer	Furniture and fixtures	Linear assets - Roads	Linear assets - Water, wastewater and storm	Assets under construction	2021	2020
2021												
Cost:												
Balance, beginning of year	\$ 22,623,758	11,344,928	40,199,859	1,518,005	14,346,326	1,345,635	221,647	122,200,289	157,741,941	9,335,683	\$ 380,878,071	\$ 373,122,320
Add: Additions during the year	-	115,393	3,352,460	-	647,352	143,944	167,128	122,104	201,044	6,517,741	11,267,166	16,253,312
Less: Disposals during the year	-	(6,800)	(228,483)	-	(421,323)	(113,436)	(20,759)	(51,124)	(41,218)	-	(883,143)	(2,099,645)
Other	-	-	-	-	-	-	-	-	-	(3,169,895)	(3,169,895)	(6,397,916)
Balance, end of year	22,623,758	11,453,521	43,323,836	1,518,005	14,572,355	1,376,143	368,016	122,271,269	157,901,767	12,683,529	388,092,199	380,878,071
Accumulated amortization:												
Balance, beginning of year	-	5,142,719	16,118,144	786,857	7,757,787	984,562	134,645	60,051,844	54,117,936	-	145,094,494	139,041,070
Add: amortization	-	491,418	1,144,979	70,391	1,003,137	100,814	29,483	2,489,463	2,374,618	-	7,704,303	7,588,517
Less: accumulated amortization on disposals	-	(6,800)	(107,982)	-	(417,305)	(113,436)	(20,759)	(51,124)	(41,218)	-	(758,624)	(1,535,093)
Balance, end of year	-	5,627,337	17,155,141	857,248	8,343,619	971,940	143,369	62,490,183	56,451,336	-	152,040,173	145,094,494
Net book value of tangible capital assets	\$ 22,623,758	\$ 5,826,184	\$ 26,168,695	\$ 660,757	\$ 6,228,736	\$ 404,203	\$ 224,647	\$ 59,781,086	\$ 101,450,431	\$ 12,683,529	\$ 236,052,026	\$ 235,783,577

# THE CORPORATION OF THE TOWN OF TECUMSEH

Consolidated Schedule of Segment Disclosure

Schedule 2

Year ended December 31, 2022

2022	General government	Protection to persons and property	Transportation	Environmental	Social and family services	Recreation and culture	BIA	Planning and development	Totals
<b>Revenues:</b>									
Property taxes	\$ 4,684,187	5,694,739	5,732,373	6,068,038	18,325	3,537,340	131,813	789,675	\$ 26,656,490
Government transfers	388,746	202,024	2,203,520	2,047,565	28,813	388,712	7,938	202,067	5,469,385
User charges	286,243	817,412	158,888	10,559,811	2,082	1,409,930	4,996	98,417	13,337,779
Capital contributions	-	176,187	-	13,310	-	-	-	683,561	873,058
Investment income	522,724	553,961	235,515	492,092	3,766	337,586	3,151	87,443	2,236,238
Penalties and interest on property taxes	108,852	116,468	49,516	37,368	792	70,976	-	18,384	402,356
Income from government business enterprise	170,195	182,101	77,420	58,427	1,238	110,973	-	28,745	629,099
Gain (loss) on disposal of tangible capital assets	(36,000)	213	(77,646)	(241,205)	-	6,932	-	-	(347,706)
Other	3,460	-	421	7,604	-	83,131	-	-	94,616
	6,128,407	7,743,105	8,380,007	19,043,010	55,016	5,945,580	147,898	1,908,292	49,351,315
<b>Expenses:</b>									
Wages and benefits	3,677,884	1,959,696	1,329,148	1,635,339	-	2,393,613	46,431	642,019	11,684,130
Interest on municipal debt	-	-	191,778	13,702	-	294,360	-	-	499,840
Office supplies and equipment maintenance	370,419	12,544	2,950	7,010	-	5,389	25,450	1,707	425,469
Memberships	19,986	7,937	12,346	935	-	3,900	344	1,630	47,078
Conventions and training	50,808	22,343	6,537	13,264	-	5,342	1,003	8,407	107,704
Maintenance materials and supplies	45,552	94,355	381,596	285,159	-	486,040	-	378	1,293,080
Purchases for resale	8,761	-	-	1,488,002	-	2,497	-	-	1,499,260
Maintenance	16,382	129,626	325,581	461,002	9,651	230,290	-	194	1,172,726
Contract services	315,639	3,843,558	2,154,057	3,114,501	-	193,204	-	-	9,620,959
Professional	401,470	10,916	291,954	545,094	-	10,158	14,375	182,355	1,456,322
Vehicle and equipment leases	2,697	-	-	-	-	-	-	-	2,697
Utilities	71,255	50,198	204,160	182,186	6,903	385,434	-	-	900,136
Insurance	105,370	52,895	76,807	145,650	5,587	92,956	-	5,653	484,918
Grants and donations	6,000	-	-	15,696	21,000	-	-	34,685	77,381
Amortization	238,928	307,717	2,832,642	3,171,352	9,347	1,218,058	-	5,773	7,783,817
Other	113,414	24,641	35,555	83,727	-	138,249	69,739	918,502	1,383,827
Financial	34,829	38,319	15,843	27,054	253	36,237	-	5,885	158,420
	5,479,394	6,554,745	7,860,954	11,189,673	52,741	5,495,727	157,342	1,807,188	38,597,764
<b>Annual surplus (deficit)</b>	<b>\$ 649,013</b>	<b>\$ 1,188,360</b>	<b>\$ 519,053</b>	<b>\$ 7,853,337</b>	<b>\$ 2,275</b>	<b>\$ 449,853</b>	<b>\$ (9,444)</b>	<b>\$ 101,104</b>	<b>\$ 10,753,551</b>

# THE CORPORATION OF THE TOWN OF TECUMSEH

Consolidated Schedule of Segment Disclosure

Schedule 2

Year ended December 31, 2022

2021	General government	Protection to persons and property	Transportation	Environmental	Social and family services	Recreation and culture	BIA	Planning and development	Totals
<b>Revenues:</b>									
Property taxes	\$ 4,256,255	5,396,299	5,633,964	5,884,315	17,528	3,420,766	131,860	814,857	\$ 25,555,844
Government transfers	400,881	193,901	526,109	1,148,691	26,962	445,130	250	2,067,666	4,809,590
User charges	206,119	999,809	168,812	10,028,387	1,765	884,275	-	120,566	12,409,733
Capital contributions	-	-	360,593	2,536,406	-	584,163	-	396,235	3,877,397
Investment income	241,024	286,073	120,057	286,499	2,020	179,661	1,695	46,862	1,163,891
Penalties and interest on property taxes	97,796	118,639	49,789	39,880	838	74,508	-	19,434	400,884
Income from government business enterprise	248,610	301,596	126,571	101,380	2,129	189,409	-	49,404	1,019,099
Gain (loss) on disposal of tangible capital assets	-	(11,921)	(24,572)	(10,658)	-	(54,473)	-	-	(101,624)
Other	20	2,000	-	-	-	59,200	-	11,307	72,527
	5,450,705	7,286,396	6,961,323	20,014,900	51,242	5,782,639	133,805	3,526,331	49,207,341
<b>Expenses:</b>									
Wages and benefits	3,495,802	1,734,322	1,421,459	1,718,645	-	2,235,453	42,948	647,977	11,296,606
Interest on municipal debt	-	-	220,282	10,461	-	309,095	-	-	539,838
Office supplies and equipment maintenance	417,956	9,966	4,195	5,599	-	6,013	22,614	1,461	467,804
Memberships	21,026	7,488	14,928	5,002	-	6,109	239	4,280	59,072
Conventions and training	20,690	17,211	1,832	10,596	-	6,523	-	3,312	60,164
Maintenance materials and supplies	32,882	100,843	407,216	233,344	990	301,297	-	-	1,076,572
Purchases for resale	5,558	-	-	1,374,445	-	-	-	-	1,380,003
Maintenance	15,550	81,769	305,129	394,279	7,197	185,061	-	-	988,985
Contract services	319,987	3,876,511	1,400,758	3,320,786	-	96,604	-	232,195	9,246,841
Professional	302,796	13,390	58,259	603,109	-	68,252	7,616	354,902	1,408,324
Vehicle and equipment leases	2,580	-	-	-	-	270	-	-	2,850
Utilities	57,208	42,434	201,904	188,223	4,895	304,140	-	-	798,804
Insurance	97,906	45,420	65,848	126,130	4,798	86,426	-	4,896	431,424
Grants and donations	4,709	-	-	35,744	21,000	-	-	75,960	137,413
Amortization	192,313	317,945	2,831,783	3,134,096	10,706	1,211,660	-	5,800	7,704,303
Other	387,990	26,101	37,642	118,841	46	109,305	58,841	37,823	776,589
Financial	25,716	33,558	13,093	8,612	220	31,258	-	5,111	117,568
	5,400,669	6,306,958	6,984,328	11,287,912	49,852	4,957,466	132,258	1,373,717	36,493,160
Annual surplus (deficit)	\$ 50,036	\$ 979,438	\$ (23,005)	\$ 8,726,988	\$ 1,390	\$ 825,173	\$ 1,547	\$ 2,152,614	\$ 12,714,181





## The Corporation of the Town of Tecumseh

### Financial Services

**To:** Mayor and Members of Council

**From:** Tom Kitsos, Director Financial Services & Chief Financial Officer

**Date to Council:** November 14, 2023

**Report Number:** FS-2023-11

**Subject:** Essex Region Conservation Authority  
Non-Mandatory Programs and Services  
Cost Apportioning Agreement  
OUR FILE: D03 ERCA

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### Recommendations

It is recommended:

**That** Report FS-2023-11 entitled “Essex Region Conservation Authority – Non-Mandatory Programs and Services, Cost Apportioning Agreement” **be received;**

**And that** a by-law authorizing the execution of a “Cost Apportioning Agreement” with the Essex Region Conservation Authority regarding the Town’s funding contribution for various non-mandatory Essex Region Conservation Authority programs and services for the four-year term January 1, 2024, to December 31, 2027, **be prepared and considered for adoption** at the Regular Council meeting of November 28, 2023.

### Background

The provincial government recently amended the Conservation Authorities Act to define that ancillary services provided by Conservation Authorities are now defined as non-mandatory services. All Conservation Authorities require an agreement to apportion costs amongst the member municipalities for non-mandatory services. An agreement is required by January 1, 2024.

On June 23, 2022, the Essex Region Conservation Authority (“ERCA”) Board of Directors endorsed a suite of non-mandatory programs and services, which are summarized later in this Report. These are deemed to be beneficial programs and services that support the conservation, restoration, development, and management of natural resources within the watershed area served by ERCA.

To adequately fund these programs and services, ERCA is required to negotiate cost-apportionment agreements for these programs and services with each municipality, including the Town of Tecumseh.

## Comments

A draft Cost Apportioning Agreement (“draft Agreement”) has been prepared by ERCA and reviewed by Town Administration (see Attachment 1). The four-year term of this initial agreement is proposed to extend one year beyond the remaining three years of the current Council term. Accordingly, the draft Agreement is set to expire on December 31st, 2027. It is anticipated that future agreements will also be for four-year terms.

The following provides a summary of all non-mandatory programs and services that are included within the scope of the proposed cost-apportioning agreement as part of the funding envelope:

- i. Land Acquisition & Protection;
- ii. Tree Planting;
- iii. Holiday Beach Management;
- iv. Holiday Beach Infrastructure;
- v. Water Quality Research and Monitoring;
- vi. Watershed Stewardship & Restoration (Rural & Agricultural);
- vii. John R Park Museum/Visitor Centre operations, active programming, and maintenance;
- viii. Curriculum-based outdoor education; and
- ix. Outreach and community engagement.

The draft Agreement includes the following key components:

- i. Article 3 c) establishes that the municipality agrees to financially support the programs and services, as more specifically noted in Schedule A to the draft agreement;
- ii. Article 3 f) establishes that the annual region-wide requirement for financial support will be in the order of \$900,000, based on the average cost of program and service delivery presented in Schedule A to the draft Agreement. During the term of the Agreement, should the annual aggregate of municipal support exceed \$900,000 plus 5 percent, municipal consultation and Council resolutions will be required;
- iii. Schedule B of the draft Agreement provides the estimated total municipal support by municipality as guidance only and to facilitate the municipal budget. The draft Agreement establishes that municipalities will financially support the preceding programs and services by apportioning the costs among participating municipalities using the Modified Current Value Assessment method. The estimated annual cost for Tecumseh ranges from \$71,280 to \$73,617. ERCA advises that a range is included due to the shifting allocation within the funding envelope in recent budget cycles.

When the Modified Current Value Assessment method is applied, the Town of Tecumseh's proportionate share of these costs is equal to 9.04%, which is a function of our overall assessment share within the region regulated by ERCA.

Town Administration believes that Town residents will benefit from the list of non-mandatory programs proposed to be funded by the draft Agreement and that the proposed terms are reasonable. Accordingly, Administration recommends that Council pass a by-law authorizing the execution of a Cost Apportioning Agreement with ERCA for various non-mandatory Essex Region Conservation Authority programs and services for the four-year term January 1, 2024, to December 31, 2027 (see Attachment 1).

## **Consultations**

Development Services  
Essex Region Conservation Authority

## **Financial Implications**

The municipal cost estimate for all municipalities is presented in Attachment 1, Schedule B and would be subject to annual revision.

The proposed agreement states that the annual aggregate of municipal levies allocated to the funding envelope may not exceed the estimate of \$900,000 plus 5% for any annual budget, without municipal consultation and Council resolution.

The cost apportionment of non-mandatory programs estimates a cost apportionment to Tecumseh of between \$71,280 to \$73,617. This amount is already considered in the 2023 Corporate Budget as the service has been provided by the conservation authority via levy for several years.

The total ERCA levy for Tecumseh in 2023 is \$309,846.

## Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input checked="" type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input checked="" type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

## 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:

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

Reviewed by:

Brian Hillman, MA, MCIP, RPP  
Director Development Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1.	Draft Cost Apportioning Agreement

**DRAFT Cost Apportioning Agreement (“Agreement”)**

THIS COST APPORTIONING AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**BETWEEN:**

**MUNICIPALITY/TOWNSHIP/TOWN/CITY OF**

\_\_\_\_\_  
(hereinafter, “Municipality”)

- and -

**ESSEX REGION CONSERVATION AUTHORITY**

(hereinafter, “ERCA”)

**WHEREAS** the ERCA is a conservation authority established under the Conservation Authorities Act (“Act”) and is governed by members appointed by its participating municipalities in accordance with the [Act](#);

**AND WHEREAS** a Participating Municipality, as defined under the Act, is located wholly or in part within the area under the jurisdiction of ERCA;

**AND WHEREAS** Section 21.1.2 of the Act permits ERCA to provide other non-mandatory programs and services, as it deems advisable, to further the purposes of the Act;

**AND WHEREAS** pursuant to Subsection 21.1.2 (2), if financing under [Section 25](#) (capital costs) or [27](#) (operating costs) by a participating municipality is necessary in order to provide a non-mandatory program or service, the program or service shall not be provided by ERCA unless a cost apportioning agreement has been entered into between ERCA and the participating municipality in respect of the program or service;

**AND WHEREAS** [O. Reg 687/21](#) Section 8 prescribes the minimum provisions to be included in municipal cost apportioning agreements;

**NOW THEREFORE** in consideration of the terms of this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

**Term of Agreement**

1. Initial Term of the Agreement is January 1, 2024, through December 31, 2027.
2. Thereafter, the Agreement shall continue for additional four-year periods (each “Renewal Term”) unless either party provides written notice of their intention to terminate this Agreement in accordance with paragraph 7.

**Agreement Principles**

3. The following principles shall guide the implementation of the Agreement between ERCA and the Municipality:
  - a. The Agreement will provide the overarching terms and conditions for the delivery of non-mandatory programs and services by ERCA that ERCA deems advisable to further the purpose of the Act.
  - b. ERCA wishes to continue to provide beneficial non-mandatory programs and services which support environmental sustainability and cultural heritage in the watershed, as outlined in Schedule A, and collectively described as the ‘funding envelope’.

- c. The Municipality agrees to financially support the programs and services outlined in Schedule A and for such support to be apportioned among the participating municipalities using the Modified Current Value Assessment method, as defined in Ontario Regulation 402/22. The MCVA for 2023 is presented in Schedule B and is subject to annual revision.
- d. ERCA will not add to or delete from the funding envelope, without identifying such changes in the draft budget, circulated for municipal consultation as required by [O Reg 402/22](#). Any approved changes to the funding envelope shall be reflected in an updated Schedule A and Schedule B to be circulated and posted publicly.
- e. Estimates of required total municipal support as presented in Schedule B, are provided as guidance only, to facilitate municipal budgeting, and are subject to ERCA's annual budgeting process.
- f. ERCA's Board of Directors, through the annual budget process as specified in O. Reg 402/22, shall approve the allocation of resources, to the funding envelope, which may vary annually. The requirement for municipal financial support may fluctuate within the funding envelope but is approximately \$900,000, based on the average cost of program and services delivery as presented in Schedule A. During the term of this agreement, the annual aggregate of municipal levies allocated to the funding envelope may not exceed the initial estimate of \$900,000 plus five percent (5%), for any annual budget, exclusive of changes to the MCVA, without municipal consultation and council resolution.
- g. ERCA may charge a user fee for the delivery of any of the programs and services outlined in Schedule A, where appropriate, to reduce the cost apportioned to the Municipality. User fees are reviewed and revised annually in accordance with the Authority's Fee Policy, which includes a provision for municipal consultation.
- h. Municipal cost apportioning revenues associated with this Agreement will be considered 'last dollar' funding and any unspent program funds or surpluses will enure to this Agreement and successor Agreements. ERCA will maintain appropriate deferred revenue accounts to hold unspent funds, at its discretion, and will not reallocate funds to Category 1 or 2 programs, without municipal approvals.

#### **Review of Agreement**

- 4. This Agreement shall be reviewed by the parties:
  - a. Prior to the expiry of the Initial Term and each Renewal Term. It shall be the ERCA's responsibility to initiate the review with the Municipality no less than one hundred and eighty (180) days prior to the expiry of the Initial Term or the Renewal Term, as the case may be.

#### **Dispute Resolution**

- 5. The Municipality and the ERCA will strive to facilitate open and timely communication at all levels.
- 6. Where a dispute arises between two or more parties, the parties agree that dispute resolution practices will be implemented using the following principles:
  - a. Agree to a fair process for mediating issues;
  - b. Utilize and equally share the costs of a neutral facilitator as agreed upon by the parties, if required;
  - c. Identify common agreement / ground, in the best interest of the parties;
  - d. Identify all options to resolve;
  - e. Select best option.

#### **Early Termination**

- 7. This Agreement may be terminated early by either party and:
  - a. Effective termination date shall be no earlier than December 31<sup>st</sup> of the termination year

to provide continuity and stability of operations for a full fiscal year and/or to provide sufficient time to discontinue and/or revise programs or services;

- b. A party wishing to provide notice of early termination shall provide written notice no later than July 1<sup>st</sup> of the termination year.

**Accountability and Transparency**

8. This Cost Apportioning Agreement shall be made available on ERCA's website.

**Execution**

9. The Agreement may be executed in counterparts in writing or by electronic signature and delivered by mail, facsimile, or other electronic means, including in Portable Document Format (PDF); no one copy needs to be executed by all parties. When each party has executed a counterpart, each of such counterparts shall be deemed to be an original and all such counterparts, when taken together, shall constitute one and the same agreement.

**Other Agreements**

10. The Agreement does not preclude parties from identifying opportunities for further collaboration to benefit both parties, and ensure efficiency, transparency, and accountability in the use of resources, including in-kind services and assistance, coordination of complementary policy and program initiatives, and projects involving third parties. If additional programs and services are requested from ERCA to be delivered on behalf of the Municipality, a separate Category 2 Agreement will be established with the Municipality.

**Watershed-based Resource Management Strategy**

11. The Municipality acknowledges and agrees that certain programs and services identified in Schedule A shall also be included in a Watershed-based Resource Management Strategy that ERCA is required to develop and implement, in accordance with the Act.

**IN WITNESS WHEREOF** the Municipality and the ERCA have signed this Cost Apportioning Agreement.

**MUNICIPALITY**

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Name  
Position

---

Name  
Position  
I / We have authority to bind the Municipality.

**ESSEX REGION CONSERVATION AUTHORITY**

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Tim Byrne  
CAO/Secretary-Treasurer

I have authority to bind the ERCA.



## Attachment 1, FS-2023-11

### Draft Agreement

#### Schedule A – Category 3 Funding Envelope of Programs and Services Requiring Municipal Financial Support Through Cost Apportioning Agreements

The funding envelope of Category 3 programs and services includes:

Non-Mandatory Program/Service	Program Cost Estimates	Sources of Funding	Budgeted 2023 Municipal Funding Requirement	User Fees
Land acquisition & protection	\$1,819,274	Levy, Gov't grants**	\$40,000	No
Tree planting – private lands	\$644,471	Grants, fees, levy	\$75,000	Yes
Holiday Beach site management & operations	\$336,925	Fees, levy	\$-	Yes
Holiday Beach infrastructure maintenance/repairs	\$1.8 million has been spent on replacing park infrastructure since 2015 using the infrastructure reserve	Levy	\$-	Limited to above
Water quality research & monitoring	\$24,394	Levy	\$-	No
Watershed stewardship & Ag outreach – private lands	\$45,049	Levy, fees, grants	\$73,000	Yes
John R Park Museum/Visitor's Centre operations & programming	\$284,682	Levy, fees, grants	\$135,962	Yes
JRPH museum maintenance & preservation reserve	\$110,190	ERCF(Foundation)/Levy	\$515,000	Limited to above
Curriculum-based outdoor education	\$62,511	Grants, fees	\$-	Yes
Outreach & community engagement	\$64,522	Levy, grants	\$34,150	No
			<b>\$873,112</b>	

The majority of the non-mandatory service areas are core components of integrated watershed management that have been provided for decades. They are funded by a variety of sources as noted above and the program description for each service area is provided below:

### **Land Acquisition & Securement**

Each year ERCA works towards the strategic purchase of lands that have the highest biological value, as indicated by the Land Securement Strategy, and that will have the greatest impact on improving the biological health of the region. While potential acquisitions are evaluated on a case-by-case basis, securement can address flood/erosion issues and potentially ensure the long-term protection of natural heritage links between existing fragmented forests and wetlands.

The land acquisition fund was initiated in 2003 through the Clean Water~Green Spaces Levy and the land acquisition component has comprised the majority of the historical CW~GS levy funding. Once purchased, restoration and management of these lands would be categorized as a mandatory activity.

In 2012, ERCA approved its Land Securement Strategy to provide a guideline for future ERCA land securement efforts. This Strategy aims to provide for the permanent protection of existing natural features through land securement procedures. It is important to note that the Land Securement Strategy focuses on natural heritage features and not on recreational opportunities.

The Land Securement Priority Areas (LSPA) are identified by examining a number of environmental features, through ERCA's Geographic Information System (GIS) analysis. This is addressed in consideration of the following information:

- Priority Existing Natural Areas – including Areas of Scientific or Natural Interest (ANSI), Environmentally Significant Areas (ESA), existing natural areas (both wetland and terrestrial), floodplain, interior woodland, significant woodland, Nature Conservancy of Canada (NCC) Natural Areas.
- Priority Restoration Opportunities – including NCC Natural Areas Conservation Plan priority lands, public lands, physiography, and restoration opportunities (e.g., woodlot, prairie, wetland, riparian/wetland buffers, etc.).
- Connections to Public Lands – areas that are adjacent to, or part of a larger feature (i.e., existing natural area, riparian or wetland buffer restoration) are identified as higher priorities. Similarly, potential to create interior forest by 'rounding edges' and filling in gaps between parcels are also identified.

The recent historical annual levy allocation for land acquisition and protection has been ~\$500,000 and comprises approximately 55% of the levies which are currently associated with non-mandatory programs and services. Government and other grants have been received periodically which have enabled the Authority to acquire significant and important parcels of property, which will remain in the public trust in perpetuity. Funds accumulate until an acquisition is approved by the Board of Directors.

The fund currently exceeds \$1.9 million and is expected to be maintained at that level throughout 2023. Due to the extensive remediation and repairs that are required at the John R Park Homestead museum, the Board of Directors re-directed \$500,000 from land acquisition funding to the JRPH maintenance/preservation reserve fund.

While currently there is no active acquisition that has been brought forward to the Board of Directors, there are many at-risk properties in the region and landowners often indicate an interest in selling a property with no advance indication. The Authority is periodically contacted

by landowners with donations of real property that require consideration for the potential to significantly benefit watershed sustainability in our region that would also have financial impacts. In addition, Holiday Beach Conservation Area ownership remains with Infrastructure Ontario and would be an attractive and beneficial property, vis-a-vis Authority ownership.

Land acquisition is supported by the Board of Directors and will be included in the cost apportioning agreement and is included as a range between \$40,000 and ~\$512,000 in the Category 3 funding envelope.

#### **Tree-Planting (Private Lands/Non-ERCA owned properties)**

To achieve a sustainable future, mitigate climate impacts, expand existing remnant tree canopy cover, improve water quality, and keep endangered species from extinction in Canada, collaborative relationships must continue with private landowners to grow the amount of habitat restored in the region. The regional tree canopy cover in 1992 was at 3.71%, the lowest percentage of any county in Ontario. A study conducted by the United Nations established a minimum sustainability target of 12%. Despite recent efforts by ERCA, municipal partners and private landowners, currently the Windsor-Essex Region is estimated to be at approximately 8% forest cover. ERCA has restored over 330 acres of land on private property since 2016. These privately owned restoration sites are an invaluable contribution from our community as they further the rehabilitation of our region. Many member municipal councils have identified tree canopy restoration as a priority for a healthy, sustainable region.

Tree planting and restoration is not only supported by the Board of Directors but widely supported by the region's residents and accordingly, included in the cost apportioning agreement and is included as a range between \$70,000 and ~\$75,000 in the Category 3 funding envelope.

#### **Holiday Beach Management/Operations**

Holiday Beach Conservation Area is operated by the Authority under a thirty-year management agreement with the Province of Ontario, that expires in 2031, and can be cancelled with 120 days of notice. The Province of Ontario is the owner of the property and the Management Agreement currently in place has been authorized by the Ministry of Northern Development, Mines, Natural Resources and Forestry (previously MNR). Currently, Infrastructure Ontario holds title on behalf of the Province of Ontario. The Authority has no legal interest in the lands, buildings, or infrastructure on this site, which precludes the ability to levy for this property, as part of Category 1, (mandatory) conservation of lands.

The majority of expenses associated with this site are funded through user fees related to camping, hunting and cottage rentals, however, a minimal amount of levy (\$6,000) was allocated to support the day use in 2022, but not utilized. At the present time, it appears that the site may experience an unbudgeted operating deficit in 2023, primarily due to the ice storm in March 2023. In terms of managing a property for another agency, there should be a reasonable expectation of surplus or minimally, break-even results, however, this expectation may not be realistic, given the issues and risks associated with seasonal camping and the costs to reasonably mitigate risks.

Historically, site operations (without consideration of capital investment), were not profitable, but break-even results were experienced in 2021 and 2022. Administration continues to effect operational changes and evaluation. The site is widely used by the region's residents and will be included in the cost apportioning agreement, however, may not require municipal contributions on a consistent basis during the term of the agreement.

#### **Holiday Beach Infrastructure/Asset Maintenance & Replacement**

\$1.8 million has been spent on replacing park infrastructure since 2015, and funded by the infrastructure reserve, which is supported through levy. While there have been significant

repairs and replacements of assets, going back to 2006, failing infrastructure at this site is potentially the single largest source of financial risk to the Authority, due to linear infrastructure including roads, electrical supply, and sewers.

Administration is exploring the feasibility of ownership, which would need to include a consultant's assessment of assets and a comprehensive asset management plan to account for the infrastructure and guide future replacement and investment. Until ownership is addressed, the cost-apportioning agreement would not include a provision for capital asset replacement, however a reasonable provision of \$10,000 for certain emergency repairs related to electrical, sewer and road surfaces, should be contemplated and has been included in the funding envelope.

The operation of Holiday Beach is supported by the Board of Directors and will be included in the cost apportioning agreement and is included as a range between \$NIL and ~\$10,000 in the Category 3 funding envelope.

#### **Watershed Stewardship and Agricultural Outreach (private lands)**

Within the Essex region, water health is inextricably linked to farming practices. Because of this, ERCA continues to support the Essex Soil and Crop Improvement Association to facilitate knowledge transfer opportunities. In collaboration with the Ontario Ministry of Agriculture and Rural Affairs and Environment Canada, ERCA provides financial inducements to producers. These incentives to undertake Best Management Practices on local farms can reduce fertilizer applications, mitigate erosion, improve soils, and decrease nutrient and soil runoff that leads to toxic algae blooms in Lake Erie. The extent of lands currently in agricultural production in the Essex Region is approximately 74.1% of the overall watershed. This percentage of land obviously can have a significant impact on the capability of the watershed to respond to flood threats and the impact on erosion associated with problems resulting from the movement of sediment.

As authorized by the Board of Directors, the Demonstration Farm will wind down operations at the end of 2023 in order to more effectively utilize available funding and to provide greater opportunities for staff to engage the agricultural community in these beneficial activities.

Given the prominence of agriculture in the region, agricultural land stewardship and outreach is supported by the Board of Directors, will be included in the cost apportioning agreement, and is included as a range between ~\$35,000 and ~\$73,000 in the Category 3 funding envelope.

#### **Water Quality Research & Monitoring**

Healthy rivers, headwaters, and species in our watershed are key elements of a sustainable and healthy environment that residents rely on for sources of drinking water, the economy and for recreation. The ability to track and report on changes to these indicators of healthy watersheds and share that knowledge assists in the understanding of current watershed health and highlights emerging trends, used as a basis for setting environmental management priorities, research opportunities for other agencies, and overall management and protection of watershed resources. ERCA undertakes its watershed science programs in conjunction with the Provincial Water Quality Monitoring Network (PWQMN), Ontario Benthos Biomonitoring Network, the Provincial Groundwater Monitoring Network (PGMN) and works collaboratively with provincial and federal ministries, and with universities, including the Great Lakes Institute for Environmental Research at the University of Windsor. As part of this program, the Authority produces a Watershed Report Card every five years.

While no new levy was required to support this program in 2023, this program will be included in the cost apportioning agreement but may not require significant levy on a consistent basis during the term of the agreement due to other available sources of funding and special water quality

projects. For that reason, it is included as range between \$NIL and \$23,000 in the funding envelope.

**John R. Park Museum and Fox Creek Conservation Centre operations & related programming**

JRPH Museum is Ontario's only living historical farm museum west of London, giving it significant regional importance. The Homestead is unique as it features the original early settler homestead in its original location, as well as a working blacksmith shop, livestock program, heritage orchard and kitchen garden, and pollinator garden to provide an authentic, living history experience. The Homestead has been recognized by Tourism Windsor- Essex-Pelee Island as the Best Museum/ Heritage Space in Windsor-Essex for the past four years and is identified as a destination driver for regional tourism.

Thousands of schoolchildren attend each year for experiential education programs, exploring the human and natural history of the Essex Region, including our connectedness to, and impacts on the local environment. The John R. Park Homestead, in collaboration with the Windsor-Essex Catholic School Board, has also introduced an Indigenous Innovation education program to help decolonize the site and provide a fulsome history of our region.

While there are restrictive operating covenants in place, that were accepted when the property was transferred in 2008, the Ministry of Environment, Conservation & Parks (MECP), has directed that only the activities such as those related to maintaining the land as a conservation area, may be classified as category 1 program or services, and could include, for example, preserving the wetland and providing public nature trails, boardwalks, beach, and picnic areas, to the extent that supervision of staff is not required. Museum/Visitor Centre operations and related programming fall under Category 3, non-mandatory programs and services, as relayed by MECP in their correspondence of June 15, 2022.

The Board of Directors continue to support the operations of the JRPH site in accordance with the restrictive covenants that are in place despite the need for significant levy funding and the programs and services associated with the museum and visitor's centre will be included in the cost apportioning agreement and is expected to consume approximately \$135,000.

**John R. Park Museum & Heritage Buildings Preservation**

Recently, the Authority commissioned an asset condition report which revealed the extent of the deterioration of the main house and ancillary buildings, with an estimated remediation cost exceeding \$1million. While it is hopeful that an active fundraising campaign can provide the funds to restore the site to an acceptable level that will prolong the life of the building(s), given the immediate and urgent need for repairs, the Board of Directors approved a re-direction of the customary land acquisition annual levy funding of \$500,000, to the maintenance and preservation reserve fund. Prior to the additional allocation, \$12,000 to \$15,000 was allocated annually for maintenance, specific to the historic buildings, however the new Fox Creek Conservation Centre will also require future repairs & maintenance.

This program of heritage building remediation and maintenance will be included in the cost apportioning agreement and is included as a range between ~\$52,000 and ~\$512,000 in the Category 3 funding envelope.

**Curriculum-based Outdoor Education**

There is a significant body of research-based evidence surrounding the value of outdoor learning experiences. There is also increasing demand within the education sector for programs and services that focus on environmental issues that are germane today. ERCA's Outdoor Education programs provide experiential and engaging environmental programs and services for kindergarten to grade 12 students and teachers, meeting the objectives of the provincial curriculum. While this program has historically required an average annual levy of approximately

\$30,000 to sustain it, significant fundraising through the Essex Region Conservation Foundation has eliminated the reliance on levy for approximately five years, starting in 2022.

The Outdoor Education program will be included in the cost apportioning agreement, however, may require levy supports during the latter years of the proposed term of the agreement, depending on fundraising success of the Essex Region Conservation Foundation. It is included as a range of \$NIL to ~\$14,000 in the funding envelope.

### **Outreach and Community Engagement**

Engaging community members in stewardship opportunities is integral to conservation success across the region. Providing hands-on opportunities for people to connect with nature and take action for the environment raises awareness regarding broader local environmental issues, including increasing natural areas coverage, protecting mature forests, mitigating risks of natural hazards, such as flooding, and impacts of climate change on this region.

There continues to be increased demand from community members for volunteer opportunities to take action for the environment, and ERCA is uniquely positioned to coordinate these opportunities across the region. These stewardship events result in cleaner watersheds and increased habitat, implemented with volunteer support, and are most cost-effective when offered collaboratively on a watershed basis.

This community outreach program has historically required annual levy of approximately \$48,000 however, the 2023 levy requirement was reduced by available grants and carry forward of funds.

Community engagement by the Authority is supported by the Board of Directors, will be included in the cost apportioning agreement, and is included as a range between \$34,000 and ~\$48,000 in the Category 3 funding envelope.

Based on the Board-approved suite of non-mandatory programs and services, the range for municipal levy supports is shown in Schedule B.



### Schedule B – Estimates of Cost Apportionment of Category 3 Programs

The estimated municipal costs associated with the Category 3 funding envelope outlined in Schedule A will be apportioned among the participating municipalities according to the Modified Current Value Assessment (MCVA), as outlined below. A range is included due to the shifting allocation within the funding envelope in recent budget cycles.

Appendix B- Cost Apportionment Estimates for Category 3 Non-Mandatory Programs & Services																				
Participating Municipality	Amherstburg		Essex		Kingsville		Lakeshore		Lasalle		Leamington		Pelee		Tecumseh		Windsor			
2023 MCVA	6.14%		4.86%		6.57%		9.88%		9.04%		6.34%		0.28%		8.16%		48.73%			
Estimate of Cost Apportionment (Levy) subject to agreement for Non-Mandatory programs and services	Avg Levy	2023	Avg Levy	2023	Avg Levy	2023	Avg Levy	2023	Avg Levy	2023	Avg Levy	2023	Avg Levy	2023	Avg Levy	2023	Avg Levy	2023	Total Avg Levy	Total 2023 Levy
Conservation Services																				
Land Acquisition	\$ 31,483	\$ 2,457	\$ 24,931	\$ 1,946	\$ 33,680	\$ 2,628	\$ 50,636	\$ 3,952	\$ 46,329	\$ 3,616	\$ 32,494	\$ 2,536	\$ 1,412	\$ 110	\$ 41,844	\$ 3,266	\$ 249,742	\$ 19,490	\$ 512,550	\$ 40,000
Tree planting/Wetland construction/Forest Mgmt. Plans	4,300	4,607	3,405	3,648	4,600	4,928	6,915	7,409	6,327	6,779	4,438	4,755	193	207	5,715	6,123	34,108	36,544	70,000	75,000
Holiday Beach Infrastructure Maintenance	614	-	486	-	657	-	988	-	904	-	634	-	28	-	816	-	4,873	-	10,000	-
Water Quality																				
Watershed Stewardship and Outreach (Rural & Agricultural)	2,185	4,484	1,730	3,551	2,337	4,797	3,514	7,212	3,215	6,598	2,255	4,628	98	201	2,904	5,960	17,330	35,570	35,567	73,000
Water Quality Program	1,396	-	1,106	-	1,494	-	2,246	-	2,054	-	1,441	-	63	-	1,856	-	11,075	-	22,730	-
Outreach, Engagement & Education																				
Curriculum-based outdoor education	847	-	670	-	906	-	1,362	-	1,246	-	874	-	38	-	1,125	-	6,716	-	13,783	-
Outreach/Community partnerships	2,974	2,098	2,355	1,661	3,181	2,244	4,783	3,374	4,376	3,087	3,069	2,165	133	94	3,953	2,788	23,591	16,640	48,417	34,150
John R Park Homestead Museum																				
JRPH Museum Operations	8,376	8,351	6,633	6,613	8,960	8,934	13,472	13,432	12,326	12,289	8,645	8,620	376	375	11,133	11,100	66,444	66,248	136,364	135,962
JRPH Museum & Heritage Buildings Preservation	3,215	31,633	2,546	25,050	3,439	33,841	5,170	50,878	4,730	46,550	3,318	32,649	144	1,419	4,272	42,044	25,500	250,936	52,333	515,000
Cost Apportionment low and high estimates in 2023\$	\$ 55,388	\$ 53,630	\$ 43,862	\$ 42,469	\$ 59,254	\$ 57,372	\$ 89,085	\$ 86,256	\$ 81,507	\$ 78,919	\$ 57,168	\$ 55,353	\$ 2,485	\$ 2,406	\$ 73,617	\$ 71,280	\$ 439,378	\$ 425,427	\$ 901,743	\$ 873,112

**The Corporation of the City of Cambridge**  
**Corporate Services Department**  
**Clerk's Division**  
**The City of Cambridge**  
**Tel: (519) 740-4680 ext. 4585**  
[mantond@cambridge.ca](mailto:mantond@cambridge.ca)

October 27, 2023

**Re: Support for Bill 21, Fixing Long-Term Care Amendment Act**

At its Council Meeting of October 24, 2023, the Council of the Corporation of the City of Cambridge passed the following Motion:

WHEREAS the care, support, and happiness of older adults in Cambridge is a priority for City Council;

WHEREAS older adults deserve dignity in care and should have the right to live with their partner as they age;

WHEREAS within the Province of Ontario couples do not have the right to be accommodated together when entering long term care facilities;

WHEREAS the separation of spouses upon entering long term care facilities is a common occurrence across Ontario;

WHEREAS Bill 21, Fixing Long-Term Care Amendment Act (Till death do us part) was first introduced in the provincial legislature in 2019 and was reintroduced in 2022;

WHEREAS Bill 21 amends the Residents' Bill of Rights set out in section 3 of Fixing Long-Term Care Act, 2021 by adding the right of residents not to be separated from their spouse upon admission and to have accommodation made available for both spouses so they may continue to live together;

WHEREAS Bill 21 passed its second reading in the provincial legislature on November 15, 2022 and was subsequently ordered referred to the Standing Committee on Social Policy and has since yet to be called to the Standing Committee;

WHEREAS the Conservative provincial Government may bring forward a new Bill that in principle supports the intent of Bill 21 to fix the Long-Term Care Amendment Act;

BE IT RESOLVED THAT the City of Cambridge supports any future Bill to fix the Long-Term Care Amendment Act;



AND THAT the City of Cambridge requests the provincial legislature enact any current and future proposed Bills to fix the Long-Term Care Amendment Act.

AND FURTHER THAT the City Clerk be directed to send a copy of this motion to the Region of Waterloo, Province of Ontario, The Honourable Premier of Ontario, The Right Honourable Provincial Members of Parliament, and all Ontario Municipalities.

Should you have any questions related to the approved resolution, please contact me.

Yours Truly,



Danielle Manton  
City Clerk

Cc: (via email)  
Hon. Premier Ford  
Hon. Provincial Members of Parliament  
Region of Waterloo  
Province of Ontario  
All Ontario Municipalities

October 30, 2023

The Honourable Doug Ford, Premier of Ontario  
Premier's Office, Room 281  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1

**Delivered by email**  
premier@ontario.ca

Dear Premier:

**Re: Town of Aurora Council Resolution of October 24, 2023**

**Motion 10.1 – Councillor Kim; Re: Cannabis Retail Applications for the Town of Aurora**

Please be advised that this matter was considered by Council at its meeting held on October 24, 2023, and in this regard, Council adopted the following resolution:

**Whereas in January 2019, Council voted in favour of retail Cannabis in the Town of Aurora; and**

**Whereas the Alcohol and Gaming Commission of Ontario (AGCO) is the legal body overseeing Cannabis Retail; and**

**Whereas the Town of Aurora with geography of 7 km x 7 km and population of 64,000 currently has 13 Cannabis retail stores and 1 authorized at the AGCO; and**

**Whereas the long-term vision of the Town's Official Plan supports active and healthy lifestyle choices to complement a complete community; and**

**Whereas many cannabis stores are within close proximity to schools and daycares which are inhabited by society's most vulnerable; and**

**Whereas the Province of Ontario Liquor Licence and Control Act, 2019 (LLCA) in its regulation already has a precedent by limiting the number of grocery stores licensed to sell beer, wine, and cider to 450 and is currently not accepting any more applications;**

- 1. Now Therefore Be It Hereby Resolved That the Town of Aurora requests that the Government of Ontario through its Alcohol and Gaming Commission of Ontario (AGCO) no longer accepts any further cannabis retail applications for the Town of Aurora; and**

- 2. Be It Further Resolved That the Town of Aurora requests that the Government of Ontario re-evaluate its “formula” on how many cannabis stores are permissible within the boundaries of a municipality, including but not limited to:**
  - a. Utilizing a cap or upper limit;**
  - b. Utilizing a population per capita formula;**
  - c. Utilizing a distance to the next cannabis retail store formula; and**
- 3. Be It Further Resolved That should the Government of Ontario revisit the retail Cannabis formula guiding the number of cannabis retail stores permissible in a municipality, that it would extend to all existing municipalities; and**
- 4. Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario; the Honourable Doug Downey, Attorney General of Ontario; Dawn Gallagher Murphy, MPP Newmarket—Aurora; and the Honourable Michael Parsa, MPP Aurora—Oak Ridges—Richmond Hill; and**
- 5. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.**

The above is for your consideration and any attention deemed necessary.

Yours sincerely,



Michael de Rond  
Town Clerk  
The Corporation of the Town of Aurora

MdR/lb

Attachment (Council meeting extract)

Copy: Hon. Doug Downey, Attorney General of Ontario  
Dawn Gallagher Murphy, MPP Newmarket—Aurora  
Hon. Michael Parsa, MPP Aurora—Oak Ridges—Richmond Hill  
Association of Municipalities of Ontario (AMO)  
All Ontario Municipalities



## 10. Motions

### 10.1 Councillor Kim; Re: Cannabis Retail Applications for the Town of Aurora

**Moved by** Councillor Kim

**Seconded by** Councillor Gilliland

Whereas in January 2019, Council voted in favour of retail Cannabis in the Town of Aurora; and

Whereas the Alcohol and Gaming Commission of Ontario (AGCO) is the legal body overseeing Cannabis Retail; and

Whereas the Town of Aurora with geography of 7 km x 7 km and population of 64,000 currently has 13 Cannabis retail stores and 1 authorized at the AGCO; and

Whereas the long-term vision of the Town's Official Plan supports active and healthy lifestyle choices to complement a complete community; and

Whereas many cannabis stores are within close proximity to schools and daycares which are inhabited by society's most vulnerable; and

Whereas the Province of Ontario Liquor Licence and Control Act, 2019 (LLCA) in its regulation already has a precedent by limiting the number of grocery stores licensed to sell beer, wine, and cider to 450 and is currently not accepting any more applications;

1. Now Therefore Be It Hereby Resolved That the Town of Aurora requests that the Government of Ontario through its Alcohol and Gaming Commission of Ontario (AGCO) no longer accepts any further cannabis retail applications for the Town of Aurora; and
2. Be It Further Resolved That the Town of Aurora requests that the Government of Ontario re-evaluate its "formula" on how many cannabis stores are permissible within the boundaries of a municipality, including but not limited to:
  - a. Utilizing a cap or upper limit;
  - b. Utilizing a population per capita formula;
  - c. Utilizing a distance to the next cannabis retail store formula; and

3. Be It Further Resolved That should the Government of Ontario revisit the retail Cannabis formula guiding the number of cannabis retail stores permissible in a municipality, that it would extend to all existing municipalities; and
4. Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario; the Honourable Doug Downey, Attorney General of Ontario; Dawn Gallagher Murphy, MPP Newmarket—Aurora; and the Honourable Michael Parsa, MPP Aurora—Oak Ridges—Richmond Hill; and
5. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Yeas (7): Mayor Mrakas, Councillor Weese, Councillor Gilliland, Councillor Gaertner, Councillor Thompson, Councillor Gallo, and Councillor Kim

**Carried**

# Notice of Public Information Centre #2

## Water and Wastewater Master Plan Update



The Municipality of Lakeshore is conducting an update to its Water and Wastewater Master Plan (WWMP). The update to the Water and Wastewater Master Plan will ensure proper planning and project guidelines towards the implementation of water and wastewater infrastructure improvements over the next 20 years. This WWMP Update will expand and revise the servicing plan that was adopted in 2018.

The study will be carried out as a Master Plan in accordance with Schedule B Approach #1 of the Municipal Engineers Association’s (MEA’s) Municipal Class Environmental Assessment (MCEA) Process (MEA 2000, as amended 2007, 2011, 2015, 2023), which is an approved process under the Ontario Environmental Assessment Act. Results from this study will be documented in a Master Plan Project File that will be made available for public review.

### Public Information Centre #2 – Event Details

Your feedback is an important part of the WWMP Update. Lakeshore recognizes that public consultation will be a key component of this project, including three Public Information Centre’s (PICs), newspaper advertisements, and postings online at **Lakeshore.ca/WWMP**.

The first PIC was held on June 28, 2023, and presented background information on the project, an overview of Lakeshore’s water and wastewater systems, future needs, and next steps. The display panels that were presented at the PIC #1 can be found on the project website listed above.

The second PIC will be held at **Lakeshore Town Hall in Council Chambers (upstairs), located at 419 Notre Dame St, Belle River, from 5:00 PM to 8:00 PM on November 22, 2023**. The event will present a summary of project constraints and opportunities, the decision-making process, criteria for identifying alternative solutions, and a preliminary list of identified project alternatives for wastewater treatment and conveyance. **The purpose of the PIC is to receive input and comments on the project from interested members of the public. An accessible version of the material will be available upon request.**

### For more information

You can provide your comments, request more information, or register for the project mailing list through the online form on the project website. If you have any additional questions, please contact us:

**Municipality of Lakeshore**  
Krystal Kalbol, P.Eng  
Corporate Leader, Operations  
519-728-2700  
[kkalbol@lakeshore.ca](mailto:kkalbol@lakeshore.ca)  
519-728-2700

**Jacobs**  
Jillian Schmitter, P. Eng  
Project Manager  
72 Victoria Street South, Suite 300  
Kitchener, ON N2G 4Y9  
[LakeshoreWWWMP@jacobs.com](mailto:LakeshoreWWWMP@jacobs.com)  
519-579-3500

Notice was first issued on **October 25, 2023, in the Lakeshore News.**

### Collection of Information

Personal information collected as part of the Water & Wastewater Master Plan Update process is collected in accordance with the Municipal Act, 2001 and the Environmental Assessment Act to enable the Municipality of Lakeshore to plan for its future water and wastewater infrastructure needs. Any personal information that you include in your feedback will be disclosed to the Province of Ontario. For more information regarding the collection of your personal information, please contact the Corporate Leader - Operations at the information above.

Comments and information that you provide to the Municipality in relation to the Water & Wastewater Master Plan will be included in documents disclosed to the public by the Municipality and by the Province of Ontario. Please take note that if you include personal information in your comments (for example, name, address, phone number, email), this information may be disclosed to the public. By submitting this information, you are consenting to this disclosure.

Re: Shawanoe Park Playground Equipment Reduction

To Town Council,

I would like to thank members of Council and Administration who took the time to speak with me regarding the reduced playground equipment in Shawanoe Park, especially Deputy Mayor Joe Bachetti and Ms. Beth Gignac. Your time and consideration are greatly appreciated.

Nearly six weeks have passed since this issue arose and I have consistently been in contact with members of Council and Administration seeking a solution to these issues having occurred without prior public notice or consultation. First the removal of the existing equipment, the second installing new equipment amounting to a fraction what existed.

I have attempted address this in a simple and straightforward manner and was relieved when early conversations showed clear acknowledgement of the reduction in services, and a desire to find solutions. This unfortunately changed during the Council meeting in October when the question brought forward to council was changed from how to solve to issue, sidestepping the problem. Further, subsequent phone messages went largely ignored, or the problem dismissed when calls were returned, and my request to address Council on the matter was rejected. As well, my requests for further information have been delayed though legal processes, and the Town has denied the information required to address the issue with the necessary facts. I am aware that one piece of equipment is on backorder and one toddler slide was ordered. I am also aware that despite requests as to the nature of the equipment, no information has been provided aside from the acknowledgment that they would be inadequate to restore the park.

Per my recent conversations, some members of council and administration have tried to cast these requests as unreasonable, and I would like to state them clearly. Myself and others in the community have a reasonable expectation that services provided by the Town be maintained. The playground equipment at Shawanoe Park needs to be restored to at least the scope and scale of what was removed. Second, this should be included for work early next year so that it will be available for the 2024 season.

Based on my interactions in recent weeks, I do not believe Council intends to restore the park. I would encourage each member to consider how they are affecting the youngest members of our community, and to use next council meeting to have an honest and forthright discussion of how to solve this issue and provide clear directives to Administration to address it immediately and report back to council publicly on its progress. Or conversely, to clearly state that removal of playground equipment is intentional and represents the values Council.

Given this negative experience, I would have to assume that further silence is approval and that Council intends to ignore the issue, delay further discussion, and hope it fades in the minds of residents.

In closing I will point out that acceptance of this on the part of the public is greater than that of a bumpy road or standing water. It is watching children unable to find a place to slide, swing or play, as they did. I know any parent would find intolerable, and further public engagement will be sought unless this is clearly addressed on November 14<sup>th</sup>.

Sincerely,

Adam Mourad



## The Corporation of the Town of Tecumseh

Community & Recreation Services

**To:** Mayor and Members of Council

**From:** Beth Gignac, Director Community & Recreation Services

**Date to Council:** November 14, 2023

**Report Number:** CRS-2023-20

**Subject:** Amend 2023 Municipal Buildings Capital Works Plan – Cada Library Renovation Project

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### Recommendations

It is recommended:

**That** the Cada Library Building Renovation capital project budget **be increased** by \$125,000 to fund the repairs as outlined in this report;

**And that** the requested amount of \$125,000 including non-refundable HST, **be authorized and funded** through the Infrastructure Reserve;

**And further that** previously approved funding in the amount of \$4,260,000 for planned Recreation projects as identified in CRS-2023-16 **be reduced** to \$4,010,000 to reflect funding reallocations of CRS-2023-19 and CRS-2023-20;

**And further moreover that** funding from the Infrastructure Reserve originally approved for \$2,500,000 of the \$4,260,000 for projects identified in CRS-2023-16 be reduced to \$2,250,000.

### Background

At the December 13, 2022 Regular Meeting of Council, funding was approved in the Municipal Buildings 2023 – 2027 Five (5) Year Capital Works Plan and as set out in



(RCM 266/22) Report [CRS-2022-19](#) for the renovation project of the Cada Library Building.

Moreover, at the June 27, 2023 Regular Meeting of Council, Council approved the recommendations (RCM 146/23) for the awarding of the project as set out in Report [CRS-2023-12](#) CADA Library Renovation Project – Tender Award.

As described in Report [CRS-2023-01](#) (RCM 30/23), the renovations of the CADA Library Building will improve the functionality of the overall space through renewed performance and accessibility upgrades while modernizing the interior.

## Comments

While renovations at the Cada Library Building are progressing, several deficiencies have been identified which were concealed by building materials and other elements. Hence, these issues were unknown during the design phase of the project and prior to the awarding of the construction contract.

The deficiencies are structural and are required to be completed to ensure safety and code compliance. The remediation work is a requirement rather than a consideration and will exceed the current construction contingency allocated for the project hence the request for additional funding.

The deficiencies have been categorized and are summarized as follows:

### 1. Exterior Concrete Masonry Bearing Wall Cracks

Summary of Findings: Following the removal of the gypsum wall cladding/furring for the installation of the new exterior windows and to facilitate the installation of new partition walls it was discovered that, in four (4) different locations, diagonal cracks were found in the concrete masonry unit (CMU) exterior bearing walls. The building is comprised of a structural steel framed roof system supported predominately by load bearing masonry walls and some steel columns. Diagonal cracking is indicative of unbalanced vertical and/or lateral loading, insufficient strength, and/or movement/shifting due to age of construction of the existing bearing wall.

Remediation: Following the discovery, both the Architect and the Structural Engineer, undertook a detailed review and analysis and determined that the existing wall could be maintained but that supplemental reinforcing steel be installed within the cavity of the CMU wall from floor to roof level to strengthen and stabilize the wall.

### 2. Interior Masonry Bearing and Non-Load Bearing Partition Walls

Summary of Findings: Following removal of existing gypsum wall furring on existing masonry walls, it was discovered that some original door and wall openings were simply covered over with steel stud partitions and masonry wall openings were not filled in with concrete blocks including some of which had unsupported masonry walls above the openings with no structural steel or masonry lintels. This is a major issue as there are many new wall openings in the original masonry walls and creates a significant safety issue from unsupported walls.

Remediation: Infill existing openings with concrete block and/or provide new structural lintels for these openings.

### **3. Electrical Safety Authority (ESA) Compliance Repairs**

Summary of Findings: Following removal of existing suspended acoustic ceiling systems, several electrical issues were discovered including electrical splices without junction boxes, incorrect wiring connections to HVAC Roof Top Units (RTU), unsecured electrical wiring and conduit that did not comply with ESA Electrical Code.

Remediation: Electrical contractor to repair all electrical issues to comply with ESA Electrical Code.

### **4. Subfloor Surface Inconsistencies**

Summary of Findings: Following the removal of the existing partition walls and tile floors required for the new layout, it was discovered that the concrete subfloor was in poor condition with many floors significantly sloped and at different elevations ranging from ¼" to nearly 1 ½" difference between various areas. This made it nearly impossible to install new floor finishes in a smooth and consistent manner to ensure pedestrian and walkability safety.

Remediation: A combination of grinding floor areas lower and the addition of self-leveling grout to raise/level areas will be required to adjust floor levels for a smooth and consistent floor level.

### **5. Replacement of ABS Drainage Piping**

Summary of Findings: Following removal of the existing suspended acoustic ceiling system, it was discovered that existing roof rainwater and sanitary venting piping was ABS which is combustible and not permitted by the Ontario Building Code (OBC) in ceiling space that are used for Return Air Plenums.

Remediation: Replace all ABS piping with XFR (non-combustible) piping.

The total value of the remediation is estimated at \$125,000.

The current project contingency amount has been used to address other unexpected matters that have surfaced during construction, and Administration recommends maintaining the balance separately from the major issues as presented in this report.

## Consultations

Financial Services

Archon Architects Incorporated

Haddad Morgan and Associates (HMA)

Vince Ferro Construction

## Financial Implications

Council approved a budget allocation of \$1,234,185 inclusive of non-refundable HST for the renovations to the Cada Library Building, funded through the Lifecycle Building Reserve (LC) and Infrastructure Reserve along with contributions from the Essex County Library as recommended in Report CRS-2023-12 (RCM 146/23).

The project budget allocation includes a contingency budget of \$70,000 and as described, some of this funding has already been applied towards other matters. Since construction is ongoing, safeguarding the balance of the contingency is imperative to support any further unforeseen circumstances for the remainder of the project.

This cost is proposed to be funded from the Infrastructure Reserve.

Furthermore, Administration recommends that the \$125,000 addition to this project be offset by an equal reduction to the cumulative approved budget of \$4,260,000 for Recreation projects previously approved for 2023, however deferred to a later time as yet to be determined as per [CRS-2023-16 CRS Five Year Capital Works Plan Update](#). And more specifically, that funding from the Infrastructure Reserve in support of deferred projects be reduced by \$125,000.

## Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input checked="" type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input checked="" type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

## 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:

Daniel Wolicki  
Manager Facilities & Energy Management

Reviewed by:

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

Reviewed by:

Beth Gignac, BA Hons  
Director Community & Recreation Services

Recommended by:

Margaret Misk-Evans, MCIP, RPP  
Chief Administrative Officer

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



## The Corporation of the Town of Tecumseh

Community & Recreation Services

**To:** Mayor and Members of Council

**From:** Beth Gignac, Director Community & Recreation Services

**Date to Council:** November 14, 2023

**Report Number:** CRS-2023-21

**Subject:** Lakewood Park South – Parking Lot Security

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### Recommendations

It is recommended:

**That** Report No. CRS-2023-21 entitled “Lakewood Park South – Parking Lot Security” **be received;**

**And that** operational and capital costing for Option 4 outlined in Report No. CRS-2023-21 for additional security controls for Lakewood Park North and South **be referred to** 2024 budget deliberations.

### Background

Records indicate that since 2020, there have been numerous incidents of public nuisance behaviours occurring in the parking lot at Lakewood Park South, primarily on weekends from mid-May to early October.

Over this time period, the Essex County – North Operations of the Ontario Provincial Police (OPP) report to Administration that Officers have attended the parking lot at Lakewood Park South in response to 78 reported occurrences involving trouble with youth, noise complaints (music from vehicles or otherwise), open alcohol, people on the roof of the Parks shed, vehicle nuisance, public urination, and other similar types of behaviours.

The Parks By-law 2017-13 states that all parks are closed from 10:00 p.m. – 6:00 a.m. daily however, enforcement has always been on the “honour system” since it is very difficult to monitor and enforce improper access at all 41 parks in the community.

## Comments

Since 2020, Administration met with both the OPP and residents in the area on multiple occasions and implemented several initiatives in an attempt to mitigate the situation. A summary of the initiatives can be found below:

### 2020

- Administration installed a fence between the Parks shed and the residential fences on the east side of the shed to prevent youth from gathering in that area
- Installed security cameras
- Ensured that the parking lot was illuminated to assist in improved visibility from Riverside Drive

### 2021/2022

- Ongoing monitoring by OPP through increased presence

### 2023

- Planting of “hostile” plant materials on Town property to prevent pedestrian ingress to the resident fences on the east side of the parking lot
- Installation of a divided cycling/pedestrian lane to prevent vehicles being able to park close to the resident fences on the east side of the parking lot
- Security contract with the Commissionaires to provide parking lot monitoring from May 25 – September 23 for a total of 18 weeks with 6.5 hour shifts (7:30pm – 2am) every Thursday to Sunday (72 shifts)

Unfortunately, these efforts have not reduced the number or types of occurrences. The OPP report that they were involved in 28 calls from the Commissionaires from May 22 – September 4, 2023 since the behaviour required the additional support from the OPP. This represents 39% of all security shifts where the volume of individuals and escalated behaviours created conditions which were unsafe to the Commissionaires. Furthermore, when individuals did leave the area, they either relocated to the parking area at Lakewood Park North or simply returned after a period.

In consultation with the OPP, Administration is providing the following options to address these nuisance incidents for Council's consideration going forward:

1. Continue to monitor the area via complaint calls and/or nuisance calls to the OPP by residents;
2. Continue to request the OPP to patrol the area on an ad hoc/as possible basis during peak hours of concern 10:00 p.m. – 2:00 a.m. on weekends, in particular between June – September;
3. Install security cameras and permanent motion sensor lighting on the lighting stands in the parking lot and on the Parks shed;
4. Install permanent parking barrier arm system at the ingress/egress at both Lakewood Park South and Lakewood Park North with timed closure from 10pm – 7am, per Parks By-Law 2017-56 and, install security cameras on the lighting stands in the parking lots and on the Parks shed.

For Option #4, further consultations will be required with Chartwell St. Clair Beach Retirement Residence due to the agreement for their staff and visitors to use the parking lot at Lakewood Park South to ensure accommodations are incorporated in the plan to support their ongoing use of that area.

Administration recommends that Council consider implementation of Option #4 as the most viable option for both operational effectiveness and financial sustainability.

## Consultations

Chief Administrative Officer  
Essex County – North Operations of the Ontario Provincial Police

## Financial Implications

Mitigation efforts since 2020 have totaled \$26,090 from Parks Lifecycle Reserve or annual Operating Budgets:

\$2,000	Fence at eastern side of the Parks shed
\$2,850	Parking lot bollards/line painting for pedestrian/cycling lane
\$21, 240	Commissionaires security (72 shifts) May 25 – September 22, 2023

Administration recommends that Council consider Option #4 and that current cost estimates are provided for the 2024 Capital Budget deliberations.



## Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input checked="" type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

## 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:

Beth Gignac, BA Hons  
Director Community & Recreation 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

Public Works & Engineering Services

**To:** Mayor and Members of Council

**From:** Phil Bartnik, Director Public Works & Engineering Services

**Date to Council:** November 14, 2023

**Report Number:** PWES-2023-71

**Subject:** County Road 46 Municipal Class Environmental Assessment  
8th and 9th Concession Roads (Hwy 401 to County Road 46)  
Award of Engineering Consulting Services

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### Recommendations

It is recommended:

**That** subject to County Council awarding the County Road 46 Municipal Class Environmental Assessment (CR46 Class EA) to BT Engineering Inc. on November 15, 2023, that BT Engineering Inc. **be retained** for the Engineering Consulting Services for the CR46 Class EA, specific to the Town of Tecumseh's scope of the study being the 8<sup>th</sup> and 9<sup>th</sup> Concession Roads between Highway 401 and County Road 46, in the amount of \$66,720 excluding HST;

**And that** By-Law 2023-108 **be considered** for first, second, third and final reading, to authorize the Mayor and Clerk to execute an agreement, satisfactory in form to the Town's solicitor, with BT Engineering Inc at the November 28, 2023, Regular Council Meeting.

### Background

The County of Essex (County) previously notified Town Administration of their intention to proceed with a Municipal Class Environmental Assessment for County Road 46 from the City of Windsor Limits to County Road 19.

To ensure integration between the County Road 46 Class EA and the Sandwich South Master Servicing Plan currently being undertaken by the City of Windsor (North of Highway 401), Town Administration, in the 2023-2027 PWES Capital Works Plan, recommended partnering with the County on their County Road 46 Class EA to expand the scope to include the 8<sup>th</sup> and 9<sup>th</sup> Concession Roads (from Highway 401 to County Road 46).

At the January 26, 2023 Regular Meeting of Council, Council approved the project and the allocation of funding for the County Road 46 Class EA from the Road Lifecycle Reserve as detailed in report [PWES-2023-01](#) titled “2023-2027 Public Works & Engineering Services Five-year Capital Works Plan” (Motion: SCM-04/23).

## Comments

The Class EA will follow the Municipal Class Environmental Assessment process and will look at the sections of right-of-way within the study area, as shown in Attachment 1, in reference to transportation planning. This includes investigating items such as stormwater management, traffic analysis, servicing, road capacity/demand, road safety, and environmental impacts.

The five phases of the Class EA process include: identifying problems or opportunities; identifying alternative solutions; evaluating alternative solutions; drafting a preliminary design, environmental study report, and property protection plan; and the completion of these plans.

Following the investigation, stakeholder engagement, and planning, the Class EA will include a finalized plan which encompasses a preliminary design including stormwater management, property impacts and cost estimates through the project area.

## Procurement through the County of Essex

A Request for Proposal (RFP) was posted on the County’s Bids and Tenders account on August 1, 2023. Proposals were received up to and including September 26, 2023, at which time the County received one (1) sole submission.

The RFP submission was received and reviewed by County of Essex Administration in accordance with their purchasing policy. The County’s evaluation committee determined that the bid was acceptable and notified BT Engineering Inc. of their intention to award the contract.

At the upcoming November 15, 2023, Regular Meeting of the County Council, County Administration will recommend that Council approve the award of a contract to BT

Engineering Inc. for the Class EA of County Road 46. It is important to note that this agreement does not provide authorization for Tecumseh's portion of the Class EA.

## Consultations

Financial Services  
County of Essex

## Financial Implications

As stated in the Background section of this report, Council approved the allocation of project funds of \$70,000 as detailed under report [PWES-2023-01](#). The total project costs for the County Road 46 Class EA are \$376,157 (excluding HST) and will be cost shared between the County of Essex and the Town of Tecumseh as summarized in the table below:

Municipality	Amount (excluding HST)
County of Essex	\$309,437
Town of Tecumseh	\$66,720
<b>Total Project Costs</b>	<b>\$376,157</b>

The Town's portion for the 8<sup>th</sup> and 9<sup>th</sup> Concession Roads of the Class EA is approximately \$66,720 excluding HST and is below the budgeted amount for the engineering consulting services of \$70,000.

## Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input checked="" type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

## 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:

Cameron Hedges, P.Eng.  
Engineering Project Manager

Reviewed by:

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

Reviewed by:

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

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Study Area





# Town of Tecumseh Mapping





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

## **By-Law Number 2023 - 095**

Being a by-law to provide for the repair and improvements to the Shuttleworth Drain

**Whereas** the Council of The Corporation of the Town of Tecumseh (hereafter “Town”) has been requested to provide for the repair and improvement of the Shuttleworth Drain;

**And Whereas** the Town procured a Drainage Report for the Shuttleworth Drain and specifications from the consulting engineering firm of Rood Engineering Inc, dated August 21, 2023 (hereafter “Drainage Report”);

**And Whereas** notice of a Public Meeting to hear comments from the affected property owners was given on Tuesday, August 22, 2023;

**And Whereas** a Public Meeting of Council was held on Tuesday, September 12, 2023, at 6:00 pm to hear from any affected property owners on the Drainage Report;

**And Whereas** the Council of The Corporation of the Town of Tecumseh is of the opinion that the repair and improvement of the Shuttleworth Drain is desirable.

**Now Therefore the Council of The Corporation of The Town of Tecumseh Enacts as follows:**

1. **That** the Drainage Report providing for the repair and improvement of the Shuttleworth Drain, dated August 21, 2023, as prepared by the consulting engineering firm Rood Engineering Inc and attached hereto as Schedule “A” to this by-law, is hereby adopted and the drainage works as therein indicated and set forth is hereby approved and shall be completed in accordance therewith.
2. **That** the Treasurer, subject to the approval of Council, may agree with any bank or person for temporary advances of money to meet the costs of construction pending the completion of the drain and grants and computed payments are received.
3. **That** the Town may issue debentures for the amount borrowed and the amount of such debentures shall be reduced to the total amount of:
  - a) Grants received under Section 85 of the said Act;
  - b) Commuted payments made in respect of land and roads assessed.

4. **That** such debentures shall be made payable within five (5) years from the date of the debenture and shall bear interest at a rate as approved by resolution of Council.
5. **That** the specifications and General Specifications as established are adopted as set out in the Drainage Report which forms part of this by-law.
6. **That** the Mayor and Clerk are authorized to cause a contract for the construction of the works to be made and entered into with some person or persons, firm or corporations, subject to the approval of the Council to be declared by resolution.
7. **That** this by-law shall come into force upon and after the final passing thereof.

**Read** a first and second time this 12th day of September, 2023.

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Gary McNamara, Mayor

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Robert Auger, Clerk

**Read** a third and final time this Choose an item. day of Choose an item., 2023.

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Gary McNamara, Mayor

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Robert Auger, Clerk

## Unfinished Regular Council Business

No.	Meeting Date	Resolution	Subject	Action/Direction	Depart.	Status/Action Taken
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.	DS	To be addressed in the new Comprehensive Zoning By-law: Workshop with Council May 23, followed by preparing first draft of By-law for review with Council in Q4
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.	DS	To be addressed in the new Comprehensive Zoning By-law: Workshop with Council May 23, followed by preparing first draft of By-law for review with Council in Q4
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.	DS	To be addressed in the new Comprehensive Zoning By-law: Workshop with Council May 23, followed by preparing first draft of By-law for review with Council in Q4. Co-ordination with Clerks Dept regarding associated licencing options under the Municipal Act.
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.	DS	To be addressed in the new Comprehensive Zoning By-law: Workshop with Council May 23, followed by preparing first draft of By-law for review with Council in Q4. Co-ordination with Clerks Dept regarding associated regulatory options under Municipal Act.
05/23	October 10, 2023	RCM 280/23	Town Hall Cenotaph Inscription for Afghanistan War	Administration to consult with the Local Legion branches 261 and 594, and review costing for an inscription on the Town Hall Cenotaph to honour the Canadian Armed forces in the Afghanistan War. Costing to be determined during the 2024 Budget deliberations	CRS	In progress

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

## **By-Law Number 2023-109**

Being a by-law to confirm the proceedings of the November 14, 2023  
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 meeting 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, inclusive of documents and transactions approved and/or entered into during the November 14, 2023, 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 November 14, 2023, 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 give effect to the action(s) 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 14th day of November, 2023.

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Gary McNamara, Mayor

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Robert Auger, Clerk