

Minutes of a Special Meeting of  
The Council of the Corporation of the Town of Tecumseh

Tecumseh Council meets in special session on Monday, June 4, 2019 in the Council Chambers, 917 Lesperance Road, Tecumseh, Ontario at 6:00 pm.

**1. Call to Order**

The Mayor calls the meeting to order at 6:00 pm.

**2. Roll Call**

Present:

Mayor

Gary McNamara

Deputy Mayor

Joe Bachetti

Councillor

Andrew Dowie

Councillor

Brian Houston

Councillor

Rick Tonial

Absent:

Councillor

Bill Altenhof

Councillor

Tania Jobin

Also Present:

Chief Administrative Officer

Margaret Misek-Evans

Director Public Works & Environmental Services

Phil Bartnik

Director Planning & Building Services

Brian Hillman

Director Financial Services & Treasurer

Tom Kitsos

Director Fire Services & Fire Chief

Doug Pitre

Deputy Clerk & Manager Legislative Services

Jennifer Alexander

Deputy Fire Chief

Chad Mactier

Financial Analyst

Zora Visekruna

**3. Disclosure of Pecuniary Interest**

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

**4. Introduction and Purpose of Meeting**

The purpose of this meeting is to provide Council with an educational workshop on municipal development charges and an update on the Town's 2019 Development Charges Background Study.

**5. Delegations**

Director Building & Planning Services advises the Members that this Background Study on development charges (Study) is required under the *Development Charges Act*. Gratitude is extended to the Staff for their hard work and collaboration with providing information for the completion of the study.

**a. Gary Scandlan, Watson and Associates Economists Ltd.**

Re: 2019 Development Charges Background Study for the Town of Tecumseh

Mr. Gary Scandlan presents to the Members a PowerPoint Presentation on Development Charges. He explains the history of development charges from the mid 1950's to present day, and the amendments of the *Development Charges Act*.

Mr. Scandlan explains the various measures used to calculate development charges. Once the Town's Study is complete, the calculations are provided to the Financial Services Department to assist in

determining funding resources for future municipal projects. Included in the Study is the Town's housing forecast, which is optimistic and similar to the County of Essex.

Councillor Rick Tonial arrives at the meeting at 6:22 pm.

In response to an inquiry, Mr. Scandlan explains that once the Study is released to the public, adjustments to the report can be made. The Public Meeting is scheduled for July 9, 2019 and the final bylaw will be considered in August for adoption.

Deputy Mayor Joe Bachetti leaves the meeting at 6:31 pm

Stormwater management is discussed and the Chief Administrative Officer inquires what mechanisms are available to the Town to motivate and ensure the developer is moving forward with their development project. Mr. Scandlan comments that what motivates developers is spending money or having their own funds invested such as sunk costs. He acknowledges that this is a problem.

Discussion ensues over other mechanisms for funding stormwater management facilities. Once installed these facilities have not been regularly maintained and now there is a financial burden on municipalities to get them up to standard. A question is raised on how municipalities can fund the construction and maintain these facilities.

Mr. Scandlan comments that there are provisions in the *Municipal Act* which allows a municipality to impose capital charges on the land. However, if a municipality is able to use the *Development Charges Act*, then the Town cannot use this provision in the *Municipal Act*. He notes that if the Town deems stormwater management as a local service and the developer's responsibility, the Town cannot include this service in the development charge. If the Town uses the *Municipal Act*, the developer cannot appeal it. The only issue with this mechanism is determining who is funding the construction of the stormwater facility and how is the charge being processed once collected or how the original funding is repaid.

Mr. Scandlan notes that the *Development Charges Act* can be used to assist with stormwater management by shifting calculations from charging per unit to per acre, which would remove the problem of deductions. The Town does not want to be in a position where municipal funds are given to developers for their services.

The Chief Administrative Officer agrees and the problem with municipalities giving money for their services is that the developer has no "skin in the game", in which case, there is no incentive for them to move forward with the development. The municipality has improved the land and that's not the objective.

Mr. Scandlan states that if the Town wants to motivate the developer then the Town should use the *Municipal Act*, build the services and charge them. The Town would have to issue debt and charge the developer annually or in installments and this may be an inducement.

A question is raised if the *Municipal Act* can be used for ongoing maintenance and cleaning up our stormwater facilities. Mr. Scandlan states that there is a section in the *Municipal Act* that imposes water, wastewater and sewer rates and there may be a way to use it.

The Director Planning & Building Services discusses the Manning Road Secondary Area Plan and issues surrounding storms.

A Member comments that there is an opportunity to have a strategic discussion for the Manning Road Secondary Area Plan and the Tecumseh Hamlet Area as well.

The Director Planning & Building indicates that the report from this Study brought forward are changes that affect all development. The Town does not currently have a storm component in the development charges. When the by-law is passed in August, it will have no impact on the issues that are surrounding the Manning Road Secondary Area Plan.

Development Charge Exemptions in the By-law are discussed. Mr. Scandlan explains that the top exemptions to motivate development are bonafide farms, places of worship, affordable housing, downtown cores and industrial or manufacturing.

**6. Communications**

**a. Watson and Associates Economists Limited Letter dated May 29, 2019**

Re: Bill 108 - Potential Changes to the Development Charges Act

Mr. Scandlan discusses the proposed Bill 108 amendments.

**Motion: SCM- 11/19**

Moved By                   Councillor Andrew Dowie  
Seconded By               Councillor Brian Houston

**That** Communications - For Information A as listed on the Tuesday, June 4, 2019 Special Council Meeting Agenda are received.

Carried

**7. Reports**

There are no reports presented to Council.

**8. Adjournment**

**Motion: SCM- 12/19**

Moved By                   Councillor Rick Tonial  
Seconded By               Councillor Brian Houston

**That** there being no further business, the Tuesday, June 4, 2019 meeting of the Special Council Meeting now adjourn at 7:11 pm.

Carried

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Gary McNamara, Mayor

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Jennifer Alexander, Deputy Clerk