

APPENDIX B



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Mayor and Members of Council

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: December 10, 2019

Report Number: CS-2019-45

Subject: Servicing of Monroe Island – 454 Brighton Road, Lakeshore

Recommendations

It is recommended:

That CS-2019-45 regarding servicing of Monroe Island – 454 Brighton Road, Lakeshore **be received;**

And that Administration **be authorized** to negotiate the terms of an Agreement, between the Town of Lakeshore and the owner of 454 Brighton Road for road access and municipal services by way of the owner's lands located at 440 Brighton Road, in the Town of Tecumseh;

And further that terms of negotiation for an Agreement **be predicated** as outlined in CS-2019-45;

And furthermore that once an Agreement has been negotiated, that it **be presented** to Council for consideration and adoption by by-law;

And furthermore over that subject to a request from the Town of Lakeshore, the Town of Tecumseh cooperate to undertake a boundary adjustment to bring Monroe Island into the Town of Tecumseh.

Background

The Town of Lakeshore has received a request from the property owner of 454 Brighton Road to build a single detached dwelling on the property. The property, historically known as Monroe Island, is located in the Pike Creek, immediately south of Old Tecumseh Road and

east of Brighton Road in the Town of Lakeshore (Lakeshore), and borders the Town of Tecumseh (Tecumseh).

Additionally, the property owner also has a Tecumseh address of 440 Brighton Road by virtue of a strip of land owned on the west side of the Creek.

A map of the subject property and 440 Brighton Road is attached as [Appendix 1](#).

Over the course of 2019, Administration for Lakeshore approached Tecumseh Administration to assist with the servicing of Monroe Island to facilitate development. A meeting was convened between the CAOs and Mayors of the respective municipalities to discuss options for accommodating the proposed development. Two primary options were identified: 1) entering into an agreement for Tecumseh to service the subject property, or 2) modifying the municipal boundary so that the subject property is in Tecumseh.

Both options were reviewed with the Ministry of Municipal Affairs and Housing which had no objection to either arrangement. The first option would be faster and, given that the property owner is ready to develop, this option was more favourable in the short term. Accordingly, the Town of Lakeshore made the request to Tecumseh earlier this fall attached as [Appendix 2](#).

For a longer term solution, it is anticipated that a request will be forthcoming to undertake a boundary adjustment to bring Monroe Island into Tecumseh. This would be the best solution over the long term as the property would effectively be getting all of its municipal services from the Town of Tecumseh once it is developed.

Comments

According to Lakeshore, the subject property is currently zoned RW 1, Residential Waterfront - Watercourse and permits a single detached dwelling, with access on a public road and connections to full municipal services, including sanitary and water services.

There is no current road or driveway access to the subject property and it is not connected to full municipal services.

Given the location of the subject property in the Pike Creek, a bridge would be required for driveway access to Brighton Road. Additionally, servicing connections for sanitary and water services would be required to cross through the Creek.

Lakeshore has acknowledged that Lakeshore and Tecumseh would need to agree on certain "terms and conditions" under which road access could be permitted and municipal services provided from Tecumseh by way of an agreement. Municipal services will include sanitary and water services, fire, police, garbage pick-up, and all other municipal services.

The following are the recommended provisions, in general, of an agreement to be entered into, between the Parties, of which would include the property owner, Lakeshore and Tecumseh, in order to confirm the services to be provided by Tecumseh and all related terms and conditions, as well as fees and service costs to be recovered by Tecumseh.

1. The services provided by Tecumseh include the following:
 - a. Sanitary sewage;
 - b. Potable water;
 - c. Access/driveway to Brighton Road;
 - d. Fire;
 - e. Police;
 - f. Garbage pickup and yard waste; and
 - g. Other - deemed municipal services.
2. The property owner being responsible for filing for permits, where necessary (i.e.: items 1a, 1b and 1c) and payment of all applicable fees to Tecumseh.
3. All Planning and Building approvals and the processing of related permits, including inspections, being the sole responsibility of Lakeshore.
4. As 454 Brighton Road is an address in Lakeshore, Lakeshore will change it to be consistent/same as the Tecumseh municipal address - 440 Brighton Road - to ensure proper dispatch of emergency services, including ambulance services provided by the County of Essex.
5. Lakeshore will make an annual payment to Tecumseh in the amount equal to the Tecumseh residential tax rate applied to the assessed value of the subject property for payment of the services provided by Tecumseh.
6. Tecumseh will be paid its 2019 Development Charge of \$17,472 (or the applicable amount that is in effect at the time of the building permit being issued by Lakeshore) by either Lakeshore or the property owner.
7. All legal and other costs that may be incurred by Tecumseh will be recovered from either Lakeshore or the property owner.
8. The Agreement be binding on the property owner's heirs, successors, assigns, etc. and registered on the property's title in the Land Registry Office for the County of Essex.

Consultations

Financial Services
Planning & Building Services
Public Works & Environmental Services

Financial Implications

The cost for providing municipal services, as described above, would be recovered from a payment made annually to Tecumseh equivalent to the Tecumseh residential property tax rate applied to the assessed value of the subject property.

A payment in the amount of the Tecumseh Development Charge in effect at the time of the issuance of a building permit by Lakeshore (being \$17,472 in 2019) would also be made, consistent with any new single unit dwelling residential development in the Town.

The owner would be required to pay all applicable permit fees for storm, sanitary and water service connections.

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

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input checked="" type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

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Director Corporate Services & Clerk

Reviewed by:

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

Reviewed by:

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

Reviewed by:

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

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Aerial Map of 440 and 445 Brighton Road (Monroe Island)
2	Letter from Town of Lakeshore