

Cobourg Council Meeting Dec 19, 2022

Delegations

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A concerned Cobourg Resident

## BRL 1 Background

Property Type	2023 Stormwater Rate per Hectare (ha)	2022 Stormwater Rate per Hectare (ha)	Increase %	Runoff
Commercial	\$1,809.44	\$250.20	723.2	
Institutional	\$1,507.87	\$208.50	723.2	
Industrial	\$1,608.39	\$222.90	721.6	
Agricultural/vacant	\$402.10	\$55.60	723.2	
Residential (low density)	\$904.72	\$125.10	723.2	
Residential (medium density)	\$1,206.29	\$166.80	723.2	
Residential (high density)	\$1,507.87	\$208.50	723.2	

Typical residential lot is .2 acres = .08 ha

Per the 2023 rates, the SW fee for a low-density residential lot would be \$72.62

Staff claim the charge per property tax would be \$150.

At the recent Cow, Dir Wills, in response to Mayor Cleveland's question, indicated that property taxes would not be reduced by taking storm water costs out of the levy.

This contradicts the statement in the Public Works staff Report 119-22 pg. 5:

"The average residential homeowner would pay \$150 per year in their property taxes toward stormwater without the new dedicated stormwater charge in place. The stormwater charge would reduce the cost to that homeowner by nearly 50% (\$76 versus \$150) by applying a more equitable assessment."

## BRL 1 Storm water revenue & cost reporting and Council oversight

At the recent CoW, Dir Wills indicated that there would be no SW cost reporting made. This is a problem on a number of levels

This is required to:

- enable Council oversight
- provide transparency (listed as one of the objectives by staff)
- staff responsibility and accountability

1 The storm water department be designated a Town Business unit, to operate on a self-sufficient basis

2 The storm water dept (business unit) remains in the Town's annual budget for review by Council, just the same as other business units (marina, VPC, CCC, Concert Hall) for example

3 The storm water department reports to Council semi-annually in 2023 and quarterly in 2024 and thereafter. The report is to include the state of the department in general, projects in hand, upcoming and completed.

4 Further the report must include:  
a statement of revenue & expense (accrual and cash methods).  
a statement or reserves and reserve transactions

5 The report is due 25 days after the quarter's end.

BRL 2 SW fees related to rental/lease properties and Paid in Lieu

Staff assurance that SW fees will be billed and collected from:

- Property tax Paid in Lieu property owners such as:
- the LCBO, Brookside, OPP, NHH
- schools (exemption noted in BL 048-2022. Why? Do they not pay water & sewer?)
- Commercial/industrial leased properties such as:
- the "mall", strip plazas,
- Condos
- 100 or so MPAC listed properties without sizes
- Town owned business units such as the marina, VPC, CCC, Northam, V13

By-law 48-2022 provides for splitting of the SW fee in the case of Condos, strip malls etc. by dividing the fee by the number of units, a point raised by Clr Burchat.

This ignores the entity legal structure of the Town, the property owners and their tenants.

Further, the Town's property tax relationship with a property owner may not include a water/sewer services relationship as Dir Wills mentioned.

The property owner may be contractually barred from passing the SW fee on to its tenants.

The same condition exists for residential apartments.

The Town needs to review this, consult with the affected parties and find a workable billing solution that is consistent and respects the entities' (Town, property owner, unit owner, tenant) legal and contractual relationships.

### BRL 3 Storm water Ditch & Culvert Areas

1 All properties in "ditch & driveway culvert" areas (Pebble Beach, Abbott to Fitzhugh Lane, NE area from Brook Rd N & King St E) for example, receive minimal to no service or benefit and should be deemed to be the average residential lot size of .08ha and charged at the lowest SW rate: vacant/agricultural.

## BRL 4 Storm water User Fee Appeals

1 The Storm water user fee bylaw 48-2022 Appendix A provides an appeal process that is limited in that the Town Treasurer (or delegate) is the final arbiter.

2 Council should be the Town's final appeals arbiter, not staff. WSBC set a president for appealing a Town user fee to council.

3 There is also no mention of "going to court".

4 The Town's user fee appeal process should be uniform for all user fees.