



**Date:** November 20, 2023  
**To:** Committee Members  
**Author:** Margaret Schroeder  
**RE:** 2024 Fees and Charges  
**Report No.:** FS-2023-16

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## COMMITTEE OF THE WHOLE

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### RECOMMENDED ACTION

That the Committee of the Whole **RECOMMENDS** to Council that the attached 2024 Fees and Charges report be approved.

### BACKGROUND

In accordance with section 391 of the Municipal Act, 2001 (the "Act"), the municipality is authorized to pass by-laws imposing fees or charges on persons:

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
- (c) for the use of its property including property under its control

Each year, Administration reviews the fees charged for various services and activities to ensure they remain appropriate.

### DISCUSSION

The proposed changes to the existing Fees and Charges, By-law 6-2023, are outlined in the attachments to this report. Any changes to the wording of the by-law, fee amounts or fee descriptions have been highlighted. Details on the more significant amendments are discussed below:

## **Animal Control**

Administration is proposing to eliminate the requirement to obtain an annual dog license and replacing it with a “lifetime” dog license. Administration is proposing this change to ease the burden of the annual licensing process for both owners and staff. The lifetime dog license will remain with the dog and owner, without being transferrable to a new owner or dog. A new “lifetime” license will be required for each dog or if ownership changes. Administration is recommending a significant penalty if a dog is found to be unlicensed.

## **Parks and Recreation Services**

### **Facility Rentals - Non-Profit /Charity Rates**

The current Fees and Charges By-law includes Schedule D, which lists a number of community groups and individuals which are eligible for reduced or no fees at various Municipal facilities.

In the past, both Council and Administration have expressed concerns regarding the fairness of this approach as some groups receive special benefits that others do not.

At the October 10, 2023 Regular Meeting of Council, Council approved a number of changes to the Community Grant Fund (“CGF”) Policy. One of the approved changes was the elimination of ‘Fee Waiver’ requests through the CGF Policy. Administration recommended this change in the anticipation of introducing reduced facility rental rates for Non-Profit, Instructional or Charity Organizations/Events (i.e. ‘Non-Profit Rates’).

The proposed ‘Non-Profit Rates’ are significantly lower than the standard rates. In developing these fees, Administration considered the cost of providing the service (i.e. cleaning) while recognizing the limited financial resources of most local non-profit / charity groups.

For purpose of the Fees and Charges by-law, ‘Non-Profit Rates’ would apply to

- i. Registered Charities in good standing with CRA (Canadian Revenue Agency);
- ii. An organization or group operating for the purpose of poverty relief, social welfare, civic improvements, or to provide recreational or cultural opportunities to the general public;
- iii. Instructional programs or services

In conjunction with the new ‘Non-Profit Rates’, Administration is recommending the removal of Schedule D (effective January 1, 2024). Those organizations listed on the current Schedule D will be directed to the Non-Profit rates provided in Schedule A of the Fees & Charges By-Law.

For Marina Boat Ramp users that have historically received free use of the ramp, Administration is recommending to provide these individuals with a free annual ramp pass upon presentation of their identification at Town Hall. These free annual passes are for the life of the name individual only and not transferable.

## **Planning Services**

As part of a strategy to reduce the cost of Planning Services on the general tax levy, Administration is proposing two new fees related to Subdivision Development:

- 1) Development Agreement (Subdivision)** - Currently, there is one fee for a development agreement, whether it be for a single residential home or for a subdivision or larger development. The proposed fee reflects the additional administrative work and review required to complete a Development Agreement for a subdivision.
- 2) Subsequent Phases of Existing Plans of Subdivision** - Subdivisions are developed in phases, in some cases up to 10 years, with each phase requiring full review and approvals since legislation and regulation may change. The proposed fee recognizes the administrative work involved required to ensure subsequent phases of development remain consistent with the original plan of subdivision, and compliant with current legislation and policy.

### **Request to Extend Approved Draft Plan of Subdivision/Condominium**

Administration is recommending the introduction of this new fee as a request to extend the plan of a subdivision or condominium that requires internal review, assessment of infrastructure, servicing, status of development, etc. and report to Council which does include administrative costs.

### **Planning Act Application Deferral (Applicant Request)**

On occasion, applicants defer or withdraw a planning application after the application has been posted for review. The notice required to cancel or defer an application is no different than notice of decision (i.e. advertising, circulating to neighbours within a defined radius, etc.). This fee then covers the administrative cost of the work performed.

## **Building and By-Law Fees**

The Building Department is amending a number of their fees to keep pace with inflationary and other cost pressures.

### **By-Law Non-Voluntary Compliance After Deadline Administrative Fee**

Administration is recommending a new fee for non-voluntary compliance after a deadline to comply. The fee is for situations when there is an order issued and the violations are not remediated in the compliance timeframe. This fee is for the administrative costs of the by-law department hiring a contractor to resolve the issue.

Administration is proposing this rate because the time and effort for a by-law officer and office support to coordinate the remediation (example: a yard clean-up) should not be endured by the rate payer. There are no fees for property owners that comply within the established timeframes.

### **By-Law On-Site Supervision Fee**

Administration is recommending a new fee for the cost of staff to supervise an on-site compliance of an order. For example, during the clean-up of a residential yard, the Town of Kingsville staff may need to be present to supervise the contractor in performing the work. This staff time takes away from performing other by-law duties and the costs should not be endured by the rate payer.

## **Water Sewer Services**

### **Water Flow Control Valve Program – Initial Inspection**

Subsection 6.2.9 iii) of Kingsville's Zoning By-Law requires hydroponic greenhouse facilities greater than 7,430 square meters to install Water Flow Control Systems to ensure they are taking water from the Kingsville distribution system below a preapproved flow rate. These systems control the filling rate of onsite water reservoirs and function to provide full and fair utilization of available water capacity by this industry.

Administration is recommending the introduction of this new fee to recover the staffing cost required to inspect these devices to ensure they were installed according to the site plan and functioning as designed by the engineer.

### **Water Flow Control Valve Program – Re-Inspection**

Administration is recommending the introduction of this new fee to recover the staffing cost required if a re-inspection is required.

## FINANCIAL CONSIDERATIONS

With the exception of Building and Water Department revenue, any revenue generated from user fees will reduce the amount of revenue required from general taxation, and therefore reduce pressure on the property tax rate.

## CONSULTATIONS

All departments were consulted for input on revisions to the Town's Fees and Charges By-laws.

Notice that this by-law being considered by Council has been given to the public pursuant to the Town's Notice Policy and the proposed amendments were available for viewing on the Town website.

PREPARED BY:



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Margaret Schroeder, CPA, CGA  
Manager of Financial Services

REVIEWED BY:



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Ryan McLeod, CPA, CA  
Director of Finance and Corporate Services