



Date: November 25, 2024
To: Mayor and Council
Author: Margaret Schroeder, Manager of Finance
RE: 2025 Fees and Charges By-law

RECOMMENDED ACTION

That Council **APPROVE** the proposed 2025 Fees and Charges;

And that the corresponding By-law 89-2024, being a By-law to impose Fees and Charges by The Corporation of the Town of Kingsville **BE ADOPTED** during the By-law stage of this Council Agenda.

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 66-2023 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:

Administrative Services

Administration is recommending the introduction of a new fee to recover the cost of the time required to prepare a financing agreement at a property owner's request. Under Section D.7 of the Delegation of Authority By-law 54-2022, the Treasurer has the

authority to authorize a delay in payment for monies owed to the Municipality, local boards, commissions and corporations. In many cases, this requires administration to negotiate and draft a unique financing agreement based on the specific factors involved.

Municipal Clerk Services

The by-law has been updated to include the Short-Term Rental license fees approved by Council on November 4, 2024.

Short-Term Rental (“STR”) means the provision of a dwelling unit which is used for temporary lodging for a rental period not greater than twenty-eight (28) consecutive days or less in exchange for payment and includes a bed and breakfast, hotel, motel, and inn, but does not include short-term accommodations where there is no payment.

Fire Services

The by-law has been updated to include the Short-Term Rental Fire license fees approved by Council on November 4, 2024.

The proposed fees are based on the number of occupants within the property and is also reflective of the size of the property, and the number of bedrooms requiring inspection to ensure the property meets Ontario Fire Code guidelines.

Engineering Services

Administration is recommending the introduction of new fees to cover the cost of engineering reviews for Site Plan and Plan of Subdivision planning applications. The Planning and Development Department spends significant time either reviewing these applications internally or coordinating third-party review to confirm these applications are compliant with the Town’s Development Manual, relevant legislation, industry standards, etc. The addition of these fees will help ensure “growth pays for growth”.

Drainage

Administration is recommending the introduction of new fees for the Drainage Department. These new fees are comparable to neighbouring municipalities and are recommended to account for staff time spent reviewing and responding to such requests related to municipal drains. The majority of these services are development related and/or benefit specific property owners.

Developer or Severance Requests initiated for Drainage Reports under Section 78, 78(5) or Section 4

A development project may require a Section 4 or Section 78 under the Drainage Act which is to build a new access, new legal outlet or drain relocation. This requirement

requires the Drainage Superintendent to review the specifications and ensure it is compliant.

Requests for Section 65 Reports under the Drainage Act

Section 65 of the Drainage Act requires the Municipality to review all change of use applications, revisions to apportionments, etc. All reviews are performed and approved by the Drainage Superintendent.

Tile Inspector Fee

This fee is applicable when landowners apply for a tile loan. Staff spend significant time conducting the required review, which includes attending the property.

Mutual Drain Agreement review and Drainage Apportionment Agreement

Mutual Drain and Drainage Apportionment Agreements are typically required as part of lot creations.

Administrative Fees for Drainage

Administration is recommending this fee to cover the cost of providing basic administrative services for apportioning drainage costs.

Planning Services

Administration is recommending new fees in the Planning services department, along with recommended increases to current fees. Administration reviews and adjusts proposed fees to align with neighbouring municipalities. Similar to other municipalities, Kingsville Administration recognizes that 'one size fits all' does not always apply and is proposing the introduction of a new approach to fees based on 'minor' or 'major' works as described below. This recognizes that more complex projects generally require additional studies and reports, and take more time and staff capacity to review and coordinate than smaller applications which are less comprehensive to review. Proposed language is intended to make it clear what constitutes a 'minor' or 'major' application for developers and administration.

The introduction of these fees will generate more revenue for the Town of Kingsville and therefore, will reduce the cost of Planning and Development Services on the general tax levy.

Committee of Adjustment Fees

- **Minor Variance – (Standard and Complex)** - Administration is recommending the introduction of a new fee for 'complex' minor variances which require multiple

supporting documents or studies. This would also apply, similarly, to applications where a complex minor variance may be combined with a consent (i.e. lot creation).

- **Consent – Change of Conditions** – A new fee proposed to cover costs associated with an applicant requesting changes of conditions, which require recirculating an application and hosting an additional public meeting.

Official Plan Amendment (Minor and Major)

Administration is recommending splitting the current fee into two fees:

- A Minor Official Plan Amendment is considered to be a small-scale exception to the Official Plan and is a change to a specific policy that is limited in scope and typically limited to one property.
- A Major Official Plan Amendment is a re-designation or change in land use for a property or properties or requires many changes to the policies and schedules of the Official Plan or any application that due to the broader policy implications of the Municipality would require the need to provide, review or manage studies.

The determination of Minor and Major will be performed by the Director of Planning and Development and Manager of Planning based on the proposed works.

Zoning By-law Amendments (Minor and Major)

Administration is recommending splitting of the current fee into Minor and Major fee which is delineated based on if the amendment has an impact to abutting lands :

- A Minor Zoning By-law Amendment would apply to a small-scale amendment having no impact to abutting lands. This would include changes within current zone category, including site-specific re-zoning, etc,
- A Major Zoning By-law Amendment would be more significant in scope, which may have greater impact beyond the subject lands. For example, an application may involve multiple properties which would review of technical support documents or studies (ex. Environmental, impact assessment, transportation studies, compatibility studies, etc.).

The determination of Minor and Major will be performed by the Manager of Planning and Director of Planning and Development based on the proposed works.

Revisions to Approved Plan of Condominium/Plan of Subdivision (Minor and Major)

Administration is recommending splitting the current fee into two fees:

- A Minor revision is considered to be a small-scale amendments to zoning regulations (for example, front/side yard setback, lot coverage) but conform with approved technical support studies (for example, stormwater management, Functional Services, etc),
- A Major revision would include changes that require review of technical support documents or studies (for example, environmental impact assessment, stormwater management, compatibility studies, etc).

The determination of Minor and Major will be performed by the Director of Planning and Development and Manager of Planning based on the proposed works.

Site Plan Agreement and Site Plan Agreement Amendment (Minor and Major)

Administration is recommending splitting the current fee into two fees:

- A Minor Site Plan Agreement or Amendment would include requests on sites less than 2 acres (0.8 hectares) that require limited technical review, limited technical reports,
- A Major Site Plan Agreement would apply to sites larger than 2 acres (0.8 hectares) which require comprehensive review of changes to on-site service, drainage, stormwater, or parking where technical review of studies is required. A Major Site Plan Agreement Amendment is where amendments require significant changes involving amendments to technical reports.

The determination of Minor and Major will be performed by the Director of Planning and Development or delegate based on the proposed works.

Notice of Minor Site Plan Amendment

Administration is recommending the introduction of a new fee to account for staff time to review and prepare minor amendments to an approved Site Plan where proposed works conform with the overall plan and do not represent significant change as determined by the Director of Planning and Development and the Manager of Planning.

Other Services

- **Building Permit Zoning Review Fee** – Planning Staff review every building permit issued for conformity with the Official Plan. This typically takes up 1 – 1.5 days per week on average to review. Administration is recommending the introduction of a new fee to cover staff time associated with completing these tasks. The fee is able to be collected as part of the Building Permit.
- **Pre-Consultation Fee (OP, Zoning, Subdivision/Condo, Site Plan)** – Administration is recommending the introduction of a new fee to cover staff time associated with coordinating and reviewing an application for which pre-consultation

has already been completed, but the applicant has substantially changed the project. This also encourages applicants to be clearer on what they are proposing to do.

- **Administrative Review of External/Third Party Reviews** – On occasion, a developer is required to complete an external review as part of their planning application (e.g. Environmental Impact Assessment). Costs associated with the review are fully the responsibility of the applicant, though it does require administrative staff time to coordinate and review the report(s) and any report recommendations. The proposed fee is related to the staff time associated with that review.

Building Services

The Building Department is amending the majority of their current fees to keep pace with inflationary and other cost pressures. All fees have been compared against neighbouring municipalities to ensure the proposed rates remain competitive. Administration is recommending a 5 – 10 % increase on most current fees.

Water Sewer Services

Meter Transponder Replacement due to Damage

Administration is recommending the introduction of a new fee to cover the cost of the meter transponder if it was damaged, removed or lost. The fee is set to recover the cost of the transponder.

Missed Appointment Fee

Administration is recommending the introduction of a new fee to be used when a scheduled appointment that was agreed to by the owner was missed. The fee is set to cover the cost of staff physically going to the property and then not being able to complete their investigation or task assigned because access was not provided due to the owner not attending the appointment.

FINANCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

None.

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.

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