

COMMITTEE OF THE WHOLE (WORKING SESSION) - NOVEMBER 26, 2002

FEES AND CHARGES

Recommendation

The Director of Legal Services and the Solicitor/Special Services, recommends that a comprehensive and consolidated by-law be brought back and enacted by Council prior to December 31st, 2002, which sets out the City Departments' fees and charges for providing City information, City services and facilities, the use of municipal property and all other authorized costs.

Purpose

This report reviews the City's user fees and charges in accordance with the consideration of the 2003 Operating Budget and in light of the new *Municipal Act, 2001* coming into force on January 1st, 2003.

Background - Analysis and Options

The fees and charges provisions are contained in Part XII of the new *Municipal Act, 2001* which comes into effect on January 1, 2003. A new regulation made by the Minister of Municipal Affairs and Housing (O.Reg. 244/02) related to fees and charges has also been made. As with the current Act, Part XII of the new Act does not permit the municipality to impose fees or charges for the processing of applications made in planning matters (these continue to fall under the *Planning Act* authority for the establishment of a tariff of fees for the processing of planning applications) or to obtain revenue to pay capital costs where development charges by-laws or front-ending agreements provide for the payment of those costs (these continue to fall under the *Development Charges Act* and the City's Development Charges By-law).

By-laws authorizing fees and charges can be enacted for:

1. services and activities provided or done by the municipality;
2. costs payable by the municipality for services or activities provided or done by or on behalf of another municipality;
3. the use of the municipality's property;
4. capital costs payable by the municipality for sewage and water services or activities which will be provided or done by or on behalf of it after the fees are imposed.

At present, City of Vaughan By-law 143-99, contains a schedule of fees for providing information, photocopies of City publications, permits for miscellaneous non-planning applications, etc. By-law 321-99 sets out the fees for the processing of planning applications, which is governed by the *Planning Act*. Individual departments have also had by-laws enacted over time authorizing fees for specific services. For example, the Building Department includes fees for applications for sign permits in By-law 203-92, as amended. Three Fire and Rescue Service by-laws include fees for specific services, being By-law Numbers 147-99, 148-99 and 149-99, as amended.

Section 392 of the new Act also requires that the municipality maintain a list for public inspection setting out all services, activities or facilities, as well as the use of public properties, which are subject to the payment of fees as of January 1, 2003. The public list requirement for licence fees and charges has been postponed until January 1, 2006. The public list requirement related to fees and charges for the provision of services, activities or facilities and the use of public properties has not been postponed. Consequently, it would be prudent to amend the fees and

charges by-law at this time to ensure it is clear what services, activities and facilities and the use of what properties are subject to fees and charges. A consolidated and comprehensive fees and charges by-law further will facilitate compliance with the public list requirement.

Commissioners, the Executive Director and Directors were requested in the consideration of the 2003 Operating Budget to review all existing user fees and charges and to suggest any areas where new or increased fees or charges would be appropriate. Attached is a summary of the proposed new user fees and/or increases to existing user fees provided by the Finance staff (Attachment 1). Background reports on the proposed new fees or increases to existing fees have been in preparation by the relevant City departments. These reports will proceed as a separate report to a Budget Sub-committee, for the Sub-committee to review and recommend approval of any new fees or increases in existing user fees. Any additional recommendations arising from the discussions at Budget Sub-committee related to the recommendation in this report can be included in a further report to the Committee of the Whole.

Conclusion

In light of the new *Municipal Act, 2001* which will come into force on January 1st, 2003 and the requirements related to fees and charges in the Act and regulations, along with the recent budget discussions, staff suggest that all appropriate existing, new or increased fees and charges be included in a comprehensive and consolidated Fees and Charges By-law, with the exception of fees related to the processing of planning applications which will continue in a separate by-law.

The proposed fees and charges by-law will contain a separate schedule setting out the fees and charges of each City Department.

As with the notice procedures by-law, the consolidated fees and charges by-law will be brought back for enactment by Council prior to the 31st day of December, 2002.

Attachments

Attachment 1 – City of Vaughan 2003 Operating Budget – New User Fees and/or Existing User Fee Increases

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Respectfully submitted,

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**CITY OF VAUGHAN
2003 OPERATING BUDGET
NEW USER FEES AND/OR EXISTING USER FEE INCREASES**

REVISED #1

ATTACHMENT #1

Department	Current Fee	New Fee	Increase	2003 Impact	
Projects Tax					
Preparatory Work - at point of mailing final letter prior to registration	\$0	\$100	\$100	↑	
Search Fees: Copy, Search, Property Search, Executions, etc.	\$0	at cost			
Preparation of Forms, Notices, etc. (from point of registration)	7	\$200			
Making of Notices	7	at cost			
Cancellation Certificates	\$200	at cost			
Advertising	7	at cost + 10%			
Tender Packages	7	\$80	\$80		
Auctioning / Tendering - Preparation for Sale	7	at cost + 10%			
Legal Services					
Development Charge Deferral	\$0	\$500	\$500	↑	
Franchising Agreements	\$0	\$500	\$500		
Encroachments Agreements	\$0	\$500	\$500	↑	
Sever Agreements	\$0	\$500	\$500		
Committee of Adjustment Agreements	\$0	\$500	\$500	↓	
Miscellaneous Agreements	\$0	\$500	\$500		
Download / Lease Preparation	\$0	\$500	\$500	\$2,500	
Real Estate - registration of various documents	7	7	7	\$10,000	
Legal - By Law					
Witness Investigation Fees and Fence Height Exemptions	\$0	\$100	\$100	\$3,000	
Sign Variance Requests	\$0	\$100	\$100	\$10,000	
Private Property charge for Service - Parking	\$0	7	7	\$25,000	
Private Municipal Law Enforcement Training	\$0	7	7	\$2,000	
Fire and Rescue Services As per By Law 147-99					
Attending the scene of a motor vehicle accident					
Initial hour of on-scene operations	\$200	\$200	\$0	↑	
Each additional half hour	\$400	\$440	\$40		
Required use of Special Personnel:					
Firefighting apparatus (per hour or part thereof)	\$200	\$200	\$0		
Hazardous Materials Response Unit (per hour or part thereof)	\$150	\$155	\$5		
Water Tanker (per hour or part thereof)	\$150	\$155	\$5		
Police, Mechanical, Investigation Support Units (per hour or part thereof)	\$75	\$80.50	\$7.50		
Additional Firefighters/Support Staff	staff hourly pay + O/T premium if necessary	staff hourly pay + O/T premium if necessary			

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**CITY OF VAUGHAN
2003 OPERATING BUDGET
NEW USER FEES AND/OR EXISTING USER FEE INCREASES**

Department	Current Fee	New Fee	Increase	2003 Impact
Risk and Rescue Services				
As per By-Law 140-99				
Request for Standard Fire or Investigation Report.	\$75	\$85	\$10	
Request for file search and letter for information.	\$75	\$85	\$10	
Request for Inspection of Premises or Buildings:				
1. Single Occupancy up to 2,000 m ²	\$100	\$100	\$0	
Single Occupancy over 2,000 m ² , additional fee	staff hourly pay + O/T premium if necessary + expenses	staff hourly pay + O/T premium if necessary + expenses		
2. Multiple Occupancy up to 2,000 m ² plus, for each tenant space (m ²)	\$100 \$20	\$100 \$20	\$0 \$0	\$92,000
Multiple Occupancy over 2,000 m ² , additional fee	staff hourly pay + O/T premium if necessary + expenses	staff hourly pay + O/T premium if necessary + expenses		
3. Multi-story building - base building up to 3 stories Over 3 stories, additional fee	\$100 staff hourly pay + O/T premium if necessary + expenses	\$110 staff hourly pay + O/T premium if necessary + expenses	\$10	
Request for Inspection for LI90 Licence.	\$100	\$100	\$0	
Request for Inspection of Day Care Center/Day Nursery.	\$110	\$110	\$0	
Request for Inspection of Private Home Day Care.	\$60	\$60	\$0	
Request for Inspection for Trade Shows/Special Events/Functions.	\$150	\$150	\$0	
As per By-Law 152-99				
Fire Permit to set a fire or allow a fire to burn on property owned or leased. (small fire not exceeding 1m in any dimension)	\$25	\$25	\$0	
Fire Permit to set a fire to allow a fire to burn on property owned or leased. (large fire or any size)	\$600	\$600	\$0	
Engineering Services				
Road Occupancy Permit Fee. (This fee is dependent upon the approval of the Utility Coordinator complement)	\$1	\$99	\$98	\$72,800
Municipal Consent Fee. (This fee is dependent upon the approval of the Utility Coordinator complement)	\$1	\$280	\$279	\$26,400
Fee to complete and extend the new Road Occupancy Agreement	\$0	\$1,200	\$1,200	\$20,000
Fee if a developer phrases their assumption request from what was originally in the executed agreement.	\$0	\$2,500	\$2,500	\$12,500
Tire and Material Charge for any subsequent vehicular testing on the same written of watermain for any new Subdivision or Development Servicing Agreement.	\$0	\$5,000	\$5,000	\$100,000
Community Planning				
Official Plan Amendment Application Fees.	\$1,000	\$2,300	\$1,300	\$65,000
Zoning Amendment Application Fees.	\$750	\$1,500	\$750	\$20,500
Site Plan Application Fees.	\$600	\$1,000	\$400	\$15,000

CITY OF VAUGHAN
2003 OPERATING BUDGET
NEW USER FEES AND/OR EXISTING USER FEE INCREASES

Department	Current Fee	New Fee	Increase	2003 Impact
Waste Management				
Waste User Fee (excess over 2 bags per household @ \$1.00 per bag)	\$1	\$1	\$1	\$280,000
Civil				
Fence Height Exemption Application Fee	\$1	\$100	\$100	\$0,000
Wine By-Law Exemption Application Fee	\$1	\$99	\$98	\$1,000
Property Standards Order Appeal Fee	\$1	\$100	\$100	\$600
TOTAL USERS INCLUDED IN BASE BUDGET ENVELOPE				<u>\$281,600</u>