



September 7, 2022 Regular Council Meeting

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Addition to the Consent Agenda Item 6.1.5 Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the September 7, 2022 Council agenda items.

Responses Appreciated Prior to Meeting

6.17 Environmental Registry of Ontario Re Emissions Performance Standards (EPS) program regulatory amendments for the 2023-2030 period
- does staff have any comments that they wish Council to support?

Council heard a presentation from Karen Chisholme, Climate Change and Sustainability Manager, in 2021 regarding the County Climate Change Mitigation Plan. Staff recommend that the County be asked to consider the proposed amendments to the Emissions Performance Standards (EPS).

9.2.1 Report FIN 2022-029 – 2023 Proposed User Fees and Charges

-p. 106 Third Party Recovery; why not use a percentage which is typical?

Based on a quick scan of other municipalities, the majority utilize a flat fee administration fee rather than a percentage. It is recommended that the administration fee of \$100 remain in place similar to previous years. The administration fee of \$100 is for the estimated costs associated with the following Township staff tasks associated with third party cost recovery:

- *Responsible department reviewing the necessary materials.*
- *Responsible department determining the actuals costs to be invoiced.*
- *Responsible department submitting an invoice requisition to finance.*
- *Finance staff creating an invoice, mailing the invoice, and processing payments for the invoice.*

-p. 107 Third Party Cost Recovery – Fire and Rescue Services; why not use a percentage?



See above

-p. 109 Building Reserve – what is the anticipated contribution to reserve in 2022?

It is too early to provide an accurate estimate as not all the actuals are in the system, it appears that there will be a surplus in the building department in 2022 based on the actuals in the system as of July 31, 2022. A very rough estimate is a contribution of approximately \$150K based on the current revenues and expenditures. The December 31, 2021 closing balance in this reserve was \$602K.

-p. 110 Reproduction of Digital Drawings; does \$5 recover our costs?

Yes a \$5.00 per page cost was developed in order to recover the Township staff time and large format scanner lease costs. It is also in line with other municipalities and the Township's current external print company.

-p. 111 Zoning By-law – Copy; is the copy loose leaf or bound? Is there a high demand and if so why not print outside and charge costs plus admin fee? What would be the cost to print at \$.30?

The last time this fee was charged was in 2013 for one copy of the Zoning By-law at that time. It would likely be a loose leaf copy. The cost using at \$0.30/page is \$48.90

-p.112 Bill 109 Implications agree with charging applicant consultant costs; again why not charge a percent for admin.

The administrative fee recommended is based on Township staff's estimate of the costs associated with processing these applications (ie. staff time, advertising, and mailing costs). Based on a quick scan of other municipalities, the majority utilize a flat fee administration fee rather than a percentage. Staff is unclear from the questions as to how a percentage would be calculated. What is the percentage based on? Is it based on the full cost of the third party review? If so, staff won't know the full costs associated with peer review until the application has been fully processed. The idea is to collect the admin fee at the time of submitting the application.



- p.112 Zoning By-law Amendment; the current fee is \$15k and proposed is \$2.5k; will County costs be covered by “Consultant costs”? If not who will? How are staff review costs covered?

Yes the County costs will be recovered as third party disbursement and consultant costs through regular invoicing by finance staff. Township staff time is included in the administration fee of \$2,500.

-p.112 Site Plan Application; the current fee is around is either \$11k or \$22k and the proposed is \$1,500; will County costs be covered by “consultant costs”? If not who will? How are staff review costs covered?

Yes the County costs will be recovered as third party disbursement and consultant costs through regular invoicing by finance staff. Township staff time is included in the administration fee of \$1,500.

-p.114 Reinspection Fee; how does reinspection work ie request by owner or spot inspection?

A typical enforcement file starts with a site visit to verify the complaint. No fee is charged for this first site visit to either the complainant or the property owner. The enforcement officer will visit the site usually a day or so after the date for compliance has passed. If the violation is still occurring, the officer can then charge the re-inspection fee. If the property owner calls to request a site visit to demonstrate compliance and it is verified by the officer that compliance has been met, then no fee is charged. Staff would need clarification about what is meant by “spot inspection” to provide a response.

-p.117 Electronic Sign Advertising; what is the criteria for eligibility to use

Section 8.3 of the Advertisement, Communication and Media Relations Policy indicates:

8.3.1 The Township’s Outdoor Marquee Sign is available to promote community leisure programs, events and activities. It is also available to promote Township committees including Council advisory committees and external committees as approved by Council. All requests are subject to staff approval in accordance with Township policies and By-laws and compatibility with character limits and maximum display limits of the sign.



8.3.2 An Applicant hosting a community activity, program, or event at a Township facility is given first priority.

8.3.3 Outdoor Marquee advertising is available for a minimum period of one-week (Monday to Sunday).

The new application fees, should be they be broken down in the fee schedule? In the sense apply monetary numbers that would be dedicated to paying the third party. As it's written is still appears as we are collecting a larger fee and may have to refund it if we don't make the time lines laid out in bill 109

The way it is written in the proposed by-law is as follows, similar to past practise and similar to other fees which are subject to third party:

TYPE OF REVENUE/USER	Unit/Descr	2022 RATE (NO TAX)	2023 RATE (NO TAX)	13% HST	RATE INCL HST	% CHANGE
Zoning By-Law Amendment *	Administration fee	N/A	\$2,500.00	\$0.00	\$2,500.00	100.0%
Site Plan Application *	Administration fee	N/A	\$1,500.00	\$0.00	\$1,500.00	100.0%
Pre-Consultation Fee - Mandatory *	Administration fee	\$637.00	\$686.00	\$0.00	\$686.00	7.7%

There is an asterisk with each of these administration fees. The schedule indicates “ the fees denoted with an asterisk are also subject to the Township's disbursements and third party consultant fees incurred for the processing of the application.”*

The proposed by-law also includes Clause 9 which indicates:

If peer or legal review costs are incurred by the Township in the processing of an application or approval by the Township, the applicant is required to pay these costs to the Township. The following are the applications or approvals subject to peer or legal review costs:



- a. Agreements – Major, Minor, Registered
- b. Lifting of Holding Designation (Zoning)
- c. Plan of Subdivision or Condominium Agreement or Pre-Servicing Agreement
- d. Pre-Consultation Fee - Mandatory
- e. Site Alteration
- f. Zoning By-Law Amendment – Aggregate
- g. Zoning By-law Amendment
- h. Site Plan Application

Township staff do not recommend applying monetary fees in the proposed by-law for third party costs given the costs can vary from one application to another and given these are consultant costs and not Township costs. Separating and keeping third party disbursement and consultant costs distinct from the Township's administration fees will lessen the likelihood that the Township will face a challenge if it refuses to refund this portion that is purely charged for third party expenses. This is in line with the legal opinion the Township has received.

On Line Service Fee:

The proposal is to adopt a single fee of 1.75% which means that the fee collected changes with the amount being charged.

However all of the comparators listed in the report are shown to have a fixed flat fee ranging from \$1.00 in Cambridge to \$2.55 in Guelph per transaction.

As a result the online service fee in Puslinch to pay a \$1,000 bill would be \$17.50 compared to \$2.55 for the same size bill in Guelph.

Is this the desired effect?

The fee in Guelph of \$2.55 and Milton of \$2.00 per transaction is for parking tickets. These are usually small dollar transactions. It is recommended that the percentage apply of 1.75% for the desired effect of cost recovery given the Township allows credit card payments for high dollar transactions as well (ie. development charges, cash in lieu, facility rentals, permit fees, etc.). The Township pays these fees to the Township's payment processor on a percentage of the transaction value as well.

Re-Inspection Fee:



It is recommended that a fee be established of \$75 for each subsequent time the By-law Enforcement, Property Standards, and Licensing Officer attends the site to inspect and compliance has not been achieved. This fee would not be applicable on first inspections.

Is a first inspection the first inspection after a complaint has been filed or is it the first inspection after a deadline within a compliance order has been passed or is it the first inspection after the resident or owner has indicated to staff that they are now in compliance?

If a situation requires the Official to make more than one inspection to determine compliance in response to a complaint, will the land owner being inspected be required to pay this fee for each time the officer attends the site to better understand the situation?

No, the fee is intended to be charged on site inspections that occurring after the compliance deadline has passed and only if the violation is still occurring.

Rink Board Advertising:

This spring all not for profit community groups that had a rink board advertisement at the ORC were informed that it would cost \$418.39 to renew the rental of their advertisement space or the Township would remove the advertisement.

A follow up email was sent to at least one of these groups to correct the previous email to indicate that their cost would only be \$41.84 including HST since their 90% rental subsidy would also apply to the rental of space on the hockey boards.

This raises a few questions:

1. Does the format of the various Schedules of the bylaw need to be improved to ensure that the appropriate information is sent to our local community groups in the future?

Yes, a 75% and 90% reduced rate has been added to the schedules in the proposed by-law (Schedule H: Parks and Schedule I: Optimist Recreation Centre).

2. Was a correction sent to all not for profit community groups with rink board advertising prior to the deadline?

Yes a correction was sent to the two impacted community groups.

3. Was any rink board advertising removed this year for a not for profit community group?



Yes – three signs were removed as the organizations chose not to renew their advertisement – Core Electric, CIBC, and the Aberfoyle Farmers' Market

9.2.2 Report FIN 2022-028 – Delegation of Authority for Property Tax Adjustments

-who appoints the ARB and who are members?

The link below provides further information on this:

<https://tribunalsontario.ca/en/members/>

9.4.1 BLD-2022-004 – Proposal for Vehicle Purchase

-when you factor in the operating costs associated with each vehicle over the life which vehicle is the better deal?

Purchasing the vehicle upfront is a better deal for the township when you factor in the 10 year life expectancy (5 years in Building and 5 years in By-law). The operational costs are the same over the first 5 years for purchased vs. leased vehicle. In the case of a leased vehicle, it will have additional costs after the five years (continued monthly fee (~\$800), plus wear and tear fee at trade-in), whereas the purchased vehicle will only have maintenance costs after the five-year period.

The operational cost difference in the latter years is where costs start to divert and favour the outright purchase option, see the following examples:

- **Lease Vehicle:** Year 6-10 (new lease starts @ \$800 monthly) = 60 months x \$800 = **\$48,000** (assumes no maintenance for new vehicle)
- **Purchase vehicle:** Year 6-10 (Budgeted \$500 per year) = 5 years x \$500 = **\$2500**

-why aren't the total vehicle costs being paid out of the Building Dept. reserve?

Typically, when a Township vehicle is replaced, the trade in value of the old vehicle funds the cost of the replacement vehicle purchase. In this case, the old vehicle is being transferred to another internal Township department for non-building permit activities and not being sold to an external party. Therefore, the trade in value of the old vehicle needs to be accounted for and that is why it is recommended that \$17,988 of the total



cost of the \$36,000 be funded by the Asset Management Discretionary Reserve and not the Building Surplus Reserve. This is in accordance with the Building Code Act. The Building Surplus Reserve should not be funding non-building permit activities.

-what is the projected Building Dept. surplus for 2022?

It is too early to provide an accurate estimate as not all the actuals are in the system, it appears that there will be a surplus in the building department in 2022 based on the actuals in the system as of July 31, 2022. A very rough estimate is a contribution of approximately \$150K based on the current revenues and expenditures. The December 31, 2021 closing balance in this reserve was \$602K.

-how was the split between Building Dept. reserve and Asset Management derived?

See answer above (\$17,988 is the trade in value of the old vehicle that is being transferred to the By-law department based on Kelley Blue Book Official Guide).

-is leasing an option whereby costs can be allocated across all inspection charges?

Leasing is an option, but overall will cost more year over year (see answer above). The building reserves are at healthy balance and are there to cover the costs of the building department's operational and capital costs.

Why is the proposed building truck funding coming from a building reserve not the building department operating surplus reserve?

There is only one reserve in the building department which is the building surplus reserve. This reserve funds both building department operating surpluses/deficits and capital projects.

Should we be looking at the hybrid Hyundai to save cost on fuel?

We did look at Hybrids to save operational costs, but the more fuel efficient vehicles are in high demand and the waiting list for purchasing a hybrid is long (1-2 years depending on the manufacturer). Since the need for the vehicle is immediate, the consideration for



hybrid is not likely an option unless a hybrid vehicle is sitting on a car lot ready to be purchased.