

To: Mayor and Members of Council

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C.C.: Tim Commisso, Joan Ford, Allan Magi, Brynn Nheiley

Date: December 8, 2022

Re: 2023 Rates and Fees Report F-24-22-1

Follow-up questions

At the Corporate Services, Strategy Risk and Accountability Committee meeting on Monday December 5, additional information with respect to the 2023 Rates and Fees (Report F-24-22) was requested by members of council. This memo provides a consolidated response to these questions.

Item: Rationale for increases

Question: Please provide a rationale for all new fees. What is the impact to user groups and what is the overall expected impact of these new fees?

Response: **Recreation, Community, and Culture (Page 18-39)**. In Recreation, Community, and Culture there are 3 proposed new fees for 2023, all related to eventing and outdoor spaces:

- Neighborhood Park Event
- Destination Park Event
- Elgin Street Promenade

Prior to the introduction of these rates, there was no fee specifically for events in parks and organizers were charged either standard hourly or day rates for park use along with the fee for any adjacent spaces needing to be blocked, e.g., sport fields.

The Neighbourhood Park Event Rate provides a consistent fee for booking events across all neighbourhood parks, and results in users paying either the same or less than previous years as this rate includes any adjacent space needed. For example, the Orchard Park picnic paid \$780 for their one-day rental in 2022; under the proposal for 2023, they will pay \$400 for the full park (Orchard Park is two zones).

The Elgin Street Promenade is similar; no fee for this space exists and previously the rate for Civic Square was used for bookings. This fee corrects that, and results in a reduction in cost for renters using the space.

The Destination Park Rate only applies to Spencer Smith Park. Rational for this change includes:

- differentiates the fees paid for this premier, waterfront park and smaller ones
- encourages events to disperse throughout the city
- relieves ecological pressure on Spencer Smith Park which is at capacity
- accounts for hydro and water hook ups at this location

For event organizers who use Spencer Smith Park, the costs of their booking will increase from \$765 for the entire park to a new total of \$1,500.

Users were engaged at the recent Festival and Events Organizer Conference and follow-up communications were sent regarding the change. Staff met with some not able to attend the conference to provide details and answer questions. Overall, feedback was positive with groups appreciative of the increased transparency and decrease in costs for neighbourhood park events; some groups who rely on Spencer Smith Park expressed concern. The proposed park event fees would not take effect until October 2023.

Given the amendment to the rates and fees to remove the new park fees outlined on page 20 that were to take effect in October 2023 and maintain the base rate fees for the balance of 2023, staff will review comments from committee as well as the delegations prior to bringing forward the 2024 rates and fees for the 2024 festival and events season.

Roads Design and Construction (Page 15-16). Several unauthorized temporary lane closures at a few locations in the City of Burlington as well as extended closures during delayed development projects, resulted in concerns being raised by both City Council, community members and the Engineering Services Department.

Currently, a fix fee of \$99.59 is collected in exchange of a Road Occupancy permit regardless of the duration and there are no consequences to those applicants who extended their occupancy beyond the original timeframe within the Road Occupancy Permit. As such activities that occur within the Road Right of way that result in construction or obstruction of travelled lanes/pedestrian sidewalks will be covered under the City's Municipal Consent Bylaw.

These fees will not only discourage applicants from occupying public lands longer than necessary, but also reduce congestion, delays, and pollution emissions.

The fees would apply to Road Right of Way occupancies that exceed 5 days. This would only apply to development and/or private construction related permits, not parades, races, special events, etc.

Staff completed a market scan reaching out to multiple municipalities within the GTA to discuss their road occupancy processes, requirements and fee structures. The information gathered confirmed that the City of Toronto has the most progressive road occupancy permit requirements and fees surrounding land development than any other municipality in the GTA. Understanding that the City of Toronto's market rates and fees are higher than Burlington's, staff opted to calculate Burlington's proposed road occupancy rates and fees based on 50% of Toronto's lowest area-based fees.

Access to Information Fees (Page 62). New user fees are necessary to provide transparency on FOI fee rates and advance the City's access to information service payment options. The new fees provide clarity on the FOI search, computer, preparation, and photocopy costs that can be issued by itemizing them out as separate fees from the umbrella FOI \$5 user fee.

There are different rates for additional costs set by legislation (MFIPPA regulation 623) from the \$5 application fee. The additional fee rates do not change but were previously applied to the \$5 application user fee. This new approach aligns with the standard approach of most Ontario municipal user fee by-laws.

As fees are set by legislation there are no user fee increases. Itemizing out additional costs will enable online payment options of additional fees charged for an FOI. The impact for user groups will be more ways to pay additional costs than just in-person at the counter or sending a cheque by mail, enabling faster access to the records they have requested and improved service delivery at no extra cost.

Sign Production (Page 64). Sign production already receives these one off sign requests. Adding the fees to the Rates and Fees document standardizes the process. The overall expected impact of these new fees is a more complete customer experience with enhanced signage offerings to the public.

Question: Please provide a rationale for all fees increasing by 5% or more. For increases of 10%, please explain if a market scan was conducted.

Response: **Recreation, Community and Culture (Page 18 and 22).** Recreation, Community and Culture has 2 fees that are changing by more than 5%.

School Admin Fee – p. 22 – this fee is one the city may charge the school board for amendments to their bookings; it is part of the Reciprocal Agreement and is matched by a fee the school board may charge the city for the same reason. It is levied only in cases of misuse of the booking process or continuous requests for amendments and is not typically used. It is increasing by a larger margin in 2023 because it has not changed for many years.

Performance at Student Theatre – Admission/ Show Ticket – p. 18 – The increase is for admission and show tickets which are primarily held at the Burlington Performing Arts Centre (BPAC). This is a premier facility and is reflected in the ticket price.

Finance Management (Page 61). Administration Fee for Returned Payments (NSF) was last increased in 2009. The rate increase brings our rate in line with Oakville and

Halton Hills, while still slightly lower than Milton. We do not anticipate a significant impact to customers as many are choosing electronic payment options. Administration Fee for Ownership Changes are increased to bring our rate in line with other municipalities.

Corporate Customer Experiences – Service Burlington (Page 62). Group Home fees had not been increased since 2012 and the City is significantly below area municipalities. Last year a 25% increase spread out over 5 years was proposed. This is the 2nd year of the recommended 5% annual increase.

Item: **Fire Fees (Page 47-51)**

Question: Fire fees are up 10%. Why is this?

Response: All rates that are showing an increase are comparable with other local fire departments and adjusted to align costs to the service provided such as:

- Emergency response costs provided by the Ministry of Transportation (MTO) are current to the last rate provided by the MTO, this rate may change in-year based on updated information provided by the MTO.
- All full cost recovery line items are billed back to individuals and companies based on the total costs incurred; this includes personnel, supplies, and retention of any third-party services. All of which has increased year over year.
- License and permit fee increases related to propane licenses and inspection, cannabis license(s) and inspections, day care licenses and inspections, false alarm responses (failure to notify fire department), contravention of bylaw or fire code (open air burns in urban area, high hazard fireworks, re-inspections due to non-compliance and outstanding work orders and/or violations).

Item: **Bistro Fees (Page 27)**

Question: What are we committing to when we say 100% cost recovery?

Response: The Bistro Service is an integral part of the adult/older adult program offering. The Bistro operates under the principle of providing low-cost nutritious food options for participants whether they are registered in a program that offers food or if they wish to have a quick sit-down meal before or after a program at the Burlington Senior's Centre.

With only one rate increase in eight years, there is a large commitment to affordability. For example, a large coffee is priced at a \$1.20 and the daily special is priced at \$6.99, illustrating that a delicious meal can easily be purchased for less than \$10. The pricing structure is set with the target of recovering the costs of goods (e.g., food, plates, etc.). For 2023 budget, the target revenue is \$34,000 and expenses are at approx. \$40,000 including Part-Time staff wages. It should be noted that this rounds

out to approx. an 85% cost recovery, however this does not include overhead costs such as building, utilities, full-time staff support, etc.

Question: Will Breakfast at the Bistro be returning?

Response: Yes, Breakfast at the Bistro will be returning when the adult team is back up to full complement. The target timeline is Spring 2023.

Item: **Park Access Fees (Page 20)**

Question: If a user group does not require all the amenities of a destination park, is there a way we can differentiate fees for those amenities they do not require?

Response: The proposed higher fees at Spencer Smith Park were part of a strategy to relieve pressure on Spencer Smith Park which is at carrying capacity for events and ecological recovery. Lower fees in other parks may attract organizers and disperse events throughout the city. For this reason, there isn't a differentiated rate for groups that do not require services such as hydro and water. Staff will review this as part of the 2024 rates and fees.

Item: **Dog Licenses (Page 53)**

Question: Was a market scan conducted for the fees related to dog licenses? Is there a correlation to off-leash dog parks?

Response: A market scan was conducted. The City of Burlington is going to review the entirety of the Animal Licensing By-Law in 2023, which will bring new and increased fees for Council approval. A current high level comparison with neighbouring municipalities shows the City of Burlington close to the bottom 3rd by comparison.

Currently there is no direct correlation between the sale of animal licenses and off-sets for leash free areas in the City of Burlington. These fees do not support the design or creation of these related parks.

Item: **Holiday Discount Rates**

Question: Where does the authority to charge the rate associated with the Holiday Discount Rate come from, as it is not listed in the Rates and Fees document?

Response: Under section 8 of the Rates and Fees bylaw, there is provision for a director to increase, decrease, or waive fees associated with their department.

Staff use this provision on occasion to provide promotions and discounts, in this case, to support selling unused space to encourage active lifestyles by residents, provide opportunity to participate for those where cost might be a barrier, and increase revenue.