

Report to: General Committee

Date of Meeting: November 18, 2013

SUBJECT:

2014 E3 Initiatives

PREPARED BY:

Andrea Tang, Manager, Financial Planning

RECOMMENDATION:

1. **That** the report dated November 18, 2013 entitled "2014 E3 Initiatives" be received:

- 2. **That** the following new user fees as per Appendix A be implemented effective January 1, 2014:
 - Mortgage Account Administrative Fee
 - Property Tax Overdue Notice Fee
 - Noise Exemption Fee
 - Fence Exemption Fee
- 3. **That** the following new licence fees as per Appendix A be implemented effective May 1, 2014:
 - Wildlife Licence Fee
 - Food Truck Licence Fee
- 4. **That** the Director of each respective department be authorized to set future increases annually for only those above user and licence fees based on the change in the Consumer Price Index (Toronto All Items September -September) with such increases effective January 1 and rounded to the nearest half dollar;
- 5. **That** the following user fee and licence fee increases as per Appendix B be implemented effective January 1, 2014;
 - Street banner installation
 - Film permits
 - User and licence fees, as per Appendix C, increase by 3.6% in addition to the CPI increase of 1.4% for a total increase of 5%
 - Parking fees at Milne Dam Conservation Park as outlined in Table A
 - Picnic site permit fees at Milne Dam Conservation Park as outlined in Table B
 - Sportsfield and artificial turf permit fees as outlined in Table C
 - Legal Department fees
- 6. **That** 75% (\$721k) of the annual operating budget savings of \$961k from the conversion of LED luminaires be transferred to pay back the capital investment and 25% (\$240k) be incorporated as a reduction to the streetlight hydro operating base budget;
- 7. **That** the financial implications from the 2014 E3 initiatives as outlined in the report totaling \$873k be incorporated into the 2014 Operating Budget;

- 8. **That** By-law 2002-276, a by-law to impose fees and charges for services or activities provided or done by the City of Markham, be amended to reflect the increase in rates;
- 9. **That** By-law 2002-284, a by-law to impose fees and charges for licences provided by the City of Markham, be amended to reflect the increase in rates; and
- 10. **That** Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to obtain Council approval to implement the 2014 E3 initiatives as endorsed by the Budget Sub-Committee.

BACKGROUND:

On June 24, 2008, Council endorsed the E3 program, "Excellence through Efficiency and Effectiveness". The program involved corporate-wide business transformation through the review of services to find efficiencies, maximize revenue opportunities and minimize tax rate increases.

Since the launch of the E3 program, over \$14M of revenue enhancements and expenditure reductions have been implemented to offset potential tax increases, equivalent to a 14% tax rate increase that would have been paid out by Markham taxpayers year after year on a cumulative basis.

As part of the 2014 Budget process, Staff presented the 2014 E3 initiatives to the Budget Sub-Committee. Budget Sub-Committee endorsed E3 initiatives totaling \$950k, of which General Committee subsequently approved one of the initiatives, "Property Inspection Service Fees", with revenue enhancements of \$52k on October 21st, 2013. In addition, Staff will incorporate costs associated with waste bin replacements in future sub division agreements and site-plan agreements that will generate additional revenues of \$25k. This report outlines the remaining E3 initiatives totaling \$873k that were endorsed by the Budget Sub-Committee.

OPTIONS/DISCUSSIONS:

Budget Sub-Committee endorsed the following E3 initiatives that are categorized as:

- 1. New fees
- 2. Existing fee increases
- 3. Expenditure reductions

The following new user fees will be implemented effective January 1, 2014 and new licence fees will be implemented effective May 1, 2014.

1. New User and Licence Fees

A. Mortgage Account Administrative Fee

Finance staff administers 9,700 tax accounts where mortgage companies hold an interest. Responsibilities include issuance of lists, letters and other documents used for collecting, recording and reconciling payments. Staff recommends a fee of \$8.00 per account to be invoiced bi-annually to each applicable mortgage company.

A number of municipalities have implemented this new fee relating to tax account management, and the following provides examples of some municipalities that currently administer this fee:

Municipality	Mortgage Administration Fee
Brampton	\$8.00
Markham (Proposed)	\$8.00
Oshawa	\$7.00
Richmond Hill	\$5.00
Mississauga	\$5.00

Implementing a fee of \$8.00 for each tax account where mortgage companies hold an interest (pay the property taxes) on a semi-annual basis will generate an estimated annual revenue of \$155k.

B. Property Tax Overdue Notice Fee

Where property tax accounts fall into arrears, property owners are provided notifications of the outstanding amount, through an Overdue Notice which is mailed twice per year.

The fee will be applied directly to the tax account upon the issuance of the Overdue Notice.

A number of municipalities have implemented this fee relating to tax account management, and the following provides examples of some municipalities that currently administer this fee:

Municipality	Overdue Notice
Toronto	\$16.00
Brampton	\$10.00
Ottawa	\$6.15
Markham (Proposed)	\$5.00
Mississauga	\$3.00

At an estimated volume of 16,000 overdue notices issued per year, a fee of \$5.00 per Overdue Notice will generate additional revenues of approximately \$80k.

C. Noise Exemption and Fence Exemption Fee

The City's Noise By-law provides an exemption process for a variety of events including construction work, private parties/celebrations and large private events. In the past, the City has not charged for these exemptions even though they do involve a substantial amount of staff time to co-ordinate. In 2012, the City granted 16 noise exemptions for large private events. Staff recommends charging a \$300 fee for noise exemptions for large private events. Staff anticipates 10 noise exemption requests for a total revenue of \$3k.

The Fence By-law was amended in 2012 to provide property owners with a remedy to obtain an exemption to the construction and height of fences that do not meet the by-law requirements. Council delegated the exemption authority to the Manager of By-law Enforcement to review fence exemption requests. Where a property owner does not agree with the Manager's decision, the decision can be appealed to Council. In 2012, the City had five fence exemption requests from property owners. In the past, the City has not charged for these exemptions, even though they do involve a substantial amount of staff time to investigate. Staff recommends implementing a \$100 fee for fence exemptions. Staff anticipates 20 fence exemption requests for a total revenue of \$2k.

Both initiatives will generate total additional revenues of \$5k.

D. Wildlife and Food Truck Licences

Staff are investigating the licensing of Wildlife Removal Companies in Markham. Currently, these businesses are not regulated. It is recommended to implement a Wildlife licence fee of \$226.00 as the Animal Care Committee has raised concerns about the treatment of animals removed by these companies and the need for the establishment of humane standards. The exact number of companies is not known at this time, but based on initial research, Staff are projecting 10 new licences will be issued.

The City issues licences for Refreshment Vehicles which include hot dog carts, coffee trucks and ice cream trucks. The City has received expressions of interest from businesses in operating more sophisticated food trucks. In anticipation of the growing popularity, Staff have been working on a by-law to include these new vehicles in the Refreshment Vehicle By-law with a recommended licence fee of \$450.00. As this is a developing business sector, the exact number of new licences is unknown at this time, but based on the interest expressed, Staff are projecting six new licences will be issued.

The anticipated implementation of the wildlife and food truck licence fees will be May 1, 2014 to coincide with the start of the season for both businesses.

These initiatives will generate additional revenues totaling \$5k.

2. Existing Fee Increases

A. Street Banner Installation (Increase from \$100.00 to \$250.00)

Currently, the City charges a fee of \$100.00 for the installation and removal of street banners. The City contracts out this service and incurs a cost of \$250.00. Hence, the City is proposing to increase the fee from \$100.00 to \$250.00 on a cost recovery basis. Based on historical volume of 70 installations per year, this initiative will generate additional revenues of \$11k.

B. Film Permits (Increase from \$280.00 to \$750.00)

Staff proposes to increase the current fee for Film Permits to maximize potential revenues, and to ensure recovering costs associated with the permitting process. Through research on industry standards, majority of the filming companies would pay permit fees of up to \$1,000.00. Staff recommends increasing the film permit fees from \$280.00 to \$750.00. As well, the unique locations available in Markham (e.g., Toogood Pond, Main Street Unionville, Thornhill, Milne Dam Conservation Park, etc.) warrant the additional fees.

Based on the recommended increase from \$280.00 to \$750.00 and the historical average of 19 permits issued each year, additional revenues of \$9k are forecasted by both the Legislative Services and Operations departments, for a total of \$18k.

C. User and Licence Fees

Staff obtained Council approval to increase user fees and service charges and licence fees within the user fee by-law and the licensing by-law annually based on the change in the Consumer Price Index (Toronto All Items September -September) with such increases effective January 1 and rounded to the nearest half dollar. The CPI increase from September 2012 to September 2013 is 1.4% (previously presented to Budget Sub-Committee using August 2012 to August 2013 at 1.6%). This initiative proposes to increase all user and licence fees, with the exception of Recreation, Theatre Professional Entertainment Series ticket sales and Theatre ticket handling charges, by an additional 3.6% (previously at 3.4%) to a total increase of 5%. All applicable user and licence fees are outlined in Appendix C. The incremental increase of 3.6% will generate additional revenues of \$141k.

D. Parking Fees at Milne Dam Conservation Park

Currently, there is a parking fee of \$5.00 per vehicle at Milne Dam Conservation Park. The last fee increase was implemented in 1983 when the rate was increased from \$2.00 to \$5.00 per vehicle.

Staff is proposing the implementation of a new parking fee structure that will charge based on a per person basis versus a per vehicle basis (current structure). The proposed fee structure, as outlined in "Table A" below, aligns with the parking fee structure currently in place at the Toronto Region Conservation Areas such as Bruce's Mill:

Table A

Proposed					
	Vehicle	Adult	Senior	Membership	Child
Milne Park Admission	N/A	\$6.00	\$4.00	\$50.00	Free
Resident-Individual	N/A	\$6.00	\$4.00	\$50.00	Free
Non-Resident-Individual	N/A	\$6.00	\$4.00	\$100.00	Free
Resident-Family	N/A	\$6.00	\$4.00	\$100.00	Free
Non-Resident-Family	N/A	\$6.00	\$4.00	\$125.00	Free
Maximum (Buses)	N/A	\$6.00	\$4.00		Free

Based on the current usage, changes to the admission rate structure at Milne Dam Conservation Park as outlined above are anticipated to increase revenues by approximately \$60k.

E. Picnic Site Permit Fees at Milne Dam Conservation Park

The current fee structure for use of the picnic sites requires users to identify the number of guests attending the park at the time of requesting the permit. The current permit process is problematic as users may provide a lower number in order to receive a lower rate for the park permit.

When permit holders arrive with more guests than identified on the permit, more picnic tables are needed and waste receptacles quickly become full. This requires additional maintenance by Park Staff that exceeds available resources as staffing levels are based upon the permit requirement. Therefore, Staff is proposing a rate structure based on a charge by site versus by group size. The new structure will ensure maintaining control on the number of people attending the park.

The proposed rate structure is outlined in "Table B" below:

Table B

Capacity	Residents	Non Residents	Commercial
Up to 75 users (one site)	\$75.00	\$100.00	\$125.00
Up to 100 users (one site)	\$125.00	\$150.00	\$175.00
Up to 125 users (three sites)	\$150.00	\$175.00	\$200.00
Up to 150 users (two sites)	\$175.00	\$200.00	\$225.00
Up to 250 users (one site)	\$275.00	\$300.00	\$325.00
Up to 250 users with shelter	\$325.00	\$350.00	\$375.00
(one site)			

Based on the current usage, changes to the Picnic Site Permit Fee structures at Milne Park as outlined above are anticipated to increase revenues by approximately \$20k.

F. Sportsfield and Artificial Turf Permit Fees

Sportsfield permit fees have not been increased for at least 5 years, except for the annual CPI increase that was applied in 2012 and 2013. Staff investigated fees being

charged by other municipalities in York Region (Region), and the average fees across the Region are outlined in "Table C" below. Markham continues to charge the least amount for outdoor sportsfield permits in York Region, and Markham offers premium quality sportsfields. Staff recommends adding \$1.00/hour to each of the sportsfield permit fees for both youth and adults.

Staff has also identified that Markham's artificial turf permit fee is substantially lower when compared to other municipalities in the Region. Staff recommends an increase of \$7.74/hour for youth from \$2.26/hour to \$10.00/hour and an increase of \$8.57/hour for adults from \$4.43/hour to \$13.00/hour.

Table C

								Current	Current
		Current	Proposed	Current	Proposed	Current	Proposed	Fee	Fee
		Fee	Fee	Fee	Fee	Fee	Fee	Artificial	Artificial
		A Field	A Field	B Field	B Field	C Field	C Field	Turf	Turf
		\$/hour	\$/hour	\$/hour	\$/hour	\$/hour	\$/hour	\$/hour	\$/hour
City of	Youth	2.26	3.26	2.26	3.26	1.86	2.86	2.26	10.00
Markham	Adult	4.43	5.43	4.43	5.43	3.33	4.33	4.43	13.00
			·····						
Avg. Cost	Youth		10.46		9.23		4.59		76.04
in York	Adult		16.26		14.94		9.24		86.11
Region									

Based on the current demand, the proposed increases in sportsfield and artificial turf permit fees will generate additional revenues of approximately \$106k (sportsfield permit fees \$46k, artificial turf permit fees \$60k).

G. Legal Department Fees

The Legal Services Department has done an in depth review of the fees charged by the Legal departments in Mississauga, Vaughan and Richmond Hill. Based on the review, it was determined that the fees charged by Markham for many similar services are less than the benchmarked municipalities' fees.

Staff recommends that the legal fees be increased to levels consistent with those of the benchmarked municipalities. In addition, new fees are being recommended for services where a significant amount of work is done by Legal staff and costs are currently not recovered. Appendix D outlines the current fees, the proposed fee increases and new fees.

The implementation of new fees and increases to existing fees will generate additional revenues of approximately \$80k.

3. Expenditure Reductions

A. LED Streetlights

Staff brought forward the report "Award of tender 155-T-13 conversion of existing HPS cobra-head luminaires with LED luminaires" to the June 24, 2013 General Committee. The report outlined an estimated payback period of 7.3 years based on annual savings of \$961k per year (savings on streetlight hydro \$731k based on the 2013 budgeted rate of \$0.118/kWh, and savings on maintenance \$230kM).

The Budget Sub-Committee endorsed allocating 75% of the annual savings (\$721k) to pay back the capital investment and the remaining 25% (\$240k) as a reduction to the Operating Budget. The period to fully fund the capital investment from the operating savings will be extended from 7.3 years to 9.9 years.

Due to the implementation schedule, only 80% of LED savings will be realized in 2014. Therefore, \$577k will be paid back to the capital investment and \$192k will be included as a reduction in the 2014 Operating Budget. The annualized impact will be included in the 2015 Operating Budget.

FINANCIAL CONSIDERATIONS:

The proposed new user and licence fees and increases to existing user fees as outlined in the report will be implemented effective January 1, 2014, with the exception for the new Wildlife Licence fee and Food Truck Licence fee that will be implemented effective May 1, 2014.

The financial implications from the E3 initiatives outlined in the report totaling \$873k will be incorporated as part of the 2014 Operating Budget.

RECOMMENDED

BY:

Joel Lustig, Treasurer

Trinela Cane, Commissioner Corporate Services

ATTACHMENTS:

Appendix A – Proposed new user/licence fees

Appendix B – Proposed user/licence fee increases

Appendix C – Proposed user/licence fee increases (additional increase of 3.6%,

incremental to CPI increase of 1.4%)

Appendix D – Proposed new legal fees and increases to existing legal fees

Proposed New User/License Fees

			2014 Budget
	Proposed Fee	Annual	Impact
New User / License Fees	\$	Volume	(\$ in 000s)
Mortgage Account Administrative Fee	8	19,400	155
Property Tax Overdue Notice Fee	5	16,000	80
Noise Exemption Fee	300	10	3
Fence Exemption Fee	200	10	2
Wildlife License Fee	226	10	2
Food Truck License Fee	450	6	3
Total new user/license fees revenue			245

Proposed User/License Fee Increases

	Comment For	Proposed	A	2014 Budget
User / License Fees	Current Fee \$	Fee \$	Annual Volume	Impact (\$ in 000s)
Street Banner Installation	100	250	70	11
Film Permits (Legislative and Operations Departments)	280	750	19	18
User and License Fees Increase by 3.6% incremental to CPI increase of 1.4%	Refer to Append	lix C		141
Parking Fees at Milne Dam Conservation Park	Refer to Table A	A (page 6)		60
Picnic Site Permit Fees at Milne Dam Conservation Park	Refer to Table I	3 (page 6)		20
Sportsfield and Artificial Turf Permit Fees	Refer to Table (C (page 7)		106
Legal Fees	Refer to Append	dix D		80
Total user/license fees revenue				436

(additional increase of 3.6%, incremental to CPI increase of 1.4%)

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Proposed New Legal Fees and Increases to Existing Legal Fees

	Current Fee	Proposed Fee
	\$	\$
Residential Subdivision and Condominium Agreements		
1-49 Units	\$2,450	\$4,000
50-99 Units	\$3,700	\$4,500
100-199 Units	\$4,950	\$6,000
200-399 Units	\$6,150	\$7,500
400 Units and Above	\$7,500	\$10,000
Industrial Subdivision Agreements		
Half hectare or part thereof	\$500	No change
Minimum	\$2,450	\$3,500
Maximum	\$6,000	\$7,500
Amendments to Subdivision Agreements		
Minimum	\$600	\$1,000
Maximum	\$1,850	
Site Plan Control Agreements		
Minimum	\$1,250	\$1,500
Maximum	\$3,700	
Short Form	\$300	
Amendments to Site Plan Agreements		
Minimum	\$600	\$1,000
Maximum	\$1,850	
Short Form	\$300	
Development / Consent Agreements		
Minimum	\$950	\$1,500
Maximum		\$3,000
Basic Agreements (including any agreement not		Between \$1,500 and \$5,000
specifically mentioned herein)		based on complexity
Minimum	\$500	\$750
Maximum	\$2,250	\$4,000
Encroachment Agreements	500 - 2,250	1,000 - 1,500 based on complexity
No-Presale	500 - 2,250	<u> </u>
MAA	500 - 2,250	

Proposed New Legal Fees and Increases to Existing Legal Fees

	Current Fee	Proposed Fee
	\$	\$
		No charge if part of Tax
Heritage Easement		Reduction program
	500 - 2,250	Not-For-Profits should not
	·	be charged.
		All other parties between
		\$1,500 and \$2,250 based
Permission to Enter		on complexity
Sales Trailer	500 - 2,250	
Model Home	500 - 2,250	
Reverse Slope Driveway	500 - 2,250	
		\$1,100 to \$4,000 based on
Easement Agreement	Not in by-law	complexity
		\$1,500 to \$3,000 based on
Land Exchange Agreement	Not in by-law	complexity
241.01.241.85		<u> </u>
		Between \$5,000 and
Complex Agreements (including agreement not		\$15,000
specifically mentioned herein)		based on complexity
Minimum	\$1,100	
Maximum	\$3,700	
		Between \$1,100 and
		\$7,000
Infrastructure	1,100 - 3,700	based on complexity
DC Credit/Reimbursement	1,100 - 3,700	
DC Deferral	1,100 - 3,700	
Affordable Housing Agreements	1,100 - 3,700	
	· · · · · · · · · · · · · · · · · · ·	
By-Laws		
Part Lot Control By-laws	\$250	\$500
Deeming By-law	\$250	
Heritage Designation By-law	\$250	\$500
Lift Reserve/Dedicating By-law/Assumption	\$150	\$400
Title		
Release of Instruments other than Easements from Title	\$150	\$300 if done
Release of By-laws from Title		administratively or \$500 if
Release of Inhibiting Orders	Not in by-law	through Council
Release of Property Standards Orders	Not in by-law	1
Release of Grow Op Orders	Not in by-law	
Iterease of Grow Ob Orders	11 tot III by-law	1

Proposed New Legal Fees and Increases to Existing Legal Fees

	Current Fee	Proposed Fee
	\$	\$
Release of Easements	\$150	\$200
Discharge of Mortgage	\$150	\$200
Postponement	\$150	\$200
Correcting Title Documents	\$150	\$200
Consent to Document Registration (including Restrictive		
Covenants)	\$200	\$200
Other		
Response to First Application	\$100	\$200
Street Name Change By-law		
Succi Name Change By-law	Not in by-law	\$400
Real Property		
Road Closing By-law	\$200	\$400
Surplus Lands Declaration	\$200	No change
Lease Renewal	\$400	No change
License Renewal	\$400	No change
		Between \$500 to \$1,200
Proposed Sale Internal Circulation	\$500	per property
		Range based on
		complexity but \$100
In House Lease Preparation/Review	\$500 to \$1,000	minimum
		\$500 to \$1,000 based on
Land Valuation Fee	Not in by-law	complexity
Response to Law Firm or Public Inquiries		
Relating to Executions or Writs of Seizure and Sale of Lands	Not in by-law	\$100 per request
		\$200 for each request for
		each site plus
Relating to Real Estate transactions and/or Title matters	Not in by-law	disbursements
Review and registration of documents satisfying conditions		
of development applications, including but not limited to:		
Site Plan, Subdivision, Condominium Registration and		
Committee of Adjustment applications. Note: separate fees		
to be charged for any agreements required by these		
application.	Not in by-law	\$675 plus disbursements
Review of applications for legal non-conforming	Not in by-law	\$1,500