Finance, Administration and Operations Committee

Tuesday, May 17, 2011, 4:15 p.m.
City Hall - Council Chambers

Committee Members	Areas of Responsibility:	
Councillor J. Fullarton, Chair	Clerk's Office	CRCA
Councillor L. Bursey	Environmental Services	Cemetery
Councillor L. Journal	Finance Department	Health Unit
Councillor D. LeSueur	Fire Department	Joint Services Committee
Councillor M. McFall	Human Resources Dept.	PLMG
Mayor D. Henderson, Ex-Officio	Operations Department	Police Services Board
	Airport Commission	Safe Communities Coalition
	Arena Advisory Board	St. Lawrence Lodge Management Board
	Brockville Municipal Accessibility Advisory Committee (BMAAC)	Volunteer Awards
		All legal matters [excepting the purchase and sale of land]

AGENDA

Page

DISCLOSURE OF INTEREST

DELEGATION(S) AND PRESENTATION(S)

1. Mr. Ron Hungerford, Convenor of the 2012 OFFSA Track and Field Meet.

STAFF REPORTS

3-4 1. 2011-045-05
Roof Replacement
Brockville Museum

5-6 2. 2011-047-05
Crossing Guard Agreement

7-9 3. 2011-049-05
Tender for Contract 2011-05
Cold Milling of Asphalt Pavement at Various Locations

11-15 4. 2011-050-05
2011 Capping and Threshold Options

Page

STAFF REPORTS

17-22 5. 2011-051-05
2011 Tax Ratio Options

23-35 6. 2011-056-05
Development Charges Background Study

37-60 7. 2011-052-05
2011 Work Plan
First Quarter Report

61-63 8. 2011-054-05
Closed Meeting Investigator

65-71 9. 2011-055-05
Licensing of Refreshment Carts

NEW BUSINESS

FAO - CONSENT AGENDA

MOTION TO MOVE INTO CLOSED SESSION

1. THAT pursuant to *Municipal Act,* 2001, Section 239 Sub. 2 (c) and (d), Council resolve itself in to the Committee of the Whole, In Camera, closed to the public to consider:

   - personal matters about an identifiable individual, including municipal or local board employees.
   - a proposed or pending acquisition or disposition of land by the municpality or local board.

17.1 (a) REPORT OF THE COMMITTEE OF THE WHOLE IN CAMERA

ADJOURNMENT

02-May-2011

REPORT TO FINANCE AND OPERATIONS COMMITTEE – 17-May-2011

2011-045-05
ROOF REPLACEMENT
BROCKVILLE MUSEUM

C.J. COSGROVE, .ENG.
DIRECTOR OF OPERATIONS
C. EARLE MOORE,
ARENAS & FACILITIES
SUPERVISOR

RECOMMENDATIONS

THAT Council accepts the Tender received from Richard D. Steele Construction of Brockville in the amount of $23,699 plus HST for the removal and replacement of the asphalt shingle roof surface at the Brockville Museum (north building addition), and

THAT project costs be charged to account 9101005-9901012-3010.

BACKGROUND

Replacement of this roof surface is deemed necessary as the current life cycle of the roof material has exceeded the expected replacement cycle. When inspected by the representatives from Eastern Engineering and staff, numerous deficiencies were detailed. Leaks were identified by museum staff, with short term repairs completed in an effort to prevent further damage. The tender detail was prepared to correct deficiencies a identified.

The replacement of the roof surface did not proceed in 2010 due to a funding shortfall. Additional funding was approved in the 2011 budget to address this project and has received Council's approval.

It is expected that this project shall provide a life cycle of approximately 30 years.

ANALYSIS

Tenders for this project were opened on November 18th, 2010. A total of four (4) contractors were invited to submit a quote with two (2) received.

The Tenders are summarized as follows:

Company		
Hubbard & Co.	Spencerville	No Bid

Cadieux Contracting	Brockville	No Bid
Competition Roofing	Maitland	$25,400
Richard D. Steele Const.	Brockville	$23,699

Subject to HST

NOTE* Richard D. Steele Construction provided confirmation to Eastern Engineering on November 25, 2010, that due to the funding shortfall, they were prepared to honor their tender as submitted until May 20, 2011. A letter was provided on April 28, 2011, confirming that the tendered amount of $23,699 plus HST will still be honored by Richard D. Steele Construction.

POLICY IMPLICATIONS

The City's Purchasing By-Law (09-2005) requires Council approval for this Tender as less than three acceptable bids were received.

FINANCIAL CONSIDERATIONS

The 2011 Capital Budget, Item 6.6 – Building/Equipment Maintenance Program, provides $27,000 for this project. There are sufficient funds for the contract, inspection fees and building permit costs.

B. Casselman, City Manager

C.J. Cosgrove, P. Eng.
Director of Operations

Donna Cyr, Director of Finance

C. Earle Moore,
Arenas & Facilities Supervisor

11 May 2011
REPORT TO FINANCE AND OPERATIONS COMMITTEE – May 18, 2011

2011-047-05
CROSSING GUARD AGREEMENT

C.J. COSGROVE, P.ENG.
DIRECTOR OF OPERATIONS
V. HARVEY
TRANSPORATION SUPERVISOR

RECOMMENDATION

THAT Council extends the service agreement with Intercity School X Guards for the direct supervision of crossing guards in the amount of Two Thousand and Thirty Four Dollars ($2,034.00) per month for the term July 1, 2011 to June 30, 2014; and

THAT such payment shall be excluded for July and August in each calendar year of this agreement; and

THAT each September 1st beginning September 1, 2012 that the agreement amount shall be adjusted by the Ontario Consumer Price Index June/June; and

THAT the City reimburses Intercity School X Guards a flat fee of $300 per month for business travel cost associated with the use of a personal vehicle.

PURPOSE

To provide direct supervision to crossing guards

BACKGROUND

The City's current service agreement with Intercity School X Guards was for the term September 28, 2008 to June 30, 2011. The agreement allows for a renewal by mutual consent of each party.

ANALYSIS

All crossing guards are employees of the City. The agreement states that Intercity School X Guards relationship to the City is that of an independent contractor and not as an agent or employee.

The agreement states that Intercity School X Guards agrees to provide supervision, coordination and management of the City's Adult School Crossing Guard Program. General duties & responsibilities include

- Ensuring sufficient and adequately trained crossing guards are on duty as required
- Liaison with local schools and school boards

- Making recommendations on improvement/changes to the system
- Recommending hiring and termination of guards as deemed appropriate
- Provide annual reports on the operation of the system in a format directed by the Director of Operations.

Staff has been very satisfied with the contractor's performance over the term of this agreement and recommends renewing the agreement for an addition 3 year term.

POLICY IMPLICATIONS

At the discretion of Council.

FINANCIAL CONSIDERATIONS

The original agreement was at a monthly rate of $1,920.00 per school month with an annual CPI adjustment. However, no CPI adjustments were made during the term of the agreement. The new agreement would be for $2,034.00 per school month with an annual CPI adjustment.

The sufficient funds have been allocated to the 2011 Operating Budget Account # 4310-2490-3010 to cover this expense.

CONCLUSION

Council should renew this agreement.

C.J. Cosgrove, P.Eng.
Director of Operations

V. Harvey
Supervisor of Transportation Services

D. Cyr
Director of Finance

B. Casselman
City Manager

May 6, 2011
REPORT TO FINANCE AND OPERATIONS COMMITTEE – May 17, 2011

2011-049-05
TENDER FOR CONTRACT 2011-05
COLD MILLING OF ASPHALT PAVEMENT
AT VARIOUS LOCATIONS

C. J. COSGROVE, P. ENG.
DIRECTOR OF OPERATIONS
VALERIE HARVEY
SUPERVISOR OF
TRANSPORTATION SERVICES

RECOMMENDED

THAT Council accepts the tender from R.W. Tomlinson Limited in the amount of Fifty-Five thousand, nine hundred and twenty-seven dollars and forty-one cents ($55,927.41) excluding HST for Contract 2011-05 for the Cold Milling of Asphalt Pavements at various locations.

THAT this work be charged to account 9301110 9905013 3010.

PURPOSE

The purpose of this report is to retain the services of a contractor to complete Contract Number 2011-05, the Cold Milling of Asphalt Pavement at Various Locations in the City of Brockville.

BACKGROUND

The Operations Department calls tender for this work annually. This contract incorporates preparing roadways by removing a layer of asphalt in advance of the hot mix paving work included in the asphalt/concrete program (Capital Budget Item 7.1).

ANALYSIS/OPTIONS

The Transportation Services Division opened tenders on Monday, May 2, 2011 with the following results:

1. R.W. Tomlinson Limited $55,927.41
2. Roto-Mill Services $68,930.76

Engineer's Estimate $60,131.58

Construction is expected to start in July and be completed by July 16, 2011.

Streets to be Cold Milled include:

ARTERIAL ROADS

	STREET	FROM	TO
1	PARKEDALE AVENUE	WINDSOR DRIVE	INTERSECTION
2	CENTRAL AVENUE	PERTH STREET	STEWART BOULEVARD (EB LANES ONLY)
3	PERTH STREET	GEORGE STREET	CHURCH STREET
4	PERTH STREET	KING STREET	GEORGE STREET
5	CENTENNIAL ROAD	NORTH AUGUSTA ROAD	EAST CITY LIMITS
6	STEWART BOULEVARD	PARKEDALE AVENUE	90m NORTH
7	CENTRAL AVENUE	PARK STREET	ORMOND STREET
8	CENTRAL AVENUE	FERGUSON	INTERSECTION
9	PERTH STREET	BROCK STREET	CNR
10	PEARL STREET	BUELL STREET	WILLIAM STREET
11	KING STREET	ORCHARD STREET	ORMOND STREET
12	KING STREET	ORMOND STREET	FORD STREET

LOCAL ROADS

	STREET	FROM	TO
13	GEORGE STREET	JOHN STREET	BUELL STREET
14	BROAD STREET	WATER STREET	KING STREET
15	BUELL STREET	JAMES STREET	PEARL STREET
16	ROADWAY AT LOEB	ST. PAUL STREET	KING STREET
17	CHURCH STREET	PERTH STREET	CLARISSA STREET
18	ARTS CENTRE PARKING LOT	ST. PAUL STREET	END

POLICY IMPLICATIONS

In accordance with the City's Budgetary Control and Purchasing By-law 090-2005, the City normally accepts the low tender provided the Contractor is deemed capable and competent to undertake the work. Approval from Council is required as less than three bids were received.

FINANCIAL CONSIDERATIONS

In the 2011 Capital Budget, Council authorized an expenditure of $450,000.00 under Asphalt/ Concrete Program of which $60,131.58 was allocated for the cold milling at various locations.

CONCLUSION

It is recommended that the Council accept the tender from R.W. Tomlinson Limited for the Cold Milling of Asphalt Pavement at Various Locations.

C.J. Cosgrove, P.Eng
Director of Operations

Valerie Harvey
Supervisor of Transportation Services

D. Cyr
Director of Finance

B. Casselman
City Manager

May 5, 2011

REPORT TO THE FINANCE & ADMINISTRATION COMMITTEE – MAY 17, 2011

2011-050-05
2011 CAPPING AND THRESHOLD OPTIONS
FILE: F22-50

D. CYR
DIRECTOR OF FINANCE
L. FERGUSON
SUPERVISOR OF ACCOUNTING SERVICES
M. MCDONALD
FINANCIAL ADMINSTRATIVE ANALYST
D. SMITH, TAX COLLECTOR

RECOMMENDATION:

THAT Council adopt the following measures for the 2011 tax year:

1. **THAT** the cost of mandatory capping for the multi-residential, commercial and industrial classes be revenue-neutral; self-financing within the property class; and

2. **THAT** the capping percentage for the multi-residential, commercial and industrial classes be set at 5% of the previous years annualized taxes; and

3. **THAT** the threshold change option be continued at $150 for multi-residential, commercial and industrial classes; and

4. **THAT** when a property reaches full current value assessment it is removed from the capping/clawback system; and

THAT Council authorize the By-law to adopt the 2011 Capping Options for the Protected Property Classes [Attachment #1 to Report 2011-050-05].

PURPOSE

As per Section 329.1 of the Municipal Act and accompanying regulations, Council must authorize a by-law each year to establish the capping percentage and threshold for the protected classes.

BACKGROUND

In December 1998, the Provincial government passed Bill 79, The Fairness for Property Taxpayers Act. This Act, commonly known as 10-5-5, retroactively capped 1998 assessment related increases at 10% over 1997 levels in the commercial, industrial and multi-residential classes. Future increases were also capped at an additional 5% for 1999 and 5% for 2000.

Municipalities can determine how the capping program is to be financed through either

(a) Self-financing within each property class, that is clawing back assessment related decreases on properties to pay for assessment related increases; or

(b) To add the expense of the capping program onto the budget.

In the past, Brockville has chosen the self financing option, however in 2009 there was a shortfall in the industrial class. This shortfall of $296 was added to the municipal levy.

In 2001, the Province passed Bill 140, the Continued Protection for Property Taxpayers Act. This continued the legislation of Bill 79 and limited the property tax increases to 5% per year until full current value assessment (CVA) is attained in each municipality.

As part of the 2004 Provincial budget process, legislation for 2005 tax years and beyond was authorized in Bill 83. This Bill allows municipalities more flexibility in the capping tools they choose to use for the protected classes.

Capping options currently available to municipalities include:

1. To continue with the current 5% increase of the prior year's annualized taxes
2. To increase the capped amount from 5% up to a maximum of 10% of the prior year's annualized taxes.
3. In addition, municipalities can impose a threshold. If the capped taxes are within $1 to $250 (as determined by municipality) of CVA taxes the property is taxed at CVA

These tools may be used on their own or in combination. They may also be applied differently to each of the protected tax classes. The options can change annually.

ANALYSIS

Capping

One ratepayer's gain is always at the expense of an offsetting ratepayer in regard to the capping options. A move toward full CVA is the ultimate goal. Full current value assessment allows the true value of the property, which is determined by MPAC, to set the taxes and does not continue the protection (cap) of some at the cost of others (clawback).

In 2009 Brockville determined that once a property reaches CVA it is removed from the capping/clawback process. The multi-residential and industrial properties have reached full CVA while the commercial class still has approximately 136 properties, about 26% of the properties in the class that are still within the protected category.

Items to Consider

1. If an insufficiency in a property class is created by changing the cap it will impact the budget.
2. Each class can be treated individually however, whenever possible, it is less confusing for taxpayers and staff if the capping is applied to all classes in the same manner.
3. In 2009, the processing of reassessments changed. For all property classes, assessment increases are phased in over a four year period and assessment decreases took effect immediately.
4. The Introduction of New Property Classes:
   a. The City of Brockville has adopted the New Multi-residential class for new construction which has a ratio of 1 – the same as residential.
   b. The Province has created tax classes for new construction properties in the commercial, shopping centre, office building, industrial and large industrial classes. This is in conjunction with the introduction of lower education rates to encourage growth in these economic areas.

Threshold

In addition to capping percentages, the Municipality may pass a by-law to move capped properties whose revised taxes falls within $250 (or a lower specified amount) of current value assessment to full CVA.

Threshold changes allow some property owners who were previously being clawed back to retain more of their dollars but it lessens the buffer of those facing higher increases. For each person that could benefit by the introduction of thresholds, another will be at a disadvantage.

No change is being recommended in the $150 threshold.

FINANCIAL CONSIDERATIONS

There are no financial implications for the municipality.

CONCLUSION

Capping and thresholds are another component necessary for setting the annual tax rate. The Province has allowed municipalities flexibility in the use of these tools. With properties coming to full current value assessment it is hoped that in the next few years, barring any massive changes in legislation, that capping will become unnecessary.

D. Smith, Revenue Accountant

M. McDonald, Financial Administrative Analyst

L. Ferguson,
Supervisor of Accounting Services

D. Cyr, Director of Finance

B. Casselman, City Manager

THE CORPORATION OF THE CITY OF BROCKVILLE

By-Law Number 0xx-2011

By-law to adopt the 2011 Capping option for the Protected Property Classes

---

WHEREAS the Province of Ontario introduced property tax capping options for 2005 and future years in the 2004 Ontario Budget;

AND WHEREAS it is necessary for the Council of the City of Brockville pursuant to Section 329.1 of the Municipal Act and accompanying regulations to establish a Capping threshold for The Protected Property Classes of Commercial, Industrial and Multi-Residential property classes;

NOW THEREFORE be it enacted that:

The 2011 annual cap for commercial, multi-residential and industrial classes will be set at 5% (five percent) of the previous year's annualized taxes.

AND that in the commercial, industrial and multi-residential classes that the CVA Threshold for capped properties whose 2011 revised taxes fall within $150.00 of the current years' CVA tax will be moved to CVA;

AND that in the commercial, industrial and multi-residential classes that the CVA Threshold for clawed back properties whose 2011 revised taxes fall within the $150.00 of the current years' CVA tax will be moved to full current value assessment;

AND that any insufficiency in the self-financing cap shall be added to the 2011 levy;

AND that when a property in the protected classes of commercial, industrial or multi-residential class reach full current value assessment (CVA) it is removed from the capping and clawback system;

AND this by-law shall come into force and take effect immediately following third reading.

Given under the Seal of the
Corporation of the City of Brockville
and passed this day of

MAYOR

CLERK

May 10, 2011

REPORT TO FINANCE & ADMINISTRATION COMMITTEE – MAY 17, 2011

2011-051-05
2011 TAX RATIO OPTIONS
FILE: F22-42D

D. CYR
DIRECTOR OF FINANCE
L. FERGUSON
SUPERVISOR OF ACCOUNTING SERVICES
M. MCDONALD
FINANCIAL ADMINSTRATIVE ANALYST
D. SMITH, TAX COLLECTOR

RECOMMENDATION

That Council authorize the tax ratios for all classes as per the attached schedule for the 2011 tax year; and

That Council authorize the By-law to set the tax ratios for all classes for 2011. [Attachment #2 to Report 2011-051-05].

PURPOSE

As per Section 308 of the Municipal Act, Council must authorize a by-law each year to establish the tax ratios for that year for the municipality.

BACKGROUND

The municipal portion of the tax rate of each property class is set in relation to the residential class. The residential ratio is always 1. If the commercial municipal tax rate is twice that of the residential, then the commercial ratio is 2. For 2010 the City of Brockville's commercial ratio was 1.958000 times the residential rate.

In 1998 when assessment and taxation reform was introduced, the Province provided transition tax ratios. The initial ratio was a reflection of the tax burden of each property class prior to tax reform. It kept the taxes expected from each class "status quo".

Single tier municipalities and upper tier municipalities have the ability to change tax ratios. A change in the ratio of any property class will shift the tax burden borne by all property classes.

ANALYSIS

A new property tax class of "new multi-residential", with a ratio of 1 (the same as residential) was established September 25, 2007. This class was adopted in support of the New Canada-Ontario Affordable Housing Program. At this time there are no properties in this class.

At the same time, Council agreed to review the "regular" multi-residential property class annually and phase in a ratio reduction over several years that would reduce the multi-residential properties from a ratio of 1.850000 (the 2007 ratio) to 1.

In conjunction with Council's direction the ratio for the multi-residential tax class has been reduced slightly each year since 2008 – going from 1.800000 to 1.782000 to 1.780000.

The City's ratio is below the Provincial average of 1.980000 (as defined by the Ministry of Finance) for the commercial property class. However, in an attempt to work towards a more competitive commercial rate, the ratio for the commercial tax class has also been reduced slightly each year since 2008 – going from 1.978500 to 1.958715 to 1.958000

Attachment 1 is a table that shows the comparison of the property classes based upon (a) no changes to the ratios from 2010 and (b) a small reduction in the multi-residential ratio (from 1.780000 to 1.770000).

Staff is recommending the slight ratio change for two reasons:

- prior Council's direction to phase-in ratio reduction to the multi-residential tax class
- minimum impact on the other tax classes as illustrated in Attachment #1

FINANCIAL CONSIDERATIONS

The Provincial Government has decreased the education tax rates for all property classes in 2011. These reductions in the education rate along with the assessment growth for Brockville will help to mitigate any tax shift cause by municipal tax ratio changes.

There is no financial consideration to the City of Brockville's budget. The same amount of taxes will be collected but shifted from one class to another.

CONCLUSION

The tax ratio is one of the components necessary for setting the annual tax rate. The Province has given single tier municipalities some input into determining their tax ratios. This allows individual municipalities the flexibility they need to influence the impacts of reassessment being attentive of the provincial rules with regards to levy restrictions and tax shifts as well as to be economically competitive.

D. Smith, Revenue Accountant

M. McDonald, Financial Administrative Analyst

L. Ferguson, Supervisor of Accounting Services

D. Cyr, Director of Finance

B. Casselman, City Manager

Comparison of Reducing Tax Ratio for Multi-Residential Property Class

No Ratio Changes

	Notional Percentage change in mun tax rate between 2010 & 2011	Actual Percentage change in mun tax rate between 2010 & 2011	2010 Actual Taxes per $ 100,000 Municipal	2010 Education	2010 Combined	2011 Estimated Taxes per $ 100,000 Municipal	2011 Education	2011 Combined	Difference Municipal	Difference Education	Difference Combined	Difference %
Residential	4.87%	-0.87%	$ 1,321.23	$ 241.00	$ 1,562.23	$ 1,309.72	$ 231.00	$ 1,540.72	$ (11.51)	$ (10.00)	$ (21.51)	-0.87%
Multi-Residential	4.87%	-0.87%	$ 2,351.80	$ 241.00	$ 2,592.80	$ 2,331.30	$ 231.00	$ 2,562.30	$ (20.50)	$ (10.00)	$ (30.50)	-0.87%
Commercial	4.87%	-0.87%	$ 2,586.98	$ 2,022.41	$ 4,609.39	$ 2,564.43	$ 1,730.00	$ 4,294.43	$ (22.55)	$ (292.41)	$ (314.96)	-0.87%
Industrial	4.87%	-0.87%	$ 3,471.62	$ 2,098.35	$ 5,569.98	$ 3,441.37	$ 1,930.00	$ 5,371.37	$ (30.26)	$ (168.35)	$ (198.61)	-0.87%

1.77 Multi-Residential Tax Ratio

	Notional Percentage change in mun tax rate between 2010 & 2011	Actual Percentage change in mun tax rate between 2010 & 2011	2010 Actual Taxes per $ 100,000 Municipal	2010 Education	2010 Combined	2011 Estimated Taxes per $ 100,000 Municipal	2011 Education	2011 Combined	Difference Municipal	Difference Education	Difference Combined	Difference %	
Residential	4.48%	-1.32%	$ 1,321.23	$ 241.00	$ 1,562.23	$ 1,310.28	$ 231.00	$ 1,541.28	$ (10.95)	$ (10.00)	$ (20.95)	-0.83%	$ 0.56
Multi-Residential	4.36%	-1.43%	$ 2,351.80	$ 241.00	$ 2,592.80	$ 2,319.20	$ 231.00	$ 2,550.20	$ (32.60)	$ (10.00)	$ (42.60)	-1.39%	$ (12.10)
Commercial	4.48%	-1.32%	$ 2,586.98	$ 2,022.41	$ 4,609.39	$ 2,565.53	$ 1,730.00	$ 4,295.53	$ (21.44)	$ (292.41)	$ (313.86)	-0.83%	$ 1.10
Industrial	4.48%	-1.32%	$ 3,471.62	$ 2,098.35	$ 5,569.98	$ 3,442.85	$ 1,930.00	$ 5,372.85	$ (28.77)	$ (168.35)	$ (197.13)	-0.83%	$ 1.48

Taking into Consideration Annual Reassessment

	2010 Assessment	2011 Assessment	Average Reassessment Increase	No Ratio Δ	Combined Impact Δ Multi Res	Difference
Residential	$ 111,215.00	$ 116,823.00	22.43%	$ 62.47	$ 63.13	$ 0.66
Commercial	$ 109,060.00	$ 113,590.00	18.12%	$ (148.96)	$ (147.70)	$ 1.26
Industrial	$ 107,710.00	$ 111,565.00	15.42%	$ (6.86)	$ (5.20)	$ 1.66

THE CORPORATION OF THE CITY OF BROCKVILLE

By-law Number 0xx-2011

By-law to Set Tax Ratios for the City of Brockville for the Year 2011

WHEREAS it is necessary for the Council of the City of Brockville, pursuant to the Municipal Act Section 308 to establish the tax ratios for 2011 for the City of Brockville;

AND WHEREAS the tax ratios determine the relative amount of taxation to be borne by each property class;

AND WHEREAS the property classes have been prescribed by the Minister of Finance under the Assessment Act as amended by Bill 140, the Continued Protection for Property Tax Payers Act, 2000 and Regulations thereto;

AND WHEREAS the City of Brockville has deemed it expedient not to adopt optional classes as part of the Province's originally suggested tools;

AND WHEREAS the City of Brockville has adopted the mainline classes of Residential/Farm class, Multi-Residential class, Commercial class, Industrial class, Pipelines class, Farmlands class and Managed Forest class

AND established the New Multi-Residential Property class as part of its Affordable Housing Program

NOW THEREFORE be it enacted that:

1. The ratios for these classes be adopted as follows:

a) the residential/farm property class is 1.000000

b) the new multi-residential property class is 1.000000

b) the multi-residential property class is 1.770000

c) the commercial property class is 1.958000

d) the industrial property class is 2.627561

e) the pipelines property class is 1.813224

f) the farmlands property class is 0.250000

g) the managed forest property class is 0.250000

2 That the ratios for the sub classes as shown on the assessment roll be adopted at the ratios as follows:

a) the commercial office building property class is 1.958000

b) the commercial shopping centre property is 1.958000

c) the parking lot property class is 1.958000

d) the large industrial property class is 2.627561

3. For the purposes of this By-Law the tax ratio for:

a) vacant land, vacant units and excess land subclasses, which are commercial property, is 70% of the commercial property class tax ratio (1.370600);

b) vacant land, vacant units and excess land subclasses which are industrial property, is 65% of the industrial property class tax ratio (1.707915);

c) the industrial property class includes all large industrial property.

4. This By-Law shall come into force and take effect immediately following third reading.

Given under the Seal of the
Corporation of the City of Brockville
and passed this 28th day of June, 2011

MAYOR CLERK

May 9, 2011

REPORT TO FINANCE, ADMINISTRATION AND OPERATIONS COMMITTEE MEETING – MAY 17, 2011

2011-056-05
DEVELOPMENT CHARGES BACKGROUND STUDY
FILE: F21-01

M. PASCOE-MERKLEY
DIRECTOR OF PLANNING
D. CYR
DIRECTOR OF FINANCE

RECOMMENDATION

THAT the City retain Hemson Consulting Ltd. to complete a development charges background study as well as to develop a proposed by-law based upon the results of the study; and

THAT this study be funded from the Growth Management Reserve Fund.

PURPOSE

To retain a consultant to complete a development charges background study as well as to develop a proposed by-law based upon the results of the study.

BACKGROUND

General Information on Development Charges (DC)

The first *Development Charges Act* was enacted in 1989. The legislation evolved at a time when provincial transfer payments were being withdrawn, thus there was the expectation that local funding would supplement infrastructure costs.

DC are fees imposed by by-law and collected by municipalities to help offset capital costs associated with growth related infrastructure projects. Municipalities are given the authority to impose such fees by the *Development Charges Act, 1997*. Section 10 of the *Development Charges Act, 1997*, requires that prior to passing a DC by-law a DC background study must be completed. A DC by-law may only be passed within the one-year period following the completion of the background study.

Attachment #1 to Report 2011-056-05, is general information on DC which has been taken from the Municipal Finance Officer's Association of Ontario's DC 101 seminar presented in April 2010.

BMA Management Consulting Inc. completes a variety of municipal studies on a regular basis. Their 2010 Municipal Study includes a section on DC. It is noted that there are four municipalities throughout Ontario which do not charge DC – Brockville, Sault Ste. Marie, Thunder Bay and Timmins. Attachment #2 to Report 2011-056-05 is a copy of the User Fees and Revenue Information within the 2010 BMA study which pertain to DC rates.

City of Brockville DC History

DC were first implemented in Brockville in 1991 following the completion of a DC background study and public consultation. Initial DC were a source of revenue for growth related capital projects including sanitary sewer collection and treatment, water treatment and distribution, and electric power and distribution facilities. New construction was subject to DC unless it was associated with manufacturing.

Subsequent DC by-laws were passed, following the completion of background studies and public consultation in 1999 and 2004.

On June 14, 2004, the City of Brockville passed a by-law, under Section 2(1) of the *Development Charges Act, 1997*, to establish development charges upon all lands within the boundaries of the City where the development of the land would increase the need for municipal services based upon a study which was completed earlier that year. The development charges were established based upon three designated services which are provided by the City: wastewater treatment; transportation and growth management. The by-law also contained provisions to exempt these fees from developments in the downtown area (Part II Item 15) and industrial land uses (Part III Item 22). The by-law's five year term expired on June 22nd, 2009.

During the 2009 budget process, Council approved an allocation of $20,000 from the Growth Management Fund towards an updated Development Charge Study.

In April 2009 staff recommended to Council, through Report 2009-058-04, to retain the services of a consulting firm to complete a new development charges background study and the development of a corresponding by-law to be implemented prior to the expiration of By-Law # 076-2004. Due to the economic environment, Council decided to allow the by-law to expire in an attempt to stimulate development and referred the topic to the EDP meeting in November where it was again deferred until the completion of the 2010 budget process.

Council, at their meeting held on April 27, 2010, gave staff the following directive:

> THAT the City retain a consultant to complete a development charges background study as well as to develop a proposed by-law based upon the results of the study; and
>
> THAT this study be funded from the Growth Management Reserve Fund and other sources, should they be required, to be determined during the 2010 budget process.

In May 2010, staff contacted three consulting firms who had bid in 2009 and requested a written proposal / quote to complete a new development charge background study as well as to develop a proposed by-law based upon the results of the study to be accepted by City Council. The quotes received ranged from $23,665 - $29,005.

Council's approval was requested once again in August 2010 as additional funds were required to complete the study as well as the fact that staff was not recommending the lowest bid of the three quotes. As the study takes three to six months to complete, including public meetings, and with the upcoming election, Council felt that the decision should be made by the new Council and deferred the study until 2011.

Staff is tabling this topic to the current Council to confirm the wish to move forward with a development charges background study.

ANALYSIS

The following bids were received in June 2010:

	Bid excl. taxes	Net Cost	Difference over low bid
Clark Consulting Services*	$ 23,258.00	$ 23,667.34	
Hemson Consulting Services*▫	$ 23,700.00	$ 24,117.12	$ 449.78
Watson & Associates Economists Ltd.	$ 28,500.00	$ 29,001.60	$ 5,334.26

** includes a developer/stakeholder session*

▫ initial bid revised by $1,300 to reflect work already completed by the City with respect to growth projections in Official Plan study

Staff believes that an important part of this study is to have the consultants meet with our development community.

Hemson Consulting and Watson & Associates are both well known for their expertise with growth forecasts and development charges, whereas, Clark Consulting's experience with development charges has been predominately with smaller lower-tier rural municipalities.

As the City of Brockville is a single tier urban municipality, it is the opinion of staff that the expertise of Hemson Consulting Services is required for the scope of this project.

Hemson Consulting Services has confirmed that the 2010 proposal is still valid.

POLICY IMPLICATIONS

In accordance with the City's Purchasing By-Law 090-2005, Council's authorization is required for the engagement of consultants where expertise is not available locally and the fees are between $10,000 and $30,000.

Council authorization is required to use additional funds from the Growth Management Reserve Fund.

FINANCIAL CONSIDERATIONS

Council approved an allocation of $20,000 towards an updated Development Charge Study in the 2009 budget from the Growth Management Fund.

It is anticipated that there are sufficient funds within the Growth Management Reserve Fund to cover the costs associated with this study.

CONCLUSIONS

Development charges are a valuable and essential revenue source to offset costs associated with capital costs required due to growth within the City. This is very evident in the $1.02 million being applied towards the WPCC upgrade from development charges.

This background study is an essential tool to determine the appropriate development charge rates to impose for the next five years.

M. Pascoe-Merkley, Director of Planning

Donna Cyr

D. Cyr, Director of Finance

B. Casselman, City Manager

General Information on Development Charges

Information taken from "Development Charges 101" Course provided by MFOA in April 2010

Purpose of Development Charges

- to recover the capital costs associated with residential and non-residential growth within the municipality
- the capital costs are in addition to what costs would normally be constructed as part of a subdivision (ie. internal roads, sewers, water mains, roads, sidewalks, streetlights, etc.)
- municipalities are empowered to impose these charges via the DCA

Development Charges Act, 1989 (DCA)

- original *Development Charges Act,* 1989 was enacted "to regularize a diverse system of municipal charges or levies imposed on development" in order to bring "certainty, uniformity and predictability" to the funding of municipal and school capital infrastructure
- *Development Charges Act,* 1989 signified a major policy change by shifting the tax burden for financing municipal infrastructure and education from the provincial to the municipal level
- the statute is based on the principle that growth ought to pay for itself – new development creates new demands for municipal infrastructure and this cost should be borne by new, not existing, municipal residents
- development charges enable municipalities to impose charges against land to pay for increased capital costs required because of increased needs for services arising from development
- DCA stipulates that the development of land in Ontario may require (if municipality passes a by-law) the payment of development charges unless the development is exempted from the imposition of such charges
- development charges are individually imposed by municipalities by by-law in accordance with the DCA

Development Charges Act, 1997 (DCA)

- new *Development Charges Act,* 1997 came into force on March 1, 1998 and was accompanied by omnibus regulation 82/98
- new *Development Charges Act,* 1997 made a number of very significant modifications to the DC scheme:
  - reduction of eligible services
  - 10 per cent reduction for all but specific services
  - new front-end financing provisions
  - imposition of a mandatory calculation methodology
  - removal of education development charges
  - new provisions re: credits and old credits
  - new industrial expansion exemption
  - mandatory background study

The DCA 1997 provided a major change to the DCA 1989 which resulted in a significant loss of potential revenue to municipalities. The new DCA introduced a number of service limitations, service standard restrictions, mandatory reductions and mandatory exemptions.

Limitations on Services

Some forms of capital and some services cannot be included in the DCA :

- headquarters for the general administration of the municipality
- arts, culture, museums and entertainment facilities
- tourism facilities
- provision of a hospital
- parkland acquisition
- waste management services

Service Standards

Service Standard measure provides a ceiling on the level of the charge which can be imposed.

- DCA, 1989 provided that the DC be "no higher than" the highest level attained over the previous 10 year period.
- DCA, 1997 provides that the DC be the "average of the past 10 years".

The impact to the municipality is that this generally lowers collection levels and may provide for spiral downwards if the municipality does not keep up with construction services.

Mandatory versus Discretionary Exemptions

Mandatory Exemptions

- for industrial building expansions (may expand by 50% with no DC)
- may add up to 2 apartments for a single as long as size of home does not double
- add one additional unit in medium and high density buildings
- upper / lower tier governments and school boards

Discretionary Exemptions

- reduce in part of whole DC for types of development or classes of development (ie. industrial or churches)
- may phase-in over time
- redevelopment credits to recognize what is being replace on site (not specific in the Act but provided by case law)

Development Charges

The recovery of costs by Ontario municipalities for capital infrastructure required to support new growth is governed by the *Development Charges Act (1997)* and supporting regulations.

Timing of By-Law Updates

This legislation provides for the periodic (maximum 5 year) replacement of existing development charge by-laws, at which time a detailed background study is required to support new charges to be incorporated into the revised development charge (D.C.) by-law. The Act also provides that a municipality can, notwithstanding the term of the by-law, revise all or part of the current by-law in the event that material changes have occurred that require adjustments to the quantum of charges. In the case of revisions to the existing by-law, either as a result of the termination of an existing by-law or in the event that the current by-law is amended prior to its expiry. The Act is prescriptive in the documentation that must be included in the background study.

Comparison of Development Charges

A comparison of development charges was undertaken using the most current data available. These rates reflect properties in the urban areas. Municipalities with varying development charge rates, based on location within the municipality, have been included in the report for the urban centre. Examples include Hamilton, Halton, Ottawa, Greater Sudbury and Kawartha Lakes. The tables on the next few pages summarize the total development charges in each municipality, including upper, lower and education charges.

General Introductory Comments

- The municipalities of Brockville, Sault Ste. Marie, Thunder Bay, and Timmins do not charge development charges
- There were no school board charges for the Region of Niagara, Belleville, Brockville, Central Elgin, Chatham-Kent, Cobourg, Greater Sudbury, Haldimand, Kawartha Lakes, Kingston, Lambton Shores, District of Muskoka, Middlesex Centre, North Bay, Peterborough, Prince Edward County, Quinte West, Sarnia, Saugeen Shores, St. Marys, St. Thomas, Stratford, The Blue Mountains, Tillsonburg, Timmins and Woodstock.
- There is a significant range in terms of development charges across the survey
- 13 municipalities have no municipal industrial development charges, 11 of which are located in Southwest Ontario
- 2 municipalities have no municipal commercial development charges

2010 Development Charges
(sorted by single detached)

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Brockville	none	none	none	none	none	none
Sault Ste. Marie	none	none	none	none	none	none
Thunder Bay	none	none	none	none	none	none
Timmins	none	none	none	none	none	none
St. Marys	$ 2,621	$ 1,938	$ 1,061	$ 1,635		
Quinte West	$ 3,000	$ 2,294	$ 1,486	$ 2,082	$ 1.10	$ 1.10
Chatham-Kent	$ 3,266	$ 2,483	$ 1,247	$ 2,449	$ 3.30	$ 1.47
Central Elgin	$ 4,733	$ 3,623	$ 2,677	$ 2,677	$ 2.34	
Middlesex Centre	$ 4,837	$ 3,469	$ 2,086	$ 2,757	$ 1.46	$ 0.59
North Bay	$ 5,032	$ 4,133	$ 2,390	$ 2,390	$ 1.24	$ 1.24
Sarnia	$ 5,063	$ 3,803	$ 2,274	$ 3,190	$ 4.25	$ 4.25
Kingsville	$ 5,915	$ 4,856	$ 2,748	$ 4,032	$ 0.88	$ 0.88
Kawartha Lakes	$ 6,257	$ 4,056	$ 2,868	$ 4,252	$ 5.43	$ 5.43
Belleville	$ 6,692	$ 4,675	$ 3,237	$ 4,094	$ 2.81	
St. Thomas	$ 6,799	$ 5,529	$ 2,862	$ 4,283	$ 5.28	$ 2.01
Prince Edward County	$ 7,382	$ 5,466	$ 3,076	$ 3,786	$ 2.50	$ 2.50
Saugeen Shores	$ 7,476	$ 6,402	$ 4,982	$ 5,969	$ 1.89	$ -
Greater Sudbury	$ 8,444	$ 5,253	$ 5,253	$ 5,253	$ 4.71	$ 2.02
St. Catharines	$ 8,500	$ 6,000	$ 5,000	$ 5,000	$ 8.00	$ 2.20
Wainfleet	$ 8,500	$ 6,000	$ 5,000	$ 5,000	$ 8.00	$ 2.20
Peterborough	$ 9,081	$ 7,853	$ 5,296	$ 5,296	$ 4.05	
Haldimand	$ 9,575	$ 6,228	$ 3,865	$ 3,865	$ 3.27	$ 3.27
Lambton Shores	$ 9,985	$ 8,593	$ 4,496	$ 6,365	$ 5.48	$ 5.48
Amherstburg	$ 10,014	$ 9,467	$ 9,024	$ 9,024		
Cobourg	$ 12,243	$ 9,619	$ 5,685	$ 9,619	$ 6.64	$ 2.89
Toronto	$ 12,281	$ 9,884	$ 5,275	$ 8,157	$ 9.34	$ 0.58
Leamington	$ 12,362	$ 8,727	$ 5,565	$ 7,147	$ 1.04	$ 1.04
Woodstock	$ 12,936	$ 10,149	$ 5,167	$ 6,899	$ 2.87	
Wellesley	$ 13,003	$ 9,315	$ 7,819	$ 7,819	$ 8.83	$ 8.83
Stratford	$ 13,134	$ 9,698	$ 5,178	$ 7,529	$ 2.06	
Lakeshore	$ 13,501	$ 10,675	$ 5,786	$ 8,764	$ 5.48	$ 2.40
Ottawa	$ 13,901	$ 10,636	$ 6,667	$ 9,037	$ 10.41	$ 6.37
Kingston	$ 14,050	$ 10,756	$ 6,287	$ 8,988	$ 12.07	$ 7.00
Pelham	$ 14,810	$ 10,552	$ 7,607	$ 8,972	$ 8.00	$ 2.20
Welland	$ 14,925	$ 11,010	$ 7,831	$ 9,313	$ 12.20	$ 6.40
Thorold	$ 14,978	$ 10,472	$ 7,796	$ 8,639	$ 10.40	$ 2.70
West Lincoln	$ 15,294	$ 10,141	$ 7,390	$ 8,631	$ 10.53	$ 4.73
North Dumfries	$ 15,376	$ 11,688	$ 10,192	$ 10,192	$ 8.83	$ 8.83
Grimsby	$ 15,759	$ 11,020	$ 7,892	$ 9,415	$ 10.45	$ 4.65
Port Colborne	$ 15,980	$ 11,191	$ 7,997	$ 9,554	$ 10.79	$ 3.49
Tillsonburg	$ 16,193	$ 13,589	$ 7,390	$ 9,864	$ 3.33	
Windsor	$ 16,378	$ 12,726	$ 8,515	$ 8,515	$ 3.50	
Bracebridge	$ 16,618	$ 14,618	$ 7,331	$ 10,938	$ 4.28	$ 4.28
Huntsville	$ 16,651	$ 14,694	$ 7,570	$ 11,235	$ 3.11	$ 2.09
Niagara-on-the-Lake	$ 17,116	$ 12,745	$ 8,835	$ 10,858	$ 12.52	$ 6.72
Woolwich	$ 17,332	$ 12,793	$ 9,930	$ 10,552	$ 10.43	$ 10.43

2010 Development Charges (cont'd)

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Orillia	$ 18,209	$ 15,761	$ 10,263	$ 13,317	$ 10.22	$ 10.22
Niagara Falls	$ 18,500	$ 12,667	$ 10,440	$ 10,440	$ 12.43	$ 6.63
Gravenhurst	$ 19,038	$ 17,126	$ 8,512	$ 12,935	$ 4.83	$ 4.83
Fort Erie	$ 19,072	$ 15,035	$ 9,394	$ 15,267	$ 14.36	$ 4.78
Wilmot	$ 19,279	$ 14,543	$ 10,796	$ 12,060	$ 11.88	$ 10.36
Kitchener	$ 21,994	$ 15,525	$ 12,914	$ 12,914	$ 12.91	$ 12.91
Orangeville	$ 22,126	$ 18,555	$ 9,181	$ 12,858	$ 7.28	$ 0.58
Brantford	$ 16,211	$ 11,287	$ 7,734	$ 8,750	$ 5.13	$ 5.13
Lincoln	$ 22,555	$ 16,210	$ 10,895	$ 13,958	$ 15.28	$ 9.48
The Blue Mountains	$ 23,184	$ 23,184			$ 11.31	
London	$ 23,300	$ 16,821	$ 10,134	$ 14,048	$ 15.67	
Cambridge	$ 23,890	$ 20,202	$ 14,578	$ 14,578	$ 10.53	$ 10.53
Guelph	$ 24,125	$ 18,490	$ 10,881	$ 15,035	$ 11.63	$ 3.95
Waterloo	$ 26,530	$ 18,725	$ 14,120	$ 16,012	$ 13.67	$ 13.67
Hamilton	$ 27,017	$ 19,556	$ 11,434	$ 16,821	$ 19.18	$ 6.83
Oshawa	$ 27,212	$ 22,330	$ 11,416	$ 17,644	$ 15.86	$ 3.33
Barrie	$ 28,454	$ 24,834	$ 14,562	$ 17,087	$ 16.58	$ 10.73
Pickering	$ 30,155	$ 24,079	$ 12,607	$ 18,025	$ 16.91	$ 7.20
Whitby	$ 30,873	$ 25,746	$ 12,750	$ 20,093	$ 13.04	$ 3.33
Ajax	$ 31,767	$ 25,966	$ 12,861	$ 19,009	$ 16.31	$ 6.60
Georgina	$ 32,571	$ 27,837	$ 14,625	$ 21,283	$ 24.97	$ 13.67
Mississauga	$ 34,165	$ 34,165	$ 14,248	$ 25,776	$ 14.67	$ 11.08
Clarington	$ 34,604	$ 29,451	$ 14,910	$ 22,479	$ 18.17	$ 6.14
Burlington	$ 34,763	$ 27,345	$ 15,083	$ 20,445	$ 20.26	$ 15.76
Caledon	$ 37,592	$ 33,528	$ 15,440	$ 26,465	$ 13.16	$ 10.66
East Gwillimbury	$ 39,023	$ 32,568	$ 16,900	$ 24,554	$ 26.36	$ 15.06
King	$ 39,339	$ 33,089	$ 16,915	$ 24,591	$ 27.22	$ 15.92
Richmond Hill	$ 39,634	$ 32,861	$ 17,455	$ 25,176	$ 27.13	$ 18.14
Whitchurch-Stouffville	$ 39,714	$ 32,651	$ 18,054	$ 25,926	$ 32.18	$ 15.13
Halton Hills	$ 41,098	$ 33,249	$ 16,771	$ 23,173	$ 18.36	$ 14.84
Vaughan	$ 41,245	$ 34,656	$ 20,297	$ 26,019	$ 25.16	$ 13.86
Newmarket	$ 41,529	$ 33,241	$ 17,083	$ 25,674	$ 25.02	$ 13.72
Brampton	$ 42,637	$ 38,576	$ 17,025	$ 30,046	$ 17.76	$ 10.56
Aurora	$ 42,871	$ 35,170	$ 19,222	$ 27,165	$ 25.67	$ 14.37
Milton	$ 43,399	$ 34,533	$ 18,777	$ 26,915	$ 21.61	$ 19.35
Markham	$ 46,457	$ 37,960	$ 19,334	$ 29,565	$ 24.21	$ 12.85
Oakville	$ 48,446	$ 38,153	$ 19,745	$ 30,085	$ 20.57	$ 20.57
Average	$ 20,387	$ 16,386	$ 9,461	$ 12,823	$ 11.31	$ 7.25
Median	$ 16,618	$ 12,745	$ 8,514	$ 10,316	$ 10.45	$ 6.26
Minimum	$ 2,621	$ 1,938	$ 1,061	$ 1,635	$ 0.88	$ -
Maximum	$ 48,446	$ 38,576	$ 20,297	$ 30,085	$ 32.18	$ 20.57

2010 Development Charges—Grouped by Location

North Ontario

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Sault Ste. Marie	none	none	none	none	none	none
Thunder Bay	none	none	none	none	none	none
Timmins	none	none	none	none	none	none
North Bay	$ 5,032	$ 4,133	$ 2,390	$ 2,390	$ 1.24	$ 1.24
Greater Sudbury	$ 8,444	$ 5,253	$ 5,253	$ 5,253	$ 4.71	$ 2.02
North Average	$ 6,738	$ 4,693	$ 3,822	$ 3,822	$ 2.98	$ 1.63

Simcoe/Muskoka/Dufferin Area

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Bracebridge	$ 16,618	$ 14,618	$ 7,331	$ 10,938	$ 4.28	$ 4.28
Huntsville	$ 16,651	$ 14,694	$ 7,570	$ 11,235	$ 3.11	$ 2.09
Orillia	$ 18,209	$ 15,761	$ 10,263	$ 13,317	$ 10.22	$ 10.22
Gravenhurst	$ 19,038	$ 17,126	$ 8,512	$ 12,935	$ 4.83	$ 4.83
Orangeville	$ 22,126	$ 18,555	$ 9,181	$ 12,858	$ 7.28	$ 0.58
Barrie	$ 28,454	$ 24,834	$ 14,562	$ 17,087	$ 16.58	$ 10.73
Simcoe/Musk./Duff. Averag	$ 20,183	$ 17,598	$ 9,570	$ 13,062	$ 7.72	$ 5.46

Niagara/Hamilton

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
St. Catharines	$ 8,500	$ 6,000	$ 5,000	$ 5,000	$ 8.00	$ 2.20
Wainfleet	$ 8,500	$ 6,000	$ 5,000	$ 5,000	$ 8.00	$ 2.20
Pelham	$ 14,810	$ 10,552	$ 7,607	$ 8,972	$ 8.00	$ 2.20
Welland	$ 14,925	$ 11,010	$ 7,831	$ 9,313	$ 12.20	$ 6.40
Thorold	$ 14,978	$ 10,472	$ 7,796	$ 8,639	$ 10.40	$ 2.70
West Lincoln	$ 15,294	$ 10,141	$ 7,390	$ 8,631	$ 10.53	$ 4.73
Grimsby	$ 15,759	$ 11,020	$ 7,892	$ 9,415	$ 10.45	$ 4.65
Port Colborne	$ 15,980	$ 11,191	$ 7,997	$ 9,554	$ 10.79	$ 3.49
Niagara-on-the-Lake	$ 17,116	$ 12,745	$ 8,835	$ 10,858	$ 12.52	$ 6.72
Niagara Falls	$ 18,500	$ 12,667	$ 10,440	$ 10,440	$ 12.43	$ 6.63
Fort Erie	$ 19,072	$ 15,035	$ 9,394	$ 15,267	$ 14.36	$ 4.78
Lincoln	$ 22,555	$ 16,210	$ 10,895	$ 13,958	$ 15.28	$ 9.48
Hamilton	$ 27,017	$ 19,556	$ 11,434	$ 16,821	$ 19.18	$ 6.83
Niagara Average	$ 16,385	$ 11,738	$ 8,270	$ 10,144	$ 11.70	$ 4.85

2010 Development Charges—Grouped by Location

Eastern Ontario

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Brockville	none	none	none	none	none	none
Quinte West	$ 3,000	$ 2,294	$ 1,486	$ 2,082	$ 1.10	$ 1.10
Kawartha Lakes	$ 6,257	$ 4,056	$ 2,868	$ 4,252	$ 5.43	$ 5.43
Belleville	$ 6,692	$ 4,675	$ 3,237	$ 4,094	$ 2.81	
Prince Edward County	$ 7,382	$ 5,466	$ 3,076	$ 3,786	$ 2.50	$ 2.50
Peterborough	$ 9,081	$ 7,853	$ 5,296	$ 5,296	$ 4.05	
Cobourg	$ 12,243	$ 9,619	$ 5,685	$ 9,619	$ 6.64	$ 2.89
Ottawa	$ 13,901	$ 10,636	$ 6,667	$ 9,037	$ 10.41	$ 6.37
Kingston	$ 14,050	$ 10,756	$ 6,287	$ 8,988	$ 12.07	$ 7.00
Eastern Average	$ 9,076	$ 6,919	$ 4,325	$ 5,894	$ 5.63	$ 4.22

Southwest Ontario

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
St. Catharines	$ 8,500	$ 6,000	$ 5,000	$ 5,000	$ 8.00	$ 2.20
Wainfleet	$ 8,500	$ 6,000	$ 5,000	$ 5,000	$ 8.00	$ 2.20
Pelham	$ 14,810	$ 10,552	$ 7,607	$ 8,972	$ 8.00	$ 2.20
Welland	$ 14,925	$ 11,010	$ 7,831	$ 9,313	$ 12.20	$ 6.40
Thorold	$ 14,978	$ 10,472	$ 7,796	$ 8,639	$ 10.40	$ 2.70
West Lincoln	$ 15,294	$ 10,141	$ 7,390	$ 8,631	$ 10.53	$ 4.73
Grimsby	$ 15,759	$ 11,020	$ 7,892	$ 9,415	$ 10.45	$ 4.65
Port Colborne	$ 15,980	$ 11,191	$ 7,997	$ 9,554	$ 10.79	$ 3.49
Niagara-on-the-Lake	$ 17,116	$ 12,745	$ 8,835	$ 10,858	$ 12.52	$ 6.72
Niagara Falls	$ 18,500	$ 12,667	$ 10,440	$ 10,440	$ 12.43	$ 6.63
Fort Erie	$ 19,072	$ 15,035	$ 9,394	$ 15,267	$ 14.36	$ 4.78
Lincoln	$ 22,555	$ 16,210	$ 10,895	$ 13,958	$ 15.28	$ 9.48
Hamilton	$ 27,017	$ 19,556	$ 11,434	$ 16,821	$ 19.18	$ 6.83
Niagara Average	$ 16,385	$ 11,738	$ 8,270	$ 10,144	$ 11.70	$ 4.85

2010 Development Charges—Grouped by Location

GTA Municipalities

Summary by Geographic Location

Municipality	Single Detached Dwellings per unit	Multiples Dwelling 3+ per unit	Apartment units < 2 per unit	Apartment units >=2 per unit	Non Residential Commercial per sq. ft.	Non Residential Industrial per sq. ft.
Toronto	$ 12,281	$ 9,884	$ 5,275	$ 8,157	$ 9.34	$ 0.58
Oshawa	$ 27,212	$ 22,330	$ 11,416	$ 17,644	$ 15.86	$ 3.33
Pickering	$ 30,155	$ 24,079	$ 12,607	$ 18,025	$ 16.91	$ 7.20
Whitby	$ 30,873	$ 25,746	$ 12,750	$ 20,093	$ 13.04	$ 3.33
Ajax	$ 31,767	$ 25,966	$ 12,861	$ 19,009	$ 16.31	$ 6.60
Georgina	$ 32,571	$ 27,837	$ 14,625	$ 21,283	$ 24.97	$ 13.67
Mississauga	$ 34,165	$ 34,165	$ 14,248	$ 25,776	$ 14.67	$ 11.08
Clarington	$ 34,604	$ 29,451	$ 14,910	$ 22,479	$ 18.17	$ 6.14
Burlington	$ 34,763	$ 27,345	$ 15,083	$ 20,445	$ 20.26	$ 15.76
Caledon	$ 37,592	$ 33,528	$ 15,440	$ 26,465	$ 13.16	$ 10.66
East Gwillimbury	$ 39,023	$ 32,568	$ 16,900	$ 24,554	$ 26.36	$ 15.06
King	$ 39,339	$ 33,089	$ 16,915	$ 24,591	$ 27.22	$ 15.92
Richmond Hill	$ 39,634	$ 32,861	$ 17,455	$ 25,176	$ 27.13	$ 18.14
Whitchurch-Stouffville	$ 39,714	$ 32,651	$ 18,054	$ 25,926	$ 32.18	$ 15.13
Halton Hills	$ 41,098	$ 33,249	$ 16,771	$ 23,173	$ 18.36	$ 14.84
Vaughan	$ 41,245	$ 34,656	$ 20,297	$ 26,019	$ 25.16	$ 13.86
Newmarket	$ 41,529	$ 33,241	$ 17,083	$ 25,674	$ 25.02	$ 13.72
Brampton	$ 42,637	$ 38,576	$ 17,025	$ 30,046	$ 17.76	$ 10.56
Aurora	$ 42,871	$ 35,170	$ 19,222	$ 27,165	$ 25.67	$ 14.37
Milton	$ 43,399	$ 34,533	$ 18,777	$ 26,915	$ 21.61	$ 19.35
Markham	$ 46,457	$ 37,960	$ 19,334	$ 29,565	$ 24.21	$ 12.85
Oakville	$ 48,446	$ 38,153	$ 19,745	$ 30,085	$ 20.57	$ 20.57
GTA Average	$ 36,881	$ 30,774	$ 15,763	$ 23,558	$ 20.63	$ 11.94

- There are clear trends across Ontario in terms of the DC practices and costs, with the lowest DCs generally in the North and East and the highest DCs in the GTA
- 3 of the 5 North municipalities in the study do not have Development Charges
- Brockville in the Eastern Ontario municipalities has no DCs. Of the remaining Eastern municipalities, 2 exempt Industrial properties
- All Niagara/Hamilton municipalities charge DCs for all types of properties
- A number of Southwest municipalities exempt industrial properties from DCs to promote employment

MAY 9, 2011

REPORT TO FINANCE & ADMINISTRATION & OPERATIONS – MAY 17, 2011

2011-052-05
2011 WORK PLAN
FIRST QUARTER REPORT

BOB CASSELMAN
CITY MANAGER

RECOMMENDATION

THAT report 2011- 052-05 Work Plan Quarterly Report, be received for information purposes.

PURPOSE

This report covers the first quarter of 2011. The purpose of the report is to keep Council and the public current with performance and operational challenges associated with the 2011 Work Plans.

BACKGROUND

This report will be submitted quarterly, details of which are outlined in Schedule 1.

Analysis/Options

There are a number of significant work plan initiatives that are currently underway including:

1. Official Plan
   A final draft of the Official Plan has been developed based upon public input and Council direction. Further consideration of Official Plan deferred to a Council workshop scheduled May 31, 2011. Formal adoption of the Official Plan is scheduled for June 2011.

2. Water Pollution Control Centre (WPCC)
   The $46 Million WPCC Secondary Treatment capital project remains within budget and on schedule. The City has requested an expansion to the scope of work to include upgrades to the main pumping station and the twinning of our truck line from the main pumping station along King Street to the treatment facility. The scope of work decision is anticipated in the second quarter of 2011.

   Financing of $4.4 Million has been secured through the Federation of Canadian Municipalities (FCM). Application for additional long term funding of $4.6 Million

has been made through FCM with a decision date of June 2011.

3. Maritime Discovery Centre

An Agreement of Purchase and Sale has been executed between the City of and Tall Ships Landing Inc. Permits have been issued and construction is underway. Bill Rogerson has been appointed Project Manager for the MDC.

4. Waste Management Master Plan

The Waste Management Master Plan has been presented to and adopted by Council. Preparations are underway for the issue of a Request for Proposal (RFP) in the second quarter.

5. Financial System

The implementation of the financial system is ongoing with the General Ledger, Payroll, Accounts Payable, Purchasing, and Taxation fully implemented.

Implementation of the remaining modules including Inventory, Work Orders, Fixed Asset Accounting, Asset Management, Accounts Receivable, Human Resources and Utility Billing is schedule by year-end.

Our Implementation Team (Cyr/Ferguson/Peters) have considered progress to date and have collectively recommended:

- To eliminate the activity based accounting for all departments in Work Tech except for capital projects
- To utilize Vadim solely for the day-to-day operations of the City Departments/Boards through the General Ledger.

This realignment is scheduled for completion June 30, 2011.

FINANCIAL IMPLICATIONS

None at this time.

CONCLUSION

Quarterly reports with respect to status of Work Plans provides for both Performance Measurement and Staff Accountability.

B. Casselman, City Manager

2011 DEPARTMENT GOALS/OBJECTIVES					
ADMINISTRATION	**1ST QTR.**	**2ND QTR.**	**3RD QTR.**	**4TH QTR.**	**COMMENTS/BARRIERS**
Corporate Strategic Plan 1. Assist Council in implementation of Corporate Strategic Plan	Integration of Strategic Plan goals/objectives into departmental work plans/2011 budget. Ongoing promotion of Strategic Plan throughout budget process/speaking engagements				
2. Communicate Strategic Plan to constituents and stakeholders	Integration of Strategic Plan goals/objectives into departmental work plans/2011 budget. Ongoing promotion of Strategic Plan throughout budget process/speaking engagements				
3. Implement Strategic Plan Initiatives Carbon Baseline Energy Management Action Plan Develop Carbon Reduction Plan Building & Energy Audits	Manager of Strategic Initiatives preparing annual report for presentation 2nd Quarter.				
4. Complete and implement Corporate Reorganizational Review Phase 2	Initiate 2nd Quarter				
5. Services Delivery Review Direct & oversee ongoing recommendations: - Police/Fire Dispatch - Energy Management Action Plan including installation of solar project at Memorial Centre & GWMC - Development of water meter	Steering Committee review of draft Police/Fire Dispatch Feasibility Study. Energy Management Action Plan – data collection stage. Water Meter Replacement Strategy – Data collection stage.				

2011 DEPARTMENT GOALS/OBJECTIVES					
ADMINISTRATION	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
replacement strategy					
6. Physician Recruitment Program – Jointly administer Program	Preparing annual report for 2nd Quarter presentation				
7. Oversight on Fiscal Management & Legislative Compliance of the Corporation Direct & oversee the preparation of: - Annual operating budget - Annual capital budgets - Long-term financial forecasts Quarterly status reporting to Council of corporate work plans and activity	2011 Budget completed				
8. **Project Facilitation** **Maritime Discovery Centre** Facilitate project where possible to move forward	Agreement of Purchase & Sale negotiations completed - Site Plan approval O/S - BCF Process payment reconciliation				
Brockville Landing Inc. Project Facilitate project where possible and move forward	Official Plan/Zoning amendment submitted. Human Health Assessment report completed/peer review pending				
Roof Top Solar Projects	Memorial Centre - installation of solar panels commenced - Hydro One hook-up Meeting scheduled April 2011				

2011 DEPARTMENT GOALS/OBJECTIVES					
ADMINISTRATION	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
	Gord Watts Centre FIT contract approval pending				
9. Develop & negotiate Elizabethtown-Kitley Boundary Restructuring Plan	Restructuring plan submitted to Elizabethtown-Kitley for their consideration				
10. Complete review of Non-Resident User Fees	- compiling background material - draft report under review				

2011 DEPARTMENT GOALS/OBJECTIVES					
ECONOMIC DEVELOPMENT DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
1. People - Execute immigration program initiatives in collaboration with the United Way & the Multicultural Association & to ensure welcoming & settlement objectives are realized as the necessary foundation required for more aggressive immigrant attraction, investment & retention	Completed all the anticipated outcomes from the CIC grant application associated with Welcoming and Settlement with specifics on file. Presentation on KPI presented to Council at April Council Meeting				
- Facilitate with local champions & new task committees to implement new attraction program that will realize the economic opportunities & achieve targets as identified in the economic strategy	Four task groups have been populated with key champions for start-up. Two of the four have terms of reference. Other two anticipated by June Council meeting				
- Implement the Enterprise Centre programming with both youth & small business clients in a manner that will provide an increased level of encouragement for new business start-ups & establish longer term response to a new business culture for entrepreneurship in Brockville & surrounding region	Operational and Workplan submitted to Ministry for funding. Awaiting approval.				
2. Economy - To expand participation in the OEEDC sector lead investment attraction through the cooperative linkage with the Leeds & Grenville Economic Development Department	City assuming lead of two sector team for marketing with County assuming lead of three teams. Will cross promote and represent each other to maximize efficiency and costing.				
- Focus on specific research & planning towards developing more marketing & image branding for clean tech/alternate energy business & complete more detailed comparative cost analysis for competitive messaging	Premature until the task groups have concluded their terms of reference and research				

2011 DEPARTMENT GOALS/OBJECTIVES					
ECONOMIC DEVELOPMENT DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
- Ensure establishment of an Economic Advisory Team (EDAT) as recommended in the new strategy	Completed and ongoing. 10 meetings since formation. Two Council reps attending regularly.				
- Participate & provide follow-up support function on the regional China/1000 Island Region project, on the focus of immigration, tourism, international education linkages & economic development. Building on connections & relationships from previous mission	Two files are active from China mission. Immigrant attraction through Provincial Nomination Program is a key driver.				
3. **Amenities** - Ensure completion of the $300k training certification program with St. Lawrence College	Most of funds now have been secured. 12 students enrolled with completion in August. Presentation to Council on KPI completed in January				
- Provide liaison when required on both grant funding sourcing & public relations/communications on a needed basis	Ongoing as part of Corporate Call Program. Two Heritage Grant application likely by year end for 1812/Waterfront				
- ensure input on linkages to the trail & cycling concept promoted by area tourism industry. Other tourism product development initiatives may be pursued based on Council directives	Activity is facilitated through tourism advisory team				
- Provide guidance to the Athletic Field Building Committee on the investigation for a new youth recreational field complex in partnership with both local school boards	First meeting April 27 on project for new site being the Legion property on Park Street. Seven committee members, Mayor and one Councillor				
Service Delivery Review					

2011 DEPARTMENT GOALS/OBJECTIVES					
ECONOMIC DEVELOPMENT DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
- Coordinate with community partners & champions, the implementation of a formal broader based retail/commercial/service on BR&E/aftercare programming with the necessary mechanism to ensure action on recommendations.	Template under development with target for 20 calls/interviews for year.				
- Provide examination of the Community Improvement Plan & encourage extension towards ensuring suitable tools to continue leverage of investment in downtown core & waterfront areas & realize the target of rejuvenation	No action at this point. To prepare for June presentation in partenship with planning department				
- Build upon the linkages with the County on mutual beneficial programming & special projects in marketing & promotions & infrastructure where deemed appropriate	No action till likely second quarter on this initiative. First meeting scheduled in May.				

2011 DEPARTMENT GOALS/OBJECTIVES					
FINANCE DEPARTMENT	**1ST QTR.**	**2ND QTR.**	**3RD QTR.**	**4TH QTR.**	**COMMENTS/BARRIERS**
1. ECONOMY					
• Continued assistance of the Community Improvement Plans including Brownfield Tax Incentives for Environmental remediation.	• ongoing process with Planning department • 3 projects currently receiving benefits of program • 5 projects in development stages				
• Continued involvement in local MUSH Sector Purchasing Group	• no meetings yet in 2011 • some electronic communication between members on an as needed basis				
2. SUSTAINABILITY					
• Development, implementation, monitoring of annual City Budget	• 2011 budget approved in principle by Council; formal approval in 2nd quarter				
• Complete full implementation of new Financial System	• Upgrade to iCity Enterprise to take place in mid April • Continue to have bi-weekly meetings with Vadim to develop best plan forward • Commenced initial stages of integrating WorkTech FAA with Asset Management Module + work orders				• City-wide implementation of entire financial system has created major learning curve issues throughout all City departments • Incorporating additional training with Enterprise implementation in April • Process impacted by limited staffing resources for on-going in-house training
• Continue to develop corporate strategy related to PSAB requirements primarily as it relates to tangible capital assets	• Process to be developed between Project Managers and Finance staff once 2011 budget has been approved				

2011 DEPARTMENT GOALS/OBJECTIVES

FINANCE DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
• Completion of annual year-end statements, FIR & MPMP or any other Annual Reports pursuant to legislated requirements	• Staff is working on 2010 year end requirements				
• The continuation & monitoring of the Ten Year Capital Plan which includes the information technology master plan	• on-going process				
• To establish a water finance plan in compliance with legislated requirements for the City's municipal drinking water license	• awaiting response from MMA&H Kingston for clarification of requirements associated with water finance plan				• will work with Environmental Services department to determine finance plan requirements
• Review of Corporate Financial Policy of Cash Flow Analysis	• on-going cash analysis of cash flow due to issues surrounding loss of OMPF funds, reduced Fiscal Policy balance and issues associated with back-ended funding of WPCC and MDC projects				
• Continued study of the potential for greater use of municipal-wide Development Charges	• in 3rd quarter 2010, Council deferred the study until February 2011 • due to duration of budget process, has been deferred to 2nd quarter 2011				
• Review of Purchasing By-Law	• Review not yet commenced, however slight amendment				

2011 DEPARTMENT GOALS/OBJECTIVES					
FINANCE DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
	has been made to the by-law in regard to local advertising for public tenders in conjunction with Council's decision during 2011 budget process				

2011 DEPARTMENT GOALS/OBJECTIVES					
PLANNING DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
1. People - Position the City well, through adoption of new Official Plan & Commencement of creation of **new Comprehensive Zoning By-law,** including young families that may choose to remain in or be attracted to Brockville; invite & direct growth that is aligned to the Family Friendly focus of the Strategic Plan	New comprehensive zoning by-law project to commence upon adoption of new Official Plan.				
2. Economy - Adopt **new Official Plan**, including land use policies supportive of economic vitality & employment growth	Action on finalization of new Official Plan put on hold through Q1 during orientation period for new Council and 2011 budget deliberations.				
- Evaluate the effectiveness of the Downtown & Brownfields **Community Improvement Plans,** & assist council in consideration of potential extension of and/or modifications to programs	Review of uptake of CIP programs underway, along with stakeholder consultation for report to EDP in Q2				
- Continue **subdivision file closure & assumption**	Butlers Creek subdivision readied for assumption; proceeding to Council in April. Review of other subdivision files ongoing.				
- Provide excellent customer service & support to development community & property owners by ensuring **fully trained Inspection Officials** in compliance with Ontario Building Code Act	Inspection Officer Andrew Turner has achieved Certified Building Code Official designation, following "Building Officials and the Law" training in Feb.				
- **Planning Review/Approvals/Permits** - TSL/MDC - Brockville Landings - Liston Avenue Subdivision - Aspen Drive Subdivision - 137 George Street/Trinity Church/Upper	TSL/MDC - Revised Cash-in-lieu of Parking Agreement executed; construction underway under Permit 2010-0278 for				

2011 DEPARTMENT GOALS/OBJECTIVES					
PLANNING DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
Canada Condominiums - Junic Lands - CPHC	superstructure for Floors 1 to 4 with inspections ongoing; application for permit for superstructure above 4th fl. submitted and reviewed; Ongoing communication facilitated by City between project manager and neighbours respecting construction impacts. Brockville Landings - Application for Official Plan and Zoning By-law amendments filed end of March to increase permitted density to 106 units with reduced parking. Public meeting scheduled for May 11/11. Liston Ave Subdivision -Draft plan approval granted by Council in Feb/11; request for Preservicing Agreement submitted. Aspen Dr. Subdivision - Draft plan approval granted by Council Feb/11 137 George St./Trinity - Public meeting held on Feb.1/11 on initial applications for OP, ZBL and CIP amendments. Modification to redevelopment plan has resulted in further public information session to be held May 11/11.				

2011 DEPARTMENT GOALS/OBJECTIVES					
PLANNING DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
	Junic -preconsultation on development plan and finalization of brownfield redevelopment funding agreement continuing. CPHC -Site Plan submission received and under review.				
3. **Amenities** - With Council & SMT, set priorities & timeframes for **Implementation of Downtown & Waterfront Master Plan** & Urban Design Strategy & in particular, review the recommendations in the Public Realm Strategy & Precinct Strategy Areas	Preliminary consultation with Council on specific element completed in March.				
- Implement the Urban Design Guidelines	Adopted guideline forms basis of discussion with downtown development interests on an ongoing basis				
4. Sustainability - Assist Official Plan consultants with release to Council of **Integrated Community Sustainability Plan** & coordinate its adoption; identify sustainability actions & programs to be implemented in the immediate to short term, & commence implementation	Completion of ICSP to closely follow adoption of new Official Plan, to be reintroduced in Q2				

2011 DEPARTMENT GOALS/OBJECTIVES					
Clerk's Department	**1st Qtr**	**2nd Qtr**	**3rd Qtr**	**4th Qtr**	**Comments/Barriers**
1. People					
a) AODA Standards – implementation and education	On-going implementation of Customer Service Standard; reviewing draft Integrated Standard				
b) Assist Governance Committee with procedural by-law review/automation of Council procedures/activities	No action				
c) Improve customer relations within City Hall in person visits (one stop shopping) and telephone handling	Parking pass sales transferred to Revenue Office; adjustments being made to telephone systems				
d) Improve public's access to documents via website	*On hold pending new hire/ replacement staff*				
2. Economy					
a) Review & update Corporate by-laws, including fines	*On hold pending new hire/ replacement staff*				
b) Increased emphasis on staff training to increase productivity	*On hold pending new hire/ replacement staff*				
3. Amenities					
a) Effect of new AODA regulations will begin to take effect over the longer term	Awaiting update on approval of Standards				
4. Sustainability					
a) Completion of 10-Year Parking Master Plan	*On hold pending new hire/ replacement staff*				
b) Review records management practices	*On hold pending new hire/ replacement staff*				
c) AODA will help to shape the sustainability of the community & corporation for the foreseeable future	Awaiting update on approval of Standards				
5. 2012 Budget Preparation					

Prepared by: S. Seale on May 2, 2011

2011 DEPARTMENT GOALS/OBJECTIVES

OPERATIONS DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
1. People - In partnership with community groups, enhance existing facilities & plan for new facilities to draw families & seniors, i.e. Rotary Park/Splash Pad, Sports Dome, Athletic Field, Brock Trail (amenities)	Initial Council approval given for Rotary Park/Splash Pad, Sports Dome.				
2. Economy Brownfields Work - Reynolds property Risk Assessment (with Operations Department) - Facilitate/Monitor Brownfield remediation projects (TSL, Junic, Brockville Landings, etc.) & linkages with City Amenities associated with or adjacent to these developments	Ongoing.				
3. **Amenities** - Complete RINC projects at Memorial Centre & Youth Arena (with Manager of Strategic Initiatives)	Ongoing. Outstanding projects scheduled to be completed by Aug. 31.				
- Negotiate new lease/acquisition of harbour (with City Manager)	Initiate 2nd quarter.				
- Update Transportation Master Plan	Initiate 2nd quarter.				
4. **Sustainability** - Complete/implement Sustainable Waste Management Plan (with Environmental Services)	Public comments on draft plan received. Draft plan to be presented to Council in 2nd quarter.				
- Rooftop solar projects at Memorial Centre & GWMC (with Manager of Strategic Initiatives)	Memorial Centre installation ongoing. GWMC pending FIT program contract approval.				

2011 DEPARTMENT GOALS/OBJECTIVES					
OPERATIONS DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
- Final phase of streetlight retrofit	Tender awarded. Awaiting delivery of units for installation 2nd quarter.				
- WPCC Secondary Treatment Project	Ongoing. Project remains on schedule and on budget.				

2011 DEPARTMENT GOALS/OBJECTIVES					
HUMAN RESOURCES DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
1. **People** - Primary focus upon completion of negotiations - Contract Negotiations for Transit (P.T.) & Fire Association - Play a primary role in the implementation of the new Organizational Review & help to adapt the corporation towards the re-organization of staff & new staff roles - Propose an Annual Communication Process with employees - Continue to promote training opportunities for staff for development & succession planning	Awaiting Fire award for 2009. P.T. Transit scheduled for May 18th. On-going Reviewing succession planning report.				
2. **Economy** - Investigate & review the financial viability of the current long-term Disability plans for Non-Union Staff for any possible cost savings - Continue efforts to reduce the WSIB Schedule 2 costs	Changing Union STD to reduced premiums July 1/11. Appeal (final) in 2011				
3. **Amenities** - Assist all employees at every level with the implementation of the upcoming corporate-wide projects - Help facilitate more corporate-wide projects for continuity & costs savings purposes while helping staff's productivity	Fire dispatch upgrade complete GIS on-going				
4. 2012 Budget Preparation	On-going				

2011 DEPARTMENT GOALS/OBJECTIVES					
FIRE DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
1. People - Continue Home Inspection Program	Continuation of Home Inspection Program is starting on April 26, 2011				
- Continue involvement with the resurgence of the Safe Community Program	Will be attending an objective brainstorming session on May 13th at BCC. Have met with representatives of UCDSB to develop a plan to re-introduce Risk Watch in L & G schools.				
- Continue to assist those with impairments & seniors to ensure they have working smoke alarms in accordance with legislation	On-going				
2. Economy - Public Safety Awareness Campaigns – posters on buses, at bus stops & the new digital sign at Laurier Blvd. Fire Station will assist the greater public vigilance	Campaign has been initiated. No action on digital sign at Laurier Station. Donation will be received before the end of May & work will begin by end of May.				
- Continue to promote remote access to our computer aided dispatch program "Crisys" to fire departments across the United Counties of Leeds & Grenville	We will continue to reach out to Fire Depts. in L & G to offer remote access to Crisys. Interest has been shown to provide dispatch services & remote access to South Stormont, South Glengarry& South Dundas Fire Depts.				
3. **Amenities** - Continue Hydrant Flushing program	On-going. Program to re-commence in May				
- Support Tourist Industry by attending festivals & events that require presence	On-going				

2011 DEPARTMENT GOALS/OBJECTIVES					
FIRE DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
4. **Sustainability** - Participate in City's lighting retrofit exercise	Completed at both fire stations.				
- Identification of possibilities for solar panel expansion on Fire Dept. land, in line with future City sustainability initiatives	Being investigated.				
2011 Work Plan					
- Continue with the purchase, test & implementation of a new Fire Dispatch Console to replace existing 20 year old	New Motorola 7500 console has been installed in temporary location. Is being tested & tentative in-service date is April 26/11				
- Remodel Dispatch Office	Will be started after decommissioning of old communication consoles. Estimate completion date – mid June				
- Install new digital sign on the front lawn of Laurier Blvd. Fire Station	See #2 – "Economy"				
- Maintain compliance with the Emergency Management & Civil Protection Act	Will be completed in 2011. No action taken at this time.				
- Develop new Fire Department Establishing & Regulating By-law for presentation to Council.	Draft by-law is complete. Will be presented to Council after "Dispatch" project.				
- Update Municipal Fire Protection Information Survey (MFPIS) required by the Fire Marshal's Office under the Fire Protection & Prevention Act (F.P.P.A.)	Completed – Will be forwarded to OFM for review & approval ASAP.				
- Review & upgrade Risk Assessment for	Completed				

2011 DEPARTMENT GOALS/OBJECTIVES					
FIRE DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
submission for approval to the Office of the Fire Marshal					
- Telephone upgrade for Station 1 (Perth Street) to provide voice mail capabilities for Fire Prevention Staff through the City Hall telephone switch	Awaiting cost estimates from Bell.				

2011 DEPARTMENT GOALS/OBJECTIVES					
ENVIRONMENTAL SERVICES DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
1. **People** - Continue to ensure the City's infrastructure is able to meet current & future growth demands for new families & industry	Design of Grenville Court and Parkview Blvd. reconstruction projects is on-going, expected to be tendered in April.				
- Complete/implement Sustainable Waste Management Plan for a greener community	Public comments on draft plan received. Draft plan to be presented to Council in 2nd quarter.				
- Monitor the results of the organizational review	On-going.				
2. **Economy** - Continued rehabilitation/reconstruction of existing infrastructure to allow for growth	Rehabilitation of manholes on Central Ave, is scheduled to be completed in the 3rd quarter.				
Brownfields Work - Reynolds property Risk Assessment (with Operations Department) - Facilitate/Monitor Brownfield remediation projects (TSL, Junic, Brockville Landings, etc.) & linkages with City Amenities associated with or adjacent to these developments.	On-going.				
3. **Amenities** - Reynolds Property Risk Assessment	On-going.				
- Water Systems Master Plan	RFP to be developed and				

2011 DEPARTMENT GOALS/OBJECTIVES					
ENVIRONMENTAL SERVICES DEPARTMENT	1ST QTR.	2ND QTR.	3RD QTR.	4TH QTR.	COMMENTS/BARRIERS
	advertised in 3rd quarter.				
4. **Sustainability** - Drinking Water Quality Management System	On-going. Management review meeting to be held in 2nd quarter.				
- Source Water Protection Plan	On-going. Assessment report has been reviewed by MOE and is being revised according to comments. Open public house is scheduled for 2nd quarter for public's comment. Policies are being developed for SWPC's endorsement in 2nd quarter. SWP Plans are to be completed by August 2012.				
- WPCC Secondary Treatment Upgrades	On-going. Project remains on schedule and on budget.				
- Continue to improve WPCC Capacity - Sewer Separation Projects - Landfill Leachate Treatment - Watermain Flushing Stations - Inflow/Infiltration Study	On-going.				
- WPCC/WTP Energy Conservation Projects	On-going.				

REPORT TO FINANCE, ADMINISTRATION AND OPERATIONS COMMITTEE – May 17, 2011

2011-054-05
CLOSED MEETING INVESTIGATOR

D. LIVINGSTONE
DEPUTY CITY CLERK

RECOMMENDED

That Council authorize the Mayor and City Clerk to execute an agreement with Fournier Consulting Services to appoint Fournier Consulting Services as the Closed Meeting Investigator for the City of Brockville and its local Boards and Committees for a period of two years commencing June 1, 2011 and that the necessary by-law be enacted.

PURPOSE

The purpose of this report is to appoint a closed meeting investigator, as per the Municipal Act.

BACKGROUND

As a result of Bill 130, *Municipal Statute Law Amendment Act*, 2006 which made numerous amendments and additions to the *Municipal Act,* 2001, Section 239 (Meetings) was revised and new sections were added (section 239.1 and 239.2) to permit the appointment of an ombudsman or investigator to determine whether the rules respecting closed meetings and/or the municipalities procedural by-law have been complied with.

Section 239.1 enables any person to request an investigation of whether a municipality or local board has complied with either the statutory requirements for closed meetings or a procedure by-law. The investigation will be then undertaken either by an impartial and independent investigator appointed by the municipality or where no appointment has been made, by the Provincial Ombudsman.

ANALYSIS/OPTIONS

With the amendments to the Municipal Act, 2001 the *Purpose* of Bill 130, states that *Municipalities are created by the Province of Ontario to be responsible and accountable governments with respect to matters within their jurisdiction and each municipality is given powers and duties under this Act and many other Acts for the purpose of providing good government with respect to those matters.* Part of those powers under the *Act,* is the power to appoint its own Municipal Investigator. By appointing a Municipal Investigator ensures having an investigator who is well trained in Municipal matters as opposed to Provincial matters.

In its deliberations, Council may wish to consider that The Ombudsman Act R.S.O. 1990 Section 14(1) states that the function of the Ombudsman is *"to investigate any decision or recommendation made or any act done or omitted in the course of the*

administration of a governmental organization and affecting any person or body of persons in his, her or its personal capacity". Further, Section 14(2) allows the Ombudsman to *"make any such investigation ...., or of the Ombudsman's own motion"* which translates that the Ombudsman may carry out an investigation that is not based on a complaint by the public. Under the same *Act*, Section 1 defines a governmental organization as *"a Ministry, commission, board or other administrative unit of the Government of Ontario, and includes any agency thereof".* As such, the Ombudsman Act clearly indicates that the Ombudsman was created by the Province to investigate concerns with respect to the Provincial Government.

The Municipal Act allows for any person to request an investigation of *"whether a municipality or local board has complied with Section 239 or a procedure by-law in respect of a meeting or part of a meeting that was closed to the public be undertaken".* In order to undertake the investigation, a Closed Meeting Investigator may be appointed by Council or if the municipality has not appointed an investigator, by the Ombudsman. Currently, approximately 250 municipalities within Ontario have hired a Closed Meeting Investigator and do not refer requests to the Ombudsman.

The appointment of a Closed Meeting Investigator for the City of Brockville will take a pro-active approach to transparency and accountability. Retaining a Closed Meeting Investigator, particularly an individual with extensive knowledge and experience in a municipal environment, demonstrates a willingness to be accountable. The proactive approach of appointing our own investigator for facilitation should a complaint under Section 239 be submitted demonstrates that we are a responsible and accountable government. To that end, Staff has sourced and received three quotes for service:

- Fournier Consulting Services
  ($500 onetime retainer, $125/hr, plus taxes)
- LAS Closed Meeting Investigator Program
  ($300 annual retainer, $1250/day or $156.25/hr plus out of pocket expenses and taxes).
- JGM Consulting
  ($1000 annual retainer, $100/hr, plus travel and taxes)

After consideration of the information provided, Staff are thereby recommending that Fournier Consulting Services be appointed as the City's Closed Meeting Investigator. Fournier Consulting Services provides a wealth of education and experience with respect to municipal government with thirty-four years of professional municipal planning, administrative and management experience at the local and upper-tier levels of municipal government.

POLICY IMPLICATIONS

There are no direct policy implications related to this report. As the option is Council's to retain an investigator or use the services of the Ombudsman the *Municipal Act,* 2001 is the prevailing legislation.

FINANCIAL CONSIDERATIONS

It is recommended that the City of Brockville appoint Fournier Consulting Services to perform the legislative duties of the independent contractor for the purposes of Closed Meeting Investigation for the City of Brockville under Section 239 of the Municipal Act. Payment of a one-time retainer fee of five hundred dollars ($500) is required and daily fees ($125 per hour) plus expenses, should an investigation be required.

It is proposed that the $500 retainer for this service be covered by the Administration Department operating budget. Fees for investigations would be reported in the variance process.

S.M. Seale, City Clerk

D. Livingstone, Deputy City Clerk

D. Cyr, Director of Finance

B. Casselman, City Manager

REPORT TO FINANCE, ADMINISTRATION AND OPERATIONS COMMITTEE – May 17, 2011

2011-055-05
LICENSING OF REFRESHMENT CARTS

SANDRA SEALE
CITY CLERK

RECOMMENDED

THAT Council authorize the passing of a by-law to provide for the licensing of refreshment carts.

PURPOSE

To respond to a request for the operation of a refreshment cart at Hardy Park by Mr. Jack Massey.

BACKGROUND

In response to amendments to the *Municipal Act*, 2001, which required the justification, rationale and restriction of the fees, Council set aside the business licensing by-law pending an in depth review. Council directed that refreshment vehicles could continue to operate but would require authorization by way of a license and applicable fee to operate issued on a "as requested basis".

There has been very little interest in refreshment carts over the past few years, with the last licence being issued in 2009. In the previous business license by-law refreshment carts were restricted on City owned properties within the DBIA to four locations, West Market Street (2 locations), Centeen Park and Centennial Park prior to 2005. In 2005, City Council, as a result of a request by a downtown restaurateur, amended the permissible location to remove Market Street West (2 locations).

ANALYSIS/OPTIONS

The Clerk's department received a request to permit a refreshment cart at Hardy Park. This is one of four inquiries related to refreshment (hotdog carts) received between April and May 2011.

In summary, the by-law (attached as Schedule 'A'):

- permits the operation of refreshment carts on two (2) city-owned properties (Centeen Park and Hardy Park);
- sets the maximum hours of operation;
- requires that the cart be inspected by the Health Unit and the Fire Department (if propane is used);

- disposal of refuse and litter pick-up in operating area;
- sets insurance requirements;
- requires the operator to obtain permission of festival and/or event organizers to sell during festivals and/or events held in the particular park;
- prohibits the operation of refreshment vehicles on private property within the designated BIA area ;
- provides an exemption for fundraising events
- establishes a fee of $500.00 per cart on city-owned property, and a fee of $200 per cart on private property (outside the designated BIA area).

In order to address concerns raised by downtown business owners related to refreshment carts, staff are recommending that refreshment carts be prohibited on private property within the defined BIA area but would permit refreshment carts on appropriately zoned commercial (private) property with the permission of the property owner. (*Comments are expected to be provided by Board of Downtown Brockville at the meeting.*)

POLICY IMPLICATIONS

Council's direction with regard to this matter will be considered when reviewing the business license by-law later this year.

FINANCIAL CONSIDERATIONS

The proposed license fees are $500 per cart on city-owned property and $200 per cart on private property. The fees will recuperate the costs of administration, inspection and enforcement of the refreshment carts.

S. Seale
City Clerk

D. Cyr
Director of Finance

B. Casselman
City Manager

THE CORPORATION OF THE CITY OF BROCKVILLE
By-law Number 0xx-2011

A By-law to License and Regulate Refreshment Carts

WHEREAS the *Municipal Act,* 2001, as amended, permits municipalities to license, regulate and govern business wholly or partly carried on within the municipality; and

WHEREAS Council deems it necessary to govern the operation of refreshment carts within the City of Brockville;

NOW THEREFORE the Council of the Corporation of the City of Brockville enacts as follows:

Definitions

1. The following terms shall have the corresponding meanings for the purpose of this By-law:

   a) "City" shall mean the Corporation of the City of Brockville;

   b) "designated BIA area" shall mean the area designated by by-law in accordance with the *Municipal Act*, 2001, Section 204;

   c) "refreshment cart" shall mean any vehicle, other than a motorized vehicle, from which refreshments are sold for consumption by the public.

General Provisions

2. No person shall operate a refreshment cart without an annual license to do so issued by the Corporation of the City of Brockville.

3. No person shall operate a refreshment cart on property other than:

   a. Centennial/Hardy Park (north east quadrant; Water Street at Home Street area); or

   b. Centeen Park

   c. Private properties, outside of the designated BIA area, which are zoned commercial;

Application of License

4. Every applicant for a licence to operate a refreshment cart shall provide the following to the City of Brockville:

   a) A completed application form, signed by the applicant;

   b) Proof of inspection by the Lanark, Leeds & Grenville Health Unit and the Brockville Fire Department for the refreshment cart;

   c) A non-refundable fee in the amount as follows:

      i. On city-owned property $ 500.00

      ii. On private property $ 200.00

   d) Proof that the owner of the refreshment cart carries a minimum of two million dollars public liability insurance and that the policy shall name the City of Brockville as an "additional insured".

   e) For applications to operate on private property the applicant must also provide a letter from the property owner or property manager permitting the use of his/her land for the proposed use.

Licenses Issued for Refreshment Carts on City-owned Property

5. There shall be only one license issued per park.

6. Licenses issued for City-owned properties are issued specific to the property.

7. Where a license has been issued for the operation of a refreshment card at either Centennial/Hardy Park or Centeen Park, the applicant must obtain permission from festival or event organizers before operating during a festival or event held in the licensed park. If no permission is obtained from the organizers the licensee is not permitted to operate during the festival or event.

Licenses Issued for Refreshment Carts on Private Property

8. For licenses issued for private property, the licensee shall ensure that:

   a. the operation of the refreshment cart is not located within fifty metres of an intersection; and

   b. the refreshment cart not be located within 3 metres of a highway; and

c. the refreshment cart is not located directly in front of an entrance or exit of a building.

Requirements Applicable to all Licenses

9. Every licensee shall supply a refuse container with a lid for his or her refreshment cart and the licensee shall ensure that:

   a. such refuse container is maintained in a position immediately adjacent to the refreshment cart at all times; and

   b. the refuse container is emptied at least once daily;

   c. all refuse generated from the operation of the licensee's refreshment cart is contained in such refuse container.

   d. if recyclable packaging and/or containers are being sold, the licensee must provide a separate container suitable for recyclables, suitably marked.

10. The licensee shall clean all litter from the area with a radius of 9 metres (29.5 feet) from the refreshment cart daily.

11. No licensee shall operate any refreshment cart between the hours of 10:00 pm and 9:00 am.

12. The cart and all parts and equipment thereof for use in the dispensing of refreshment shall at all times be kept in a clean and sanitary condition and in good repair.

13. Signs that are not attached to the refreshment cart are not permitted.

14. No license issued under the provision of this by-law shall be transferred.

Expiration / Renewal of License

15. Every license issued under this By-law, unless sooner revoked, shall expire on the 31st day of December in the year for which it was issued.

16. Any license issued under this By-law may be renewed prior to March 31st of each year, upon payment of the prescribed fee, provided that the City of Brockville may require the applicant to produce favourable reports from the Lanark, Leeds

& Grenville Health Unit and the Brockville Fire Department before renewing any license.

17. Effective April 1st of each year, licenses will be issued on a first come, first serve basis for unlicensed city-owned properties.

No License Required

18. A refreshment cart license shall not be required if:

    a. the refreshment cart is operated as a vendor of the Brockville Farmers Market, operating on Market Days;

    b. the refreshment cart is operating at a festival or event with the permission of the festival or event organizers;

    c. the refreshment cart is operated as a fundraising event for a registered charitable organization so long as the event organizer has permission of the City Clerk or Director of Operations;

    d. the refreshment cart is located on private property that has been zoned specifically to permit a "chip wagon" in accordance with the City of Brockville Zoning By-law.

Enforcement

19. The provisions of this by-law may be enforced by a municipal law enforcement officer, police officer, or other individual duly appointed for the purpose of enforcing this By-law.

20. No person shall obstruct, hinder or otherwise interfere with any by-law enforcement officer, police officer, peace officer, or other individual duly appointed while carrying out an investigation, making inquiries, or performing their duties for the purposes of enforcing this By-law.

Offence and Penalty Provisions

21. Any person who contravenes any provision of this By-law is guilty of an offence and, upon conviction, is subject to a fine as provided in the *Provincial Offences Act*, as amended, and to any other applicable penalties.

22. If this By-law is contravened and a conviction entered, the court in which the conviction has been entered and any court competent jurisdiction thereafter may,

in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

Validity

23. Each provision of this By-law is independent of all other provisions and if any provision is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this by-law remain valid and enforceable.

24. The short title of this By-law is the "Refreshment Cart By-law".

Commencement

25. This By-law shall come into force and take effect on the date of its passing.

Given under the Seal of the Corporation
of the City of Brockville and passed this
xx day of xx, 2011.

Mayor

City Clerk