

City of Mississauga
Corporate Report



<p>Date: November 16, 2020</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files:</p>
<p>From: Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works</p>	<p>Meeting date: December 2, 2020</p>

Subject

Stormwater Fees and Charges By-law Review Update

Recommendations

1. That a new Stormwater Fees and Charges By-law be enacted pursuant to the authority of the Municipal Act, 2001 to impose fees and charges for services provided by the City of Mississauga to pay for the costs of its stormwater management system and related services.
2. That the Corporation of the City of Mississauga's Stormwater Fees and Charges By-law 0315-2015, as amended, be repealed.
3. That the Stormwater Funding Program Policy 04-01-07, Stormwater Charge Subsidy Policy 08-01-04, and Stormwater Credit Program for Multi-Residential and/or Non-Residential Properties Policy 09-01-04 be amended to harmonize with the new Stormwater Fees and Charges By-law.

Background

As the City heads into the end of the fifth year of its Stormwater Charge Program (the "Program"), staff initiated the task of reviewing the Program's Stormwater Charge Credit Program, policies and by-law. An element of the Program's review has already been completed and a corporate report, titled 'Stormwater Charge Credit Program – 5 Year Review', brought forth to General Committee in November 2020, which addressed improvement opportunities to the City's Non- and Multi-residential Credit Program and residential incentive options.

The current Stormwater Fees and Charges By-law 0135-2015, as amended ("the current By-law"), was enacted in 2016. This current By-law provides the City with the authority to impose a stormwater charge on property owners beginning on January 1, 2016.

A comprehensive internal audit, focussed on stormwater revenue and stormwater charge related processes, was completed in 2019. While the Stormwater Revenue Audit found that the Program is running well, opportunities for further improvements that would strengthen existing controls and processes were recommended. One of the high priority audit recommendations is to review and update the current By-law to ensure that it reflects current business practices.

Comments

New Stormwater Fees and Charges By-law

Staff from Environmental Services and Legal Services have undertaken a comprehensive update to the current By-law to adequately address present business practices and processes, audit recommendations as well as housekeeping matters. As a result of this comprehensive update, and in consultation with Legal Services, it was determined that the current By-law should be repealed and a new Stormwater Fees and Charges By-law (“new By-law”) be enacted.

All relevant provisions of the current By-law have been included. Some of the changes being addressed by the new By-law include:

- Adding and updating definitions including ‘Applicant’, ‘Impervious Area’, ‘Material Change’, ‘Credit Application’, ‘Stormwater Charge Credit’, ‘Stormwater Management System’, ‘Working Farm’ and ‘Low Income Senior and Low Income Persons with Disabilities’;
- Including *Working Farm* and *Low Income Senior and Low Income Persons with Disabilities* as eligible for a Stormwater Charge Subsidy, by way of a grant to reduce or eliminate the amount of Stormwater Charge payable, to reflect the adoption of a revised Corporate Policy and Procedure - Stormwater Charge Subsidy 08-01-04 by Council in 2016;
- Adding a provision for exemptions from the stormwater charge for properties not subject to municipal fees and charges or not serviced by the City’s Stormwater Management System;
- Providing authorization to the Region of Peel to write-off uncollectible amounts in accordance with its standard collection processes for utility accounts and the Service Level Agreement between the City of Mississauga and the Region of Peel;
- Allowing the Commissioner of Transportation and Works and the Commissioner of Corporate Services and CFO to appoint designates to adjust the stormwater charge assessment or reduction based on justifiable evidence; and,
- Replacing the term “Appeal” with “Request for Review” to refer to the process that a property owner undertakes to have their Stormwater Charge assessment reviewed.

Stormwater Charge Corporate Policies

As a result of the new By-law, the following Corporate Policies and Procedures will be updated accordingly to ensure consistency and avoid duplication:

- Stormwater Funding Program 04-01-07
- Stormwater Charge Subsidy 08-01-04
- Stormwater Credit Program for Multi-Residential and/or Non-Residential Properties 09-01-04

Financial Impact

There will be no financial impact to the City.

Conclusion

Staff from Transportation and Works (Environmental Services Section) and Legal Services have developed a new By-law which will enhance and clarify the current business practices and processes and support City staff in effectively administering the Program. In addition, amendments to stormwater charge related policies and procedures will also be undertaken to ensure that both the new By-law and its related policies and procedures are consistent.

With the introduction of the new By-law, the current By-law, as amended, will be repealed.



Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works

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