

From: Gino Becerra <gino.becerra@qsl.com>

Sent: June 27, 2023 9:29 AM

To: clerk@hamilton.ca

Subject: GIC June 28, 2023, Item 7.2 - Stormwater Funding Review - FCS22043(b)

Importance: High

Attention: Angela McRae,
Legislative Coordinator General Issues Committee City of Hamilton

Good Morning M. McRae

I am writing this email representing QSL Canada, we are tenants at the port of Hamilton involved in cargo handling and logistics. We wanted here to comment on the proposed Stormwater Rate Review.

The stormwater charge is premised on the impact properties have on the City's stormwater management system and it is intended to be an equitable user-pay system. There must be a connection between the fee amount and the cost of the service being provided, for the fee not to be considered a tax.

As you are aware, in Ontario, a municipal user fee can only be charged in exchange for a specific service offered to the entity paying the fee. The fee must be directly related to the cost of providing the service to that user, and the municipality may not charge one user a fee for a service it provides to someone else.

Our leased property, like many others within port grounds, maintains an independent stormwater system which collect and manage stormwater before discharging to Hamilton Harbour without utilizing the municipal system.

These systems around the port of Hamilton provide an equivalent level of service as the municipal systems without any municipal investment. Accordingly, it is not appropriate for this rate structure to apply to properties that have no interface with the municipal stormwater system, and we would recommend the inclusion of an exemption in the rate structure to address these specific cases. Other municipalities that have adopted a similar approach to stormwater fees have incorporated such exclusions.

We would also like to point out, that as far as we know, there was very little consultation with industrial/commercial users in the preparation of this proposal, and we only found out by chance through an informal communication with HOPA.

Thank you again for the opportunity to share our feedback on the proposed rate structure.

Sincerely,

Gino Becerra
Vice-président, Ontario
T 905 728-9299 C 905 730-8010



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