RECOMMENDATION FOR JUNE 14, 2010

That this report be tabled as information and brought back for Council’s consideration on June 21, 2010.

RECOMMENDATIONS FOR JUNE 21, 2010

That Council approve report PWS2010-031, and that Council approve:

1. That the stormwater rate schedule as specified in Attachment 1 of staff report PWS2010-031 be approved and come into effect on January 1, 2011;

2. That the by-law enacting the stormwater rate as specified in Attachment 2 be approved;

3. That the Fees and Charges By-law is amended to include the proposed 2011-2014 stormwater rates identified in Attachment 1;

4. That payment of the stormwater rate by the Boards is voluntary until either clarity is provided by the Province or until 2012 at which time this approach be re-evaluated; and

5. That staff report to Council prior to January 1, 2012 with the following information:
   a. evaluation of the tiered flat rate funding model
b. stormwater rate credit policy  
c. recommendations on the voluntary approach to school board payment of stormwater fee (if direction is still outstanding from Province)

EXECUTIVE SUMMARY:

On December 14, 2009, Council approved in principle moving the Stormwater program from a property tax supported program to a user rate funded program, using the Tiered Flat Rate stormwater funding model and directed staff to report back in June 2010 with a revised rate structure which incorporates additional property size tiers (PWS2009-60).

Since then, staff have been refining the rate structure and working through the implementation details. The implementation has centered on utilizing the existing water/sanitary billing database to create efficiencies in the billing process. The revised rate structure is provided in Attachment 1.

Communication activities focused on providing information and soliciting feedback from key stakeholder groups including ‘places of worship’, school boards, Waterloo Economic Development Committee, and Greater Kitchener-Waterloo Chamber of Commerce.

BACKGROUND:

In November 2004, Council directed staff to proceed with undertaking a Stormwater Management Program and Funding Review Study (Study) collaboratively with the City of Kitchener as part of the Shared Services Initiative. The purpose was to identify the City’s current level of service, compare this to the legislated requirements and guidelines, develop a suggested level of service, and to evaluate appropriate funding mechanisms to support the stormwater program needs. The Study recommended that a utility structure and user rate approach be implemented in order to fully fund stormwater management programming within the City of Waterloo. The benefits of shifting to a rate based funding mechanism include:

- a dedicated funding source to stormwater management, hence sustainability, flexibility and adaptability to respond to issues such as climate change;
- a more fair and equitable rate based on the property’s use of the stormwater system as opposed to property value;
- a funding mechanism that would include all contributors to the stormwater system;
- a potential incentive for property owners to reduce stormwater runoff and pollutant discharge (i.e., installation of green roofs, rain barrels, etc., to reduce stormwater runoff); and
- an opportunity to educate the public on the importance of stormwater management and how individuals can do their part to manage stormwater and keep our system clean and environmentally safe.

On December 14, 2009, Council passed the following resolutions (PWS2009-60):
1. that Council approve in principle moving the Stormwater program from a property tax supported program to a user rate funded program, using the Tiered Flat Rate stormwater funding model;

2. that Council approve the implementation budget estimated at $20,000 to be funded from the Operating Budget Contingency Reserve;

3. that Council direct staff to incorporate additional property size classes into the rate model and report back in June 2010 with an updated rate schedule;

4. that Council approve a reduction in property tax equivalent to the amount shifted over to a user rate at the time of implementation.

5. that Council approve a phased-in implementation approach as follows
   - July 2010 – administrative implementation only, no impact to property taxes
   - January 2011 – 25% user rate, 75% property tax
   - January 2012 – 50% user rate, 50% property tax
   - January 2013 – 75% user rate, 25% property tax
   - January 2014 – 100% user rate

6. that Council direct staff to report back one year after implementation to evaluate the tiered flat rate model.

Since this time, staff have been refining the rate structure and working through the implementation details. In addition, communication and coordination of implementation considerations have taken place between staff at the City of Kitchener and Waterloo.

A cross-departmental staff team was assembled with the necessary skills to assist and provide input into the implementation requirements. Members of this team include:

- Tim Anderson
- Bill Garibaldi
- Cynthia McDonald
- Garry Bezruki
- Paul Grivicic
- Denise McGoldrick
- John Burke
- Jamie Liu
- John Morrison
- Todd Chapman
- Diane Marton
- Janice Works
- Karen Eskens
- Bob Mavin

The implementation considerations have centered on utilizing the existing water/sanitary billing database to create efficiencies in the billing process, and minimizing the stormwater rate administration costs and ongoing maintenance requirements.

This report provides details associated with the proposed stormwater rate structure, the enacting by-law for implementation of the rate starting on January 1, 2011, and a summary of the communication activities during the stormwater rate implementation analysis.
**FINANCIAL IMPLICATIONS:**

**Stormwater Program Financial Summary:**
The average annual stormwater program cost in the City of Waterloo is $2,412,429, based on the four year average during the implementation period at the existing level of service. This includes operations and maintenance activities, administration/overhead and planned capital expenditures in the existing 10 year capital budget forecast. Table 1 below provides a summary of the operating and capital forecast.

<table>
<thead>
<tr>
<th>Budget Projections</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Program Costs (1)</td>
<td>1,057,895</td>
<td>1,103,638</td>
<td>1,131,229</td>
<td>1,159,509</td>
<td>1,113,068</td>
</tr>
<tr>
<td>Capital Projects</td>
<td>854,731</td>
<td>508,458</td>
<td>1,057,255</td>
<td>508,377</td>
<td>732,205</td>
</tr>
<tr>
<td>Other Program Costs (2)</td>
<td>546,325</td>
<td>559,983</td>
<td>573,983</td>
<td>588,332</td>
<td>567,156</td>
</tr>
<tr>
<td></td>
<td><strong>2,458,951</strong></td>
<td><strong>2,172,079</strong></td>
<td><strong>2,762,466</strong></td>
<td><strong>2,256,219</strong></td>
<td><strong>2,412,429</strong></td>
</tr>
</tbody>
</table>

1. This would include programs such as Catchbasin Cleaning, Catchbasin/Manhole repairs, Creek/Culvert maintenance, Leaf Collection, Street Sweeping, Clean Water Initiatives, Tree Maintenance, etc.
2. This would include administrative and overhead expenditures such as billing, inquiries, salaried staff costs (i.e. Director, Manager, etc.)

**Stormwater Rate Analysis Summary:**

The Tiered Flat Rate funding model apportions a rate charge based on the property’s land use classification. The rationale for assigning stormwater charges based on land use classification is that there is generally a correlation between land use and percent imperviousness of a property. This generalization is an accepted engineering practice for stormwater management planning and design and, as such, is applicable for a stormwater rate. The land use classifications identified for the stormwater rate are residential, multi-residential\(^1\), institutional, and industrial/commercial\(^2\).

1. The Multi-Residential property class had previously been included under the residential class however was added as a separate class to more accurately reflect the differences in impervious factor and property size.
2. The Industrial and Commercial property classes were combined due to the similarities between impervious footprint and the broad overlap in property size.
In order to evaluate all property parcels to perform the stormwater rate analysis, the existing water/sanitary billing database was linked to the City’s Geographic Information System (GIS) spatial database. Prior to the linkage between the two databases preliminary rates identified in PWS2009-60 had been determined based primarily on property classification and an estimation of the number of accounts within each property class. The use of GIS data has provided a better mechanism to assign property classification and identify factors linking the use of the stormwater system to the cost of the stormwater service provided.

The assignment of property classification for each property is based on the Municipal Property Assessment Corporation (MPAC) property code data which is assigned based on property characteristics and property use. For each property classification, additional tiers were identified based on property size. A statistical partition analysis was utilized in the tiering exercise. The number of rate tiers has increased from the four tiers originally presented to Council to thirteen tiers. Three tiers have been developed for each of the residential, multi-residential and institutional property classifications. Due to degree of variation in property size in the commercial/industrial property class, four tiers were created. The rate tiers are provided in Table 2 below.

<table>
<thead>
<tr>
<th>Property Type</th>
<th>Size Class</th>
<th>Size Range</th>
<th>Total Area (acres)</th>
<th>Mean Area (acres)</th>
<th># of Properties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Residential Small</td>
<td>Less than or equal to 0.1 acres</td>
<td>609.49</td>
<td>0.08</td>
<td>7,520</td>
</tr>
<tr>
<td></td>
<td>Residential Medium</td>
<td>Greater than 0.1 acres and less than or equal to 0.25 acres</td>
<td>2,606.11</td>
<td>0.16</td>
<td>16,555</td>
</tr>
<tr>
<td></td>
<td>Residential Large</td>
<td>Greater than 0.25 acres</td>
<td>964.86</td>
<td>0.46</td>
<td>2,113</td>
</tr>
<tr>
<td>Multi-Residential</td>
<td>Multi-Res Small</td>
<td>Less than or equal to 0.25 acres</td>
<td>22.04</td>
<td>0.169</td>
<td>130</td>
</tr>
<tr>
<td></td>
<td>Multi-Res Medium</td>
<td>Greater than 0.25 acres and less than or equal to 2 acres</td>
<td>162.10</td>
<td>0.776</td>
<td>209</td>
</tr>
<tr>
<td></td>
<td>Multi-Res Large</td>
<td>Greater than 2 acres</td>
<td>397.63</td>
<td>4.37</td>
<td>91</td>
</tr>
<tr>
<td>Institutional</td>
<td>Institutional Small</td>
<td>Less than or equal to 2 acres</td>
<td>49.59</td>
<td>0.885</td>
<td>58</td>
</tr>
<tr>
<td></td>
<td>Institutional Medium</td>
<td>Greater than 2 acres and less than or equal to 10 acres</td>
<td>343.18</td>
<td>5.2</td>
<td>66</td>
</tr>
<tr>
<td></td>
<td>Institutional Large</td>
<td>Greater than 10 acres</td>
<td>624.63</td>
<td>32.24</td>
<td>22</td>
</tr>
<tr>
<td>Commercial/Industrial</td>
<td>Com/Ind Small</td>
<td>Less than or equal to 0.5 acres</td>
<td>51.62</td>
<td>0.22</td>
<td>231</td>
</tr>
<tr>
<td></td>
<td>Com/Ind Medium</td>
<td>Greater than 0.5 acres and less than or equal to 2.5 acres</td>
<td>482.15</td>
<td>1.25</td>
<td>385</td>
</tr>
<tr>
<td></td>
<td>Com/Ind Large</td>
<td>Greater than 2.5 acres and less than or equal to 10 acres</td>
<td>505.13</td>
<td>4.51</td>
<td>112</td>
</tr>
<tr>
<td></td>
<td>Com/Ind Largest</td>
<td>Greater than 10 acres</td>
<td>514.06</td>
<td>19.04</td>
<td>27</td>
</tr>
</tbody>
</table>
A key component of implementing a stormwater rate is to ensure that program expenditures are equitably and fairly distributed across the rate tiers. Two factors have been developed to provide the basis for apportioning stormwater program costs to each rate tier:

1. Impervious Factor – The impervious factor allocates program costs based on an estimated amount of impervious area on a property. The more impervious area on a property, the greater the amount of runoff and pollutant loading from the property and into the City’s stormwater management system.

2. Infrastructure Intensity Factor – The infrastructure intensity factor allocates program costs based on the amount of municipally owned stormwater infrastructure required to service the property class and size tier. The factor was determined based on the density of city owned stormwater infrastructure identified for each property class (as measured by pipe length per area).

Table 3 below identifies the impervious and infrastructure intensity factors used in the rate calculation and the corresponding proportion of the stormwater costs assigned to each rate tier.

<table>
<thead>
<tr>
<th>Property Class</th>
<th>Size Class</th>
<th>Impervious Factor</th>
<th>Intensity Factor</th>
<th>Proportion of Cost</th>
<th>Cost Share Based on Proportion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Residential Small</td>
<td>0.55</td>
<td>0.37</td>
<td>11.02%</td>
<td>$265,848.28</td>
</tr>
<tr>
<td></td>
<td>Residential Medium</td>
<td>0.45</td>
<td>0.35</td>
<td>36.47%</td>
<td>$879,784.19</td>
</tr>
<tr>
<td></td>
<td>Residential Large</td>
<td>0.40</td>
<td>0.30</td>
<td>10.29%</td>
<td>$248,169.50</td>
</tr>
<tr>
<td>Multi-Residential</td>
<td>Multi-Res Small</td>
<td>0.70</td>
<td>0.40</td>
<td>0.55%</td>
<td>$13,227.34</td>
</tr>
<tr>
<td></td>
<td>Multi-Res Medium</td>
<td>0.70</td>
<td>0.37</td>
<td>3.73%</td>
<td>$89,988.21</td>
</tr>
<tr>
<td></td>
<td>Multi-Res Large</td>
<td>0.70</td>
<td>0.35</td>
<td>8.66%</td>
<td>$208,808.45</td>
</tr>
<tr>
<td>Institutional</td>
<td>Institutional Small</td>
<td>0.60</td>
<td>0.15</td>
<td>0.40%</td>
<td>$9,566.20</td>
</tr>
<tr>
<td></td>
<td>Institutional Medium</td>
<td>0.40</td>
<td>0.10</td>
<td>1.22%</td>
<td>$29,422.86</td>
</tr>
<tr>
<td></td>
<td>Institutional Large</td>
<td>0.30</td>
<td>0.05</td>
<td>0.83%</td>
<td>$20,082.46</td>
</tr>
<tr>
<td>Commercial/Industrial</td>
<td>Com/Ind Small</td>
<td>0.95</td>
<td>0.30</td>
<td>1.31%</td>
<td>$31,533.03</td>
</tr>
<tr>
<td></td>
<td>Com/Ind Medium</td>
<td>0.95</td>
<td>0.25</td>
<td>10.17%</td>
<td>$245,441.86</td>
</tr>
<tr>
<td></td>
<td>Com/Ind Large</td>
<td>0.85</td>
<td>0.25</td>
<td>9.54%</td>
<td>$230,072.63</td>
</tr>
<tr>
<td></td>
<td>Com/Ind Largest</td>
<td>0.85</td>
<td>0.15</td>
<td>5.82%</td>
<td>$140,483.99</td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td></td>
<td></td>
<td>100.00%</td>
<td>$2,412,429.00</td>
</tr>
</tbody>
</table>

Figures 1 and 2 illustrate the stormwater cost distribution under the existing tax based funding scenario (Figure 1) and under the proposed stormwater rate scenario (Figure 2). The proposed rate structure would shift 7% of the existing stormwater contribution from the residential property class to other property classes.
Figure 1 – Existing Distribution of Stormwater Program Costs (Tax Levy Model)

Figure 2 – Proposed Distribution of Stormwater Program Costs (Tiered Flat Rate Model)

Based on the technical and financial analysis above, a rate schedule has been developed that allocates program expenditures equitably and fairly within the rate tiers. The proposed rate schedule is provided as Attachment 1 of this report.

Impact to Tax-Exempt Properties

Based on the basic principle of a user rate model that all users pay a rate proportional to use, tax-exempt properties would also be charged a stormwater rate. Tax-exempt properties are generally categorized in the institutional property class and include government properties (e.g. municipal, regional, etc.), schools, ‘places of worship’, and charitable organizations that are registered with the Canada Revenue Agency.
A summary of the cost impact to tax-exempt properties are provided in Table 4 below.

### Table 4: Summary of Cost Impact to Tax-Exempt Properties

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>June 14/10 Council Report- annual fee</th>
<th>Dec 14/09 Council Report- annual fee</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>School Boards</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>English Catholic School Board</td>
<td>$4,644.18</td>
<td>$1,929.60</td>
<td>$2,714.58</td>
</tr>
<tr>
<td>English Public School Board</td>
<td>$11,697.01</td>
<td>$3,473.28</td>
<td>$8,223.73</td>
</tr>
<tr>
<td>Other School Board</td>
<td>$1,502.34</td>
<td>$578.88</td>
<td>$923.46</td>
</tr>
<tr>
<td>Private</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td><strong>School Boards Total</strong></td>
<td>$17,843.53</td>
<td>$5,981.76</td>
<td>$11,861.77</td>
</tr>
<tr>
<td><strong>Post-Secondary Institution</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>University of Waterloo (1)</td>
<td>$6,347.40</td>
<td>$3,087.36</td>
<td>$3,260.04</td>
</tr>
<tr>
<td>Wilfrid Laurier University (2)</td>
<td>$3,404.78</td>
<td>$3,087.36</td>
<td>$317.42</td>
</tr>
<tr>
<td>Conestoga College</td>
<td>$912.84</td>
<td>$192.96</td>
<td>$719.88</td>
</tr>
<tr>
<td><strong>Post-Secondary Total</strong></td>
<td>$10,665.02</td>
<td>$6,367.68</td>
<td>$4,297.34</td>
</tr>
<tr>
<td><strong>Government</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Waterloo</td>
<td>$9,889.35</td>
<td>$5,016.96</td>
<td>$4,872.39</td>
</tr>
<tr>
<td>Region of Waterloo (3)</td>
<td>$1,242.71</td>
<td>$771.84</td>
<td>$470.87</td>
</tr>
<tr>
<td>Provincial/Federal</td>
<td>$192.96</td>
<td>$192.96</td>
<td>(192.96)</td>
</tr>
<tr>
<td><strong>Government Total</strong></td>
<td>$11,132.06</td>
<td>$5,981.76</td>
<td>$5,150.30</td>
</tr>
<tr>
<td><strong>Other Tax Exempt</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Church/Religious Institutions</td>
<td>$9,704.84</td>
<td>$8,683.20</td>
<td>$1,021.64</td>
</tr>
<tr>
<td>NFP</td>
<td>$5,429.69</td>
<td>$4,052.16</td>
<td>$1,377.53</td>
</tr>
<tr>
<td>Other</td>
<td>$4,296.40</td>
<td>$3,087.36</td>
<td>$1,209.04</td>
</tr>
<tr>
<td><strong>Other Tax Exempt Total</strong></td>
<td>$19,430.92</td>
<td>$15,822.72</td>
<td>$3,608.20</td>
</tr>
<tr>
<td><strong>TOTAL - ALL TAX EXEMPT &amp; PILOT</strong></td>
<td>$59,071.53</td>
<td>$34,153.92</td>
<td>$24,917.61</td>
</tr>
</tbody>
</table>

Note: The above are tax-exempt property owners identified in the "institutional" property class. There are some tax-exempt property owners that have property that has been classified as "residential" or "multi-residential" due to their use and property characteristics. The financial impact for these properties are listed below:

1. UW property with residential or multi-residential characteristics estimated total $4,397.98.
2. WLU property with residential or multi-residential characteristics estimated total $5,147.98.
3. ROW property with residential or multi-residential characteristics estimated total $382.43.

### Environmental Incentives - Credit Program & Rebate Program

A review of credit policies was completed as a part of the Stormwater Feasibility Study (2008) and it was recommended that a stormwater rate credit policy be adopted based on the following details:

- Credit eligibility to be determined based on the SWM practices and facilities on site;
- All non-residential properties, regardless of tax status, would be eligible for credits;
• The maximum credit is to be determined in the implementation phase; and
• Property owners must apply for a credit and certify that all facilities have been constructed, operated, and maintained as designed. Property owners would also be responsible for recertification, according to a process to be determined in the implementation phase.

A stormwater rate provides incentives for property owners to provide on-site controls that reduce their individual contributions of stormwater runoff and pollutant loading to the municipal SWM system. Encouraging such source controls supports the City’s stormwater management policies and water quality initiatives. Property owner incentives can be achieved through the adoption of a stormwater rate credit policy.

Recognizing that a credit policy for residential properties would be administratively difficult to provide to residential property class, staff will investigate a stormwater rebate program for a one-time subsidy on the capital cost of implementing stormwater controls (e.g. rainbarrel, cistern, etc.). There are several successful examples of this type of stormwater incentive program for residential properties in municipalities in the United States.

The details of both a non-residential credit program and a residential rebate program will need to be explored in more detail. Staff are investigating potential partnerships with existing organizations whose mandate is to deliver these types of program. In particular, the Residential Energy Efficiency Program (REEP) has broadened their mandate from energy efficiency to encompass sustainable stormwater practices through their REEP House for Sustainable Living and participation in the urban runoff program through Green Communities Canada.

Staff are recommending that a credit and rebate program be developed and brought back for Council’s consideration as a component of a report back to Council by January 1, 2012. A credit and rebate program was not considered for implementation for January 1, 2011 due to the increased level of service costs and administration requirements that this program would require.

COMMUNICATIONS

Communication Plan
A communication plan has been developed collaboratively with the City of Kitchener and includes four phases:

Phase 1 – involves key stakeholder consultation during the stormwater rate implementation analysis including outreach with places of worship, school boards, Waterloo Economic Development Committee, and Chamber of Commerce

Phase 2 – involves getting specific details of the rate to the general public and how and when it will be implemented. This phase will take place between June and December 2010 provided that the stormwater rates are approved by Council. As approved in PWS2009-60, the administrative implementation
begins summer 2010, whereby information on the rates will be communicated to customers on the water bill.

Phase 3 – once the rate is actually implemented in January 2011, Phase 3 involves a more focused effort on providing key messages and frequently asked questions for staff that will start receiving calls from customers once the stormwater charge is in effect.

Phase 4 – a public awareness and education component will run throughout all phases that will build on the work that started in 2007, educating residents about stormwater – what it is, how it is managed, and how they can reduce the amount, and improve the quality, of stormwater they contribute to the system.

Communications – “Places of Worship”

An Open House for ‘places of worship’ was held on April 22, 2010 at the Albert McCormick Community Centre. Individual invitations were mailed to sixty-one (61) ‘places of worship’ properties in the City of Waterloo, inviting representatives to attend the open house to learn more information on the draft stormwater rate and implementation details. Sixteen (16) people attended, representing thirteen (13) ‘places of worship’. Feedback forms were provided and attendees were encouraged to return them by May 5, 2010. A total of seven (7) feedback forms were returned. Copies of the feedback forms returned are provided in Attachment 3.

The KW Council of Churches also facilitated a meeting that was open to all faith communities, in which staff provided a presentation on the proposed stormwater rate implementation details and participated in a question and answer period. This meeting was held on May 20, 2010 and there were 25 meeting participants, representing 21 ‘places of worship’.

The major comment themes include:
- Concern regarding the financial impact to ‘places of worship’ and the potential impact to social programs
- Concern that a traditionally tax funded program is being shifted to a utility rate and that this could set a precedent in other programs (i.e. shift more services to user pay)
- Support for encouraging best practices in stormwater management and identification of some existing practices/measures
- Support for a credit system to recognize properties that have implemented best practices
- Concern on how multiple water billing accounts per property were being addressed

The feedback received was valuable and allowed staff to reexamine and change how multiple billing accounts per property were addressed and also identified a need to further explore a credit program to reward users that have implemented best practices on their property.
Communications – Waterloo Economic Development Committee & Greater Kitchener-Waterloo Chamber of Commerce

Staff presented information on the rate analysis methodology, draft stormwater rate, and implementation details to the Waterloo Economic Development Committee (WEDC) on April 27, 2010. Staff also met with representatives of the Greater Kitchener-Waterloo Chamber of Commerce (Chamber of Commerce) on May 28, 2010 to review the proposed stormwater rate methodology and the draft rate schedule.

Feedback received from both WEDC and the Chamber of Commerce has been generally positive.

Communications – School Boards

Both the Waterloo Region District School Board and the Waterloo Region Catholic School Board have raised concerns as to a municipality’s authority to apply stormwater fees to their properties. This concern relates to the conflict between the Municipal Act and the Education Act. At a meeting with staff representatives from both school boards and the Cities of Kitchener and Waterloo, it was agreed that the following approach to resolve the legal uncertainties are recommended:

1. that a collaborative approach to obtaining clarity from the Province of Ontario be sought through the Association of Municipalities of Ontario and through the respective School Board Trustee Associations;

2. that payment of the stormwater fees by the school boards would be voluntary until either clarity is provided by the Province or January 1, 2012 at which time this approach will be reviewed.

Communications – Other

Additional communication efforts have included the following:

- Information available on the City of Waterloo website
- Two email updates provided to the Stormwater Advisory Committee (SWAC)
- Notification on the proposed stormwater rates was provided in the Waterloo Chronicle on Wednesday June 2, 2010 and Wednesday June 9, 2010
- Individual notifications were sent to tax-exempt properties that were not included in the additional outreach activities

Environmental Recognition

In the closing pages of this report, staff would like to note, that on June 2, 2010, the Canadian Association of Municipal Administrators (CAMA) recognized the City of Waterloo for the environmental work done through the stormwater management and funding program. The City received a Certificate of Merit as part of the 2010 CAMA Environment Awards. The program
was recognized by CAMA President, Chris MacPherson, as a model for other municipalities to consider. CAMA’s Environment Award recognizes the commitment of a municipality to environmentally sustainable governance, to protecting the environment and to combating climate change. Awards are granted to programs, projects or services that have made a significant and positive impact on the environment.

**LEGAL CONSIDERATIONS:**

Under the authority of sections 9, 10, and 11 and 391 of the Municipal Act, 2001, the City has the authority to pass a “fees and charges” by-law to allow for the funding of stormwater management. A user fee may be charged to cover the cost of a service and a key component is to ensure that there is a nexus between the amount of the user fee and the cost of the service being provided, such that it is not categorized as a tax.

A rational nexus was established between the amount of the user fee and the cost of the service provided – in that the more impervious area an individual property owner has, the greater the amount of runoff and pollutant loading from the property and, consequently, the greater the demand on the City’s stormwater management system, either for flood control or water quality treatment purposes. As described earlier in this report, this is based on property classification, impervious factor, property size, and infrastructure intensity to derive a fair and equitable rate.

As noted previously, there is a conflict between the Municipal Act and the Education Act (subsection 58 (1)) regarding a municipality’s authority to charge fees to the school boards. Efforts to seek clarity from the Province of Ontario are ongoing.

The stormwater charges by-law is provided as Attachment 2 and has been reviewed by legal counsel.

**LINK TO STRATEGIC PLAN:**

The proposed strategy related to the Stormwater Management program and funding model achieves the vision outlined in Council’s 2007-2010 Strategic Plan as it relates to ‘refreshing our stormwater management strategy’ and ‘addressing our infrastructure deficit’. This proactive strategy will enable the long term sustainability of the storm water system, increase overall equity in the funding model and position the City with a more structural and environmentally responsible storm water management system for the future.
Submitted by:

Signature
Name: Denise McGoldrick
Position: Acting Director of Water Services, Public Works Services

Signature
Name: Paul Grivicic, CA
Position: Financial Analyst, Finance Department
<table>
<thead>
<tr>
<th>Property Type</th>
<th>Rate Tier</th>
<th>Property Size Range</th>
<th>Annual Rate per property</th>
<th>Monthly Rate per property</th>
<th>2011 Monthly Rate</th>
<th>2012 Monthly Rate</th>
<th>2013 Monthly Rate</th>
<th>2014 Monthly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Residential Small</td>
<td>Total property area less than or equal to 405 m² (0.1 acres)</td>
<td>$35.35</td>
<td>$2.95</td>
<td>$0.74</td>
<td>$1.47</td>
<td>$2.21</td>
<td>$2.95</td>
</tr>
<tr>
<td></td>
<td>Residential Medium</td>
<td>Total property area greater than 405 m² (0.1 acres) and less than or equal to 1012 m² (0.25 acres)</td>
<td>$53.14</td>
<td>$4.43</td>
<td>$1.11</td>
<td>$2.21</td>
<td>$3.32</td>
<td>$4.43</td>
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<tr>
<td></td>
<td>Residential Large</td>
<td>Total property area greater than 1012 m² (0.25 acres)</td>
<td>$117.45</td>
<td>$9.79</td>
<td>$2.45</td>
<td>$4.89</td>
<td>$7.34</td>
<td>$9.79</td>
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<tr>
<td>Multi-Residential</td>
<td>Multi-Residential Small</td>
<td>Total property area less than or equal to 1012 m² (0.25 acres)</td>
<td>$101.75</td>
<td>$8.48</td>
<td>$2.12</td>
<td>$4.24</td>
<td>$6.36</td>
<td>$8.48</td>
</tr>
<tr>
<td></td>
<td>Multi-Residential Medium</td>
<td>Total property area greater than 1012 m² (0.25 acres) and less than or equal to 8094 m² (1 acre)</td>
<td>$430.57</td>
<td>$35.88</td>
<td>$8.97</td>
<td>$17.94</td>
<td>$26.91</td>
<td>$35.88</td>
</tr>
<tr>
<td></td>
<td>Multi-Residential Large</td>
<td>Total property area greater than 8094 m² (1 acre)</td>
<td>$2,294.60</td>
<td>$191.22</td>
<td>$47.80</td>
<td>$95.61</td>
<td>$143.41</td>
<td>$191.22</td>
</tr>
<tr>
<td>Institutional</td>
<td>Institutional Small</td>
<td>Total property area less than or equal to 8094 m² (2 acres)</td>
<td>$164.93</td>
<td>$13.74</td>
<td>$3.44</td>
<td>$6.87</td>
<td>$10.31</td>
<td>$13.74</td>
</tr>
<tr>
<td></td>
<td>Institutional Medium</td>
<td>Total property area greater than 8094 m² (2 acres) and less than or equal to 40469 m² (10 acres)</td>
<td>$445.80</td>
<td>$37.15</td>
<td>$9.29</td>
<td>$18.58</td>
<td>$27.86</td>
<td>$37.15</td>
</tr>
<tr>
<td></td>
<td>Institutional Large</td>
<td>Total property area greater than 40469 m² (10 acres)</td>
<td>$912.84</td>
<td>$76.07</td>
<td>$19.02</td>
<td>$38.03</td>
<td>$57.05</td>
<td>$76.07</td>
</tr>
<tr>
<td>Commercial/Industrial</td>
<td>Commercial/Industrial Small</td>
<td>Total property area less than or equal to 2023 m² (0.5 acres)</td>
<td>$136.51</td>
<td>$11.38</td>
<td>$2.84</td>
<td>$5.69</td>
<td>$8.53</td>
<td>$11.38</td>
</tr>
<tr>
<td></td>
<td>Commercial/Industrial Medium</td>
<td>Total property area greater than 2023 m² (0.5 acres) and less than or equal to 10117 m² (2.5 acres)</td>
<td>$637.51</td>
<td>$53.13</td>
<td>$13.28</td>
<td>$26.56</td>
<td>$39.84</td>
<td>$53.13</td>
</tr>
<tr>
<td></td>
<td>Commercial/Industrial Large</td>
<td>Total property area greater than 10117 m² (2.5 acres) and less than or equal to 40469 m² (10 acres)</td>
<td>$2,054.22</td>
<td>$171.18</td>
<td>$42.80</td>
<td>$85.59</td>
<td>$128.39</td>
<td>$171.18</td>
</tr>
<tr>
<td></td>
<td>Commercial/Industrial Largest</td>
<td>Total property area greater than 40469 m² (10 acres)</td>
<td>$5,203.11</td>
<td>$433.59</td>
<td>$108.40</td>
<td>$216.80</td>
<td>$325.19</td>
<td>$433.59</td>
</tr>
</tbody>
</table>
PWS2010-031 – ATTACHMENT 2

STORMWATER CHARGES BY-LAW
WHEREAS municipalities are authorized to impose fees and charges pertaining to a stormwater system pursuant to sections 9, 10, 11 and 391 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended;

AND WHEREAS Council deems it necessary and desirable to create a separate stormwater fee and charge to fund the operation, maintenance and capital projects pertaining to stormwater management;

AND WHEREAS the creation of a separate stormwater charge to fund such stormwater management will bring transparency to the actual costs of providing and maintaining the extensive stormwater management infrastructure within the City;

AND WHEREAS effective January 1, 2011, The Corporation of the City of Waterloo desires to impose a stormwater charge on property owners in the City;

AND WHEREAS in establishing the stormwater charge rate tiers set out in this By-law, Council has had regard to differentiating between the amount of impervious surface and the density of stormwater infrastructure based on property classifications and property sizes and types;

NOW THEREFORE the Council of The Corporation of the City of Waterloo enacts as follows:

1. Definitions:
   In this By-law:

   “City” means The Corporation of the City of Waterloo.

   “Costumer” means any Owner, occupant, lessee, tenant or any other persons which is served by the storm water system pursuant to sections 9, 10, 11 and 391 of the Municipal Act.

   “Council" means the Council of The Corporation of the City of Waterloo.
“Fee Guide” means the current schedule of fees, rates or other charges as established by a by-law enacted pursuant to section 391 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, as may be amended from time to time.

“Total Property Area” means the total horizontal area within the boundary of a lot.

2. **Effectuated Lands – within City of Waterloo:**

A stormwater charge is to be imposed upon all customers in the City in accordance with the following table, which is generally based on total property size:

<table>
<thead>
<tr>
<th>Property Type</th>
<th>Size Class</th>
<th>Size Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Residential Small</td>
<td>Total property area less than or equal to 405 m² (0.1 acres)</td>
</tr>
<tr>
<td></td>
<td>Residential Medium</td>
<td>Total property area greater than 405 m² (0.1 acres) and less than or equal to 1012 m² (0.25 acres)</td>
</tr>
<tr>
<td></td>
<td>Residential Large</td>
<td>Total property area greater than 1012 m² (0.25 acres)</td>
</tr>
<tr>
<td>Multi-Residential</td>
<td>Multi-Res Small</td>
<td>Total property area less than or equal to 1012 m² (0.25 acres)</td>
</tr>
<tr>
<td></td>
<td>Multi-Res Medium</td>
<td>Total property area greater than 1012 m² (0.25 acres) and less than or equal to 8094 m² (1 acre)</td>
</tr>
<tr>
<td></td>
<td>Multi-Res Large</td>
<td>Total property area greater than 8094 m² (1 acre)</td>
</tr>
<tr>
<td>Institutional</td>
<td>Institutional Small</td>
<td>Total property area less than or equal to 8094 m² (2 acres)</td>
</tr>
<tr>
<td></td>
<td>Institutional Medium</td>
<td>Total property area greater than 8094 m² (2 acres) and less than or equal to 40469 m² (10 acres)</td>
</tr>
<tr>
<td></td>
<td>Institutional Large</td>
<td>Total property area greater than 40469 m² (10 acres)</td>
</tr>
<tr>
<td>Commercial/Industrial</td>
<td>Commercial/Industrial Small</td>
<td>Total property area less than or equal to 2023 m² (0.5 acres)</td>
</tr>
<tr>
<td></td>
<td>Commercial/Industrial Medium</td>
<td>Total property area greater than 2023 m² (0.5 acres) and less than or equal to 10117 m² (2.5 acres)</td>
</tr>
<tr>
<td></td>
<td>Commercial/Industrial Large</td>
<td>Total property area greater than 10117 m² (2.5 acres) and less than or equal to 40469 m² (10 acres)</td>
</tr>
<tr>
<td></td>
<td>Commercial/Industrial Largest</td>
<td>Total property area greater than 40469 m² (10 acres)</td>
</tr>
</tbody>
</table>
3. **Rate structure – General Principles:**

   The stormwater rate imposed shall be set out by Council in the Fee Guide.

4. **Manner of invoicing:**

   4.1 Stormwater charges shall be invoiced in the same manner as Waterloo water and sanitary sewer charges and shall be itemized on the same invoice.

   4.2 Stormwater charges shall be payable upon receipt of invoice and every customer in receipt of such invoice shall ensure payment of such invoice on or before the due date noted upon the invoice.

   4.3 Payments for all fees or charges imposed by the City on any Customer or other persons are due and payable on the date noted on the bill and there shall be a one and one half percent (1.5%) charge for late payment.

   4.4 Interest shall be added after the due date for each subsequent bill issued, with any unpaid and carried forward Stormwater charges at a rate of one and one half percent (1.5%).

   4.5 If, after 21 days of nonpayment, the City may choose to collect any fees or charges in the same manner as Waterloo water and sanitary charges.

   4.6 Pursuant to section 398 (2) of the *Municipal Act, 2001*, and in accordance with the City’s Fee Guide, stormwater charges may be added to the tax roll of the property in respect of the money is owed and shall then be collected in the same manner as municipal taxes.

5. **Billing Errors:**

   5.1 The City may cancel, reduce or refund all or part of the stormwater fees charged in one or both of the two years preceding the year in which an application is made for any overcharge caused by a gross or manifest error in the preparation of the bill that is clerical or factual in nature, including the transposition of figures, a typographical error or similar errors, but not an error in judgment in the application of the storm water management fee.

   PASSED at the Council Chambers in the City of Waterloo this day of 2010
PWS2010-031 – ATTACHMENT 3

‘PLACES OF WORSHIP’ FEEDBACK
Stormwater Rate Implementation Comment Sheet

Please take a few minutes to complete this comment sheet based on the panel information provided at the open house. Your contribution at this stage of the Stormwater Rate Implementation Review will assist the project team in refining the stormwater rate structure and determining the recommendations that will be made to City of Waterloo Council.

1. What do you think are the most critical stormwater issues in Waterloo (e.g. flood protection, erosion control, water quality improvement, debris removal, etc.)

   Water quality improvement, flood control, in this order.

2. Do you agree in principle with the concept of funding the City's stormwater management program with a stormwater rate?
   □ No       □ Yes
   Comment:

3. What do you see as the advantages/disadvantages of the proposed stormwater rate?

   Absolutely nothing, property pays and assessment of impact.

4. Do you think a 4-year phase-in of the Stormwater rate implementation would provide opportunities for property owners to adapt to the new rate and reduce financial impact?
   □ No       □ Yes
   Comment:

5. Do you have stormwater management facilities on your property (i.e. stormwater pond, oil/grit separator, rain garden, greenroof, etc.)
   □ No       □ Yes
   Comment:

5. Are there any other funding options that the City should consider?
   □ No       □ Yes
   Comment: This would be a "new" fund.
6. Do you think there should be an incentive program to encourage property owners to install stormwater management facilities on their property?
   □ No  ☑ Yes
   Comment:

7. Would you support an increase in stormwater management costs to be able to provide an incentive program?
   □ No  ☑ Yes
   Comment:

8. Please provide any additional comments, concerns, questions, or suggestions related to the stormwater rate implementation project.

   We are shown on having a water meter. One in five or six carriage house asphalt in old town. Do I own total property? We belong to a homeowners' group. Based on this, we are asked to have the second meter. Can you eliminate the second meter?

   There is only 1 customer.

Contact Details (Optional):
Name: [Redacted]
Address: [Redacted]
Phone Number: [Redacted]
Email: [Redacted]

Note: Personal information requested on this form is collected in accordance with the Freedom of Information and Privacy Act. All comments will become part of the public record. If you do not wish to have personal information on this comment form included in the final report, please check the box below:

☐ Please withhold personal information

Please return this completed Comment Sheet to the project team. Alternatively, you can fax it or mail it by May 5, 2010 to:

Denise McGoldrick
Environmental Project Manager, Water Resources
City of Waterloo
265 Lexington Crt., Waterloo, ON. N2J 4A8
Tel: 519-747-8642
Fax: 519-886-5788
Email: denise.mcgoldrick@waterloo.ca
Stormwater Rate Implementation Comment Sheet

Please take a few minutes to complete this comment sheet based on the panel information provided at the open house. Your contribution at this stage of the Stormwater Rate Implementation Review will assist the project team in refining the stormwater rate structure and determining the recommendations that will be made to City of Waterloo Council.

1. What do you think are the most critical stormwater issues in Waterloo (e.g. flood protection, erosion control, water quality improvement, debris removal, etc.)
   - All of the above and the protection of environmentally sensitive areas.

2. Do you agree in principle with the concept of funding the City’s stormwater management program with a stormwater rate?
   - No  Yes
   - Comment: Is not going to be revenue neutral - is it? If you were just shifting the tax allocation perhaps.

3. What do you see as the advantages/disadvantages of the proposed stormwater rate?
   - Shifting up charitable organisations with disguised use to user fee.

4. Do you think a 4-year phase-in of the Stormwater rate implementation would provide opportunities for property owners to adapt to the new rate and reduce financial impact?
   - No  Yes
   - Comment: 

5. Do you have stormwater management facilities on your property (i.e. stormwater pond, oil/ grit separator, rain garden, greenroof, etc.)
   - No  Yes
   - Comment: 

5. Are there any other funding options that the City should consider?
   - No  Yes
   - Comment: pull it from other existing tax base & then use it on the tax bills.
6. Do you think there should be an incentive program to encourage property owners to install stormwater management facilities on their property?
☐ No  ☐ Yes
Comment: Absolutely

7. Would you support an increase in stormwater management costs to be able to provide an incentive program?
☐ No  ☐ Yes
Comment: We are tax exempt - we are not likely to see churches raise increased costs.

8. Please provide any additional comments, concerns, questions, or suggestions related to the stormwater rate implementation project.

One way is to have some incentives for non-paved parking - or not require parking. Does that help?

Contact Details (Optional):
Name: Darce A. Burrell
Phone Number: (Redacted)
Email: (Redacted)

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1. What do you think are the most critical stormwater issues in Waterloo (e.g. flood protection, erosion control, water quality improvement, debris removal, etc.)
   - Water quality improvement
   - Flood protection

2. Do you agree in principle with the concept of funding the City's stormwater management program with a stormwater rate?
   - ☐ No
   - ☑ Yes
   Comment: However, I'm not in agreement with this being applied to places of worship as it is a form of taxation.

3. What do you see as the advantages/disadvantages of the proposed stormwater rate?
   - Advantages: 1) Incentive to use green practices
   - Disadvantages: 1) Ensure stable funding (assuming fees actually underwrite costs)
   2) Additional administrative costs
   3) Potentially harmful to some organizations that can't afford to comply

4. Do you think a 4-year phase-in of the Stormwater rate implementation would provide opportunities for property owners to adapt to the new rate and reduce financial impact?
   - ☐ No
   - ☑ Yes
   Comment: Changes that would have meaningful impact if at all possible would be costly and capital intensive. It does allow the budget process time to adapt to the increased expense.

5. Do you have stormwater management facilities on your property (i.e. stormwater pond, oil/grit separator, rain garden, greenroof, etc.)
   - ☐ No
   - ☑ Yes
   Comment: Surface water is directed to two settling ponds before release to Laurel Creek, Parking area is not paved.

5. Are there any other funding options that the City should consider?
   - ☐ No
   - ☑ Yes
   Comment: It seems that it would be simpler to fund this under regular property tax revenue generation.
6. Do you think there should be an incentive program to encourage property owners to install stormwater management facilities on their property?

☐ No  ☐ Yes

Comment: If such facilities exist, reducing the fee would seem appropriate as an incentive.

7. Would you support an increase in stormwater management costs to be able to provide an incentive program?

☐ No  ☐ Yes

Comment: This is the million dollar question. If you consider private stormwater management facilities to be an investment made by the organization, then the effective cost is reduced. If they are offered a complimentary reduced fee, I suppose the difference has to be made up through increased fees to others...

8. Please provide any additional comments, concerns, questions, or suggestions related to the stormwater rate implementation project.

For Frederic in particular I'm worried that our 33 acres put us into Tier 3. So our rate is about $5,361.60 annually. Our supervisory ratio is much lower than the standard ratio, so if we are eventually charged under city water rates (as through) will a real ratio reassessment be taken?

I think some policy flexibility will be needed to deal with exceptional circumstances - our actual ratio is far smaller than the one for labour size.

Contact Details (Optional):
Name: [Redacted]
Address: [Redacted]
Phone Number: [Redacted]
Email: [Redacted]

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( ) Please withhold personal information

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Denise McGoldrick
Environmental Project Manager, Water Resources
City of Waterloo
265 Lexington Crt., Waterloo, ON. N2J 4A8
Tel: 519-747-3642
Fax: 519-886-5788
Email: denise.mcgoldrick@waterloo.ca
Stormwater Rate Implementation Comment Sheet

Please take a few minutes to complete this comment sheet based on the panel information provided at the open house. Your contribution at this stage of the Stormwater Rate Implementation Review will assist the project team in refining the stormwater rate structure and determining the recommendations that will be made to City of Waterloo Council.

1. What do you think are the most critical stormwater issues in Waterloo (e.g. flood protection, erosion control, water quality improvement, debris removal, etc.)
   - Water quality control
   - Improvement
   - Flooding

2. Do you agree in principle with the concept of funding the City's stormwater management program with a stormwater rate?
   - No
   - Yes
   Comment: ____________________________

3. What do you see as the advantages/disadvantages of the proposed stormwater rate?
   - Setting the new off from the property arbitrarily

4. Do you think a 4-year phase-in of the Stormwater rate implementation would provide opportunities for property owners to adapt to the new rate and reduce financial impact?
   - No
   - Yes
   Comment: ____________________________

5. Do you have stormwater management facilities on your property (i.e. stormwater pond, oil/grit separator, rain garden, greengroff, etc.)?
   - No
   - Yes
   Comment: ____________________________

5. Are there any other funding options that the City should consider?
   - No
   - Yes
   Comment: ____________________________
6. Do you think there should be an incentive program to encourage property owners to install stormwater management facilities on their property?
☐ No  ☐ Yes
Comment: The drawback would possibly be the area of property required.

7. Would you support an increase in stormwater management costs to be able to provide an incentive program?
☐ No  ☐ Yes
Comment: This would provide facility without space for parks or green areas.

8. Please provide any additional comments, concerns, questions, or suggestions related to the stormwater rate implementation project.

Contact Details (Optional):
Name: Douglas R. Specht
Address:
Phone Number:
Email:

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1. What do you think are the most critical stormwater issues in Waterloo (e.g. flood protection, erosion control, water quality improvement, debris removal, etc.)
   WATER QUALITY

2. Do you agree in principle with the concept of funding the City's stormwater management program with a stormwater rate?
   ☐ No ☐ Yes
   Comment:

3. What do you see as the advantages/disadvantages of the proposed stormwater rate?
   AFTER 4 YEARS - OPENED FOR UNLIMITED INCREASES?

4. Do you think a 4-year phase-in of the Stormwater rate implementation would provide opportunities for property owners to adapt to the new rate and reduce financial impact?
   ☐ No ☐ Yes
   Comment:

5. Do you have stormwater management facilities on your property (i.e. stormwater pond, oil/ grit separator, rain garden, greenroof, etc.)
   ☐ No ☐ Yes,
   Comment:

5. Are there any other funding options that the City should consider?
   ☐ No ☐ Yes
   Comment:
   NEW INDUSTRIES COULD BE CHARGED A STORMWATER PREMIUM
6. Do you think there should be an incentive program to encourage property owners to install stormwater management facilities on their property?
   ☐ No  ☑ Yes
   Comment: 

7. Would you support an increase in stormwater management costs to be able to provide an incentive program?
   ☐ No  ☑ Yes
   Comment: 

8. Please provide any additional comments, concerns, questions, or suggestions related to the stormwater rate implementation project.

[Explained well. Good presentation.

Signature:]

Contact Details (Optional):
   Name: [Redacted]
   Address: [Redacted]
   Phone Number: [Redacted]
   Email: [Redacted]

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1. What do you think are the most critical stormwater issues in Waterloo (e.g. flood protection, erosion control, water quality improvement, debris removal, etc.)

   Water quality maintenance

2. Do you agree in principle with the concept of funding the City’s stormwater management program with a stormwater rate?
   ☑ No     ☐ Yes
   Comment: 

3. What do you see as the advantages/disadvantages of the proposed stormwater rate?

   The church will have a new toy.

4. Do you think a 4-year phase-in of the Stormwater rate implementation would provide opportunities for property owners to adapt to the new rate and reduce financial impact?
   ☐ No     ☑ Yes
   Comment: If we must have a new tax.

5. Do you have stormwater management facilities on your property (i.e. stormwater pond, oil/grit separator, rain garden, greenroof, etc.)
   ☑ Yes  ☐ No
   Comment: We have a low area where the main run-off is directed - it used to be a fish pond for trout.

5. Are there any other funding options that the City should consider?
   ☑ Yes  ☐ No
   Comment: Put our part of tax rate (mill rate) for all, which would continue to exclude churches.
Response to Stormwater Rate Implementation Comments Sheet

1. I think the most important issue is the water quality improvement. We obtain the majority of our water from the ground and a percentage from the Grand River and its tributaries. Controlling what goes into the ground and the river by run off is key. Flood protection is also important and I believe we have made a number of strides to reduce the run off by controlling the drainage on site and in storm water management ponds. Time will tell if that works. i.e. next Hazel type storm.

Erosion control is important. Hover my observation of the measures taken to prevent erosion control are lacking in effectiveness. Silt fences are not maintained.

2. No I don’t think funding the management by adding another tax or rate to property owners is appropriate. This should be funded through the general tax base and the development charges collected by the City, Region and the School Boards.

3. I am not sure there is an advantage. The rate would means that everyone who owns property will pay. This is an extra costs to home owners and to anyone developing property. The requirements now is to have the developer pay for the installation of all of the services, that would include storm sewers. Install storm water management ponds or other facilities to address drainage. On top of that the developer is expected to pay the City, Region and Educational Development charges. How many time do we have to pay? How about we use the Development Charges to cover these costs.

My client recently gave the school boards $40,000 in development charges for and expansion of an seniors project. That project has not impact on the provision of schools aor school services. Just another example of a cash grab. There money there that you could use for swm management.

Another example in Kitchener where we paid cash in lieu for a small addition to an existing plaza.

4. Yes they may get used to paying more as the City and Region and School Board keep raising taxes each year. But in my opinion it is just another increase in the cost of living in the City and Region.

5. I do not have stormwater management facilities on my property. The drainage is directed to the street catch basins or to the lawn area in the back where it is absorbed into the ground.

6. Not sure what other funding options are available to the City. The main source of revenue is taxes. You might consider selling any surplus lands for development and put that income towards stormwater management. Sell more rain barrels. They usually run out early in the supply. More rain barrels in us means less run off. Small steps.
7. Yes. But what are the incentives. Reduced taxes.

What incentive can you give a home owners in a subdivision or an old area of the City. He usually has a small lot, small backyard. What can he do to control run off from his property. Little late in the process for infiltration galleries, cisterns, etc. May be a rain barrel.

As I noted earlier, the development of a property now requires the owner to provide for all of the controls for stormwater management, erosion control, installation of services, swm pond. parking lot controls, roof top controls, salt management and pay for everything as well as pay the development charges to the City, Region and School Boards.

What's the incentive to the development industry.

8. No.

9. I believe it is unfair to place a fee or rate on existing properties who have provided on site storm water management facilities and are required to maintain them.
Hi Denise,

I trust this finds you well.

This is a follow-up communication to the public meeting I attended at the Albert McCormick Arena on behalf of Creekside Church re: the Storm Water Management fee proposal.

First of all, I wish to thank you for the effort put into preparing for that briefing. The poster boards were very informative and explained the situation very clearly and the staff were very helpful with my questions.

The following is a summary of the position of Creekside Church on this issue and a list of questions going forward:

1. Our basic position remains that we are opposed to this because it involves moving the Storm Water Management System funding source away from the municipal tax base (where Creekside is exempt) to a user fee system (where Creekside is not exempt). Thus, any reductions to the tax burden that residential, commercial and other institutional properties would benefit from to offset this new fee would not be available to places of worship.

2. Notwithstanding the above position, should this initiative move forward, I have two questions/concerns:
   a. The “average impermeable ratio” used for large acreage institutional properties is an order of magnitude or more higher than the actual impermeable surface ratio on our property. Thus, the applied fee based on the higher ratio would be very unfair and far too large. Will there be a mechanism to deal with such anomalies?
   b. We have spent tens of thousands of dollars in developing on-site storm water management, including catchment drains, a surface water drainage system and settling ponds. In the new regime, these should be considered part of the city’s storm water management infrastructure. Will there be a credit mechanism in place to take this into account?

Thanks and best regards,
Dan Murray