
The Storm Water Management Utility Bylaw, 2019

Recommendation

That the Standing Policy Committee on Environment, Utilities and Corporate Services recommend to City Council:

That the City Solicitor be requested to consolidate Bylaw No. 8070, The Storm Water Management Utility Bylaw, 2001 and Bylaw No. 8987, The Storm Water Management Utility Bylaw, 2011 into a new bylaw, The Storm Water Management Utility Bylaw, 2019, and incorporate other recommended changes in the new bylaw as outlined in this report.

Topic and Purpose

The purpose of this report is to consolidate two existing bylaws and enact changes to rates previously approved by City Council for the Storm Water Utility's operations and capital projects. This report also proposes other required bylaw and various housekeeping amendments.

Report Highlights

1. Consolidating the two existing Storm Water Management Utility Bylaws (No. 8070 and No. 8987) and updating the new bylaw to reflect the organizational structure and practices contribute to good governance.
2. City Council approved an extension and new rates for the Infrastructure Upgrade Charge, also known as the temporary Flood Protection Program (FPP), and new rates for the Storm Water Management Charge for 2019 to 2022.
3. The Administration is recommending that the types of properties exempted from the Storm Water Management Charge be updated to reflect current practices, and that the bylaw be updated to provide additional clarity for the exemption process.

Strategic Goals

This report supports the Strategic Goal of Culture of Continuous Improvement and Asset and Financial Sustainability through updating bylaws to support effective and efficient storm water management operations.

Background

The following recommendations were approved by City Council at its August 28, 2017 meeting, in part:

- “3. That the Equivalent Runoff Unit used for Storm Water Management Charges be increased by \$13.50 annually from 2019 to 2022, and utilized for projects to maintain and preserve storm water infrastructure;
4. That the temporary Flood Protection Program be extended and phased out by \$13.50 annually from 2019 to 2022.”

Report

The Storm Water Management Utility Bylaw, 2019

Bylaw No. 8070, The Storm Water Management Utility Bylaw, 2001, provides for the Infrastructure Upgrade Charge; sections pertaining to the purpose of the bylaw were repealed and codified to Bylaw No. 8987, The Storm Water Management Utility Bylaw, 2011. Repealing the two bylaws and consolidating them into The Storm Water Management Utility Bylaw, 2019 contributes to good governance by reducing redundancy and providing clarity.

Other housekeeping amendments include the following:

- Updating names to be consistent with the City's organizational structure;
- Changing the average amount of hard surface of a typical one-unit dwelling for purposes of calculating the Equivalent Runoff Unit (ERU) area from 265.3 metres to 265.4 metres to be consistent with communications and practices that have been in place since 2012; and
- Making other required amendments of a clerical nature.

New Rates

The Storm Water Utility is funded by the Storm Water Management Charge which is based on the ERU, a unit of measure used as a proxy for the amount of runoff generated by a property. After intense rain events resulted in sewer backups in 2005, the temporary FPP was established with an Infrastructure Upgrade Charge on all water meters. The charge was scheduled to end on December 31, 2018.

On August 28, 2017, City Council approved extending the FPP and phasing in a consolidation of the FPP and the Storm Water Management Charges from 2019 to 2022. The following table shows the 2018 rates and the rates that City Council approved to fund the Storm Water Utility Business Plan beginning in January, 2019, and the minimum and maximum ERU charges for Multi-unit Residential (MUR) and Industrial, Commercial, and Industrial (ICI) properties.

Annual Infrastructure Upgrade and Storm Water Management Charges				
Year	FPP Charge Per Water Meter	Rate for One ERU	Minimum MUR and ICI ERU Charge	Maximum MUR and ICI ERU Charge
2018	\$54.00	\$ 52.80	\$105.60	\$ 5,280
2019	\$40.50	\$ 66.30	\$132.60	\$ 6,630
2020	\$27.00	\$ 79.80	\$159.60	\$ 7,980
2021	\$13.50	\$ 93.30	\$186.60	\$ 9,330
2022	-	\$106.80	\$213.60	\$10,680

Storm Water Management Charges for single family residential properties and all Infrastructure Upgrade Charges are billed monthly.

Exempt Properties

Bylaw No. 8987, The Storm Water Management Utility Bylaw, 2011, exempts agricultural zoned property and property not connected to the storm sewer system. The following amendments will clarify exemptions based on current practices:

- Exempt City-owned streets, roadways, Right-of-Ways, spur lines, community gardens, and cemetery and park green spaces.
- Apply the bylaw to hard surface development of agricultural zoned properties that generate runoff to storm water infrastructure.
- Add language to specify the process for exemption requests, to be consistent with the process for requests for ERU recalculations.

Options to the Recommendation

City Council may choose to not approve the recommendations as presented in this report. This option is not recommended because City Council approved the FPP extension and the rate changes for the FPP and Storm Water Management Charge to take effect January 1, 2019. The additional recommended amendments will provide clarity for exempted properties and provide for administrative updates.

Communication Plan

In August 2018, ICI properties that are billed annually for Storm Water Management Charges were sent a notice with their bills informing them about the approved rate changes for 2019 to 2022. The new rates have been added to the City's website and will be included as part of a city-wide news release summarizing all rate changes, following the approval of the 2019 budget.

Other Considerations/Implications

There are no public and/or stakeholder involvement, policy, financial, environmental, privacy, or CPTED implications or considerations.

Due Date for Follow-up and/or Project Completion

If the recommendations included in this report are approved, the consolidated Storm Water Management Utility Bylaw, 2019 will be drafted for City Council approval in December 2018. The billing system will be updated to incorporate the new rates for January 1, 2019.

Public Notice

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

Report Approval

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