



A People Place, A Change of Pace
SHELBURNE
ONTARIO, CANADA

Meeting Date:	Monday, April 26, 2021
To:	Mayor & Members of Council
From:	Carey Holmes, Director of Financial Services/Treasurer
Report:	Financial Services 2021-07
Subject:	250 Robert Street – Water & Sewer Billing

Recommendation

Be it Resolved that Council of the Town of Shelburne receives the staff report FS 2021-07 with respect to the water and sewer billing for 250 Robert Street;

AND THAT, council directs staff to remove the additional unit of a common room from the base rate billing for 250 Robert Street effective January 1, 2021 for a savings of \$686.16 annually (as per 2021 Base Rates);

AND FURTHER THAT, council approves option 1 with respect to tiered consumption charges for this property;

AND FURTHER THAT, Council authorizes an amendment to wording within the Water Meter Policy, Section 4: Back Flow Preventers from “Multi residential properties with 4 or more stories” to “Multi residential properties with 4 or more units.”

Background

The Town of Shelburne installed consumption water meters in every building and home in town in 2011-2012. A grant was acquired to cover a portion of the costs. The balance was covered by an Infrastructure Ontario Debenture in the amount of \$1,071,948.18 for 20 years. The annual debt payment on this loan is \$74,507.80. The loan will end in 2033.

The town has already commenced (in 2020) annual replacements of these original meters, which at 10 years old, are technologically outdated. The cost of the new iPearl Meters is approximately \$150.00 each and approximately 90 units per year is estimated to be replaced annually at a budgeted cost of \$13,500. All new construction receives and pays for the new updated meters.

The condominium building located at 250 Robert Street was constructed in 1994. At the time of construction, the condominium complex units were fed with water from different locations. For example, a bathroom in one unit may share a common wall with a kitchen or bathroom from another unit and would be fed from the same source instead of plumbing the singular service across each condo unit individually. This was common at the time in Shelburne, as well as the rest of the Province until metering became a concern for conservation and billing purposes. All new builds now require individually plumbed with a single service to each unit at the time of construction.

Current staff can only assume that at the time of meter installation, it would have been agreed by previous staff and the property management company of the day that a single bulk meter would be installed for this building in order to save the condominium unit owners the cost of attempting to separate the plumbing to feed each unit independently.

The Town of Shelburne's meters are a universal meter system with radio transmitters that send remote meter readings to the Town's software. No manual meter reading is required. Had individual meters been installed in the condominium, individual bills would be produced for each unit. As only one bulk meter exists, the building is billed with one water bill. This is not uncommon for this type of situation.

At the time of installation of the meters in 2011 and 2012, property owners had the right to refuse entry to their homes and businesses. In these cases, the units are billed what is called "triple billing" or Triple the Water Base Rate Fee in accordance with the By-Law. Currently there are still 3 properties

paying this surcharge. This charge also comes into effect should a property owner refuse to allow the Town to enter the property to repair or calibrate an existing meter.

The Town's Water and Sewer By-Law (60-2020) was recently updated in 2020 (repealing the previous 2014 By-Law) to consolidate past amendments and to also remove outdated information that no longer reflects the Town's best practices or processes and brings the information up to date with current legislation under the Municipal Act and the Safe Drinking Water Act. New technologies and best practices have been implemented to meet the growing population and legislated requirements. In addition to updating the outdated Water and Sewer By-Law, staff also introduced a Backflow Prevention and Cross Connection Control By-Law (61-2020) and a Water Meter Policy (attached as Appendix 4). The policy provides deeper meaning and guidance to the By-Law and establishes a clear process that covers all aspects of water meters and complements the Backflow Prevention By-Law.

During staff's review of the Water Meter Policy, it was identified that a wording discrepancy exists in the body of the policy under Section 4 (page 4). Staff have utilized this report as an opportunity to correct the wording with respect to the Backflow Prevention Requirements from "multi residential properties with 4 or more stories" to "multi residential properties with 4 or more units" and have shown in Appendix 4, attached to this report, what the intended wording would be in accordance with the Backflow Prevention By-Law.

In conjunction with Municipal By-Laws, the town must adhere to Provincial Water regulations and legislation, by adopting a Water Financial Plan and completing Rate Studies. Both of which are completed by professional firms with expertise in the field. In 2020 the town adopted a 10 Year Water Financial Plan and amended the Water and Sewer Rate By-Law (10-2020) to incorporate the future water and sewer capital needs.

While other municipal water and wastewater systems are reviewed for evaluation purposes, and billing software and billing practices are compared, rarely is it found to be an "apple to apple" comparison. What one municipality sets as a standard for their situation, may not suit the situation in another. Shelburne's water and sewer rates are based on the town's current billing practices. Modifying the billing practices once the rates are set changes the outcome of what is collected for the current budget and future capital plans – all of which were established during the rate review with Watson and Associates Economists.

Jaspers-Fayer Property Management submitted a letter dated December 8, 2020 to the town outlining concerns that they believe the condominium

building is being unfairly charged. This letter is attached as Appendix 1. The concerns identified in the letter were broken down by the town to be the following:

- Significant rise in by-monthly billing
- Number of units used to calculate base rate charges
- Impact of tiered consumption charges

On February 9th, 2021, a letter of response with respect to the above concerns was provided to the Dufferin Condominium Corporation and is attached as Appendix 2. The response provided was not acceptable to the property manager and subsequently a delegation request was submitted to appear before council on March 8th, 2021 and is attached as Appendix 3. At the March 8th, 2021 delegation, council asked staff to research and report back to council at the April 26th, 2021 council meeting.

Analysis

Staff have further detailed the above-mentioned concerns as follows:

SIGNIFICANT RISE IN BY-MONTHLY BILLING

A breakdown of the three-year billing period related to usage for the period of 2018-2020 indicates an increase in usage of 55%. The implications of COVID-19 and people spending more time at home will also contribute to the increased usage in 2020. This is something that is being experienced across town by all residents.

The annual rate increases (schedule B of By-Law 10-2020 attached to the towns response letter) accompanied with the increased usage would explain the increase to the bi-monthly billing amounts.

Council is aware that with the adoption of the water rate study (as amended) several substantial capital upgrades required, were included in the rate study, with respect to the water system and the sewage treatment plant. These costs will be more than 40 million dollars and Development Charges and existing reserves will not cover the total costs. The increased rates reflected in the new by-law account for the shortfall that will be required to see these

projects into completion. These rates are townwide and equitable to all users of both the water and wastewater systems and as previously mentioned reflect the billing model in place at the time of the study.

Staff are recommending that information pamphlets and social media posts be shared with respect to water conservation, and more specifically to owners and tenants of dwelling and business units with no direct meter.

NUMBER OF UNITS USED TO CALCULATE BASE RATE CHARGES

250 Robert Street contains 39 separate residential units and 1 common room. Current staff were unaware that the common room did not include washroom facilities. Further review of other common rooms located within buildings in town show that no washroom facilities are present in similar common rooms either and therefore no separate billing for those units take place. In order to maintain equality and consistency, staff are therefore recommending the extra unit charge for this building's common room be removed effective January 1st, 2021.

IMPACT OF TIERED CONSUMPTION CHARGES

In addition to Base Rates, Schedule B of By-Law 10-2020 sets out increasing rates based on consumption usage. Each single residential unit can accumulate usage of 220 cubic metres of water over a billing cycle (2 months or approximately 60 days) before the rate increases to the next block rate.

Over one billing cycle, a building with 39 units with individual meters would normally be able to accumulate 8,580 cubic metres of water usage before being bumped to the next block usage rate (220×39). The average usage for one billing cycle for this building is currently approximately 655 cubic metres for the entire building. Provincial average usage per month per person is only 7m³. According to the property manager, the current owners of the condominium units are almost exclusively seniors, however there is no guarantee that this demographic will remain that way.

Appendix 5 details the difference in billing between how this building is currently being billed based on the suggested amended 39 units and how the property manager is suggesting it be billed. The difference represents \$79.76

per billing (\$31.91 for water and \$47.86 for sewer) for this billing period example or an estimated \$478.62 annually. (subject to fluctuations dependent on usage during the billing period)

The by-law as adopted does not identify this as a billing option and should council decide to offer this billing model, the by-law would need to be amended. There are currently 46 properties in town that have multiple units serviced by one meter. Of those there are currently 6 buildings (due to meeting the consumption threshold amount) that a change to the tiered rates would also affect – and would vary from billing to billing based on usage fluctuations.

It should be noted that the owners of these units were spared the expense of retrofitting individual meters, a cost that would have been (and still would be) quite expensive and would include work such as drywall removal, new plumbing lines, and re-drywall, paint etc. A bulk meter does not promote conservation, nor does it allow for isolating leak detection among units.

Staff have tested and verified that existing software can accommodate the change in consumption billing should council wish to initiate this change. There can also be a maximum usage identified for the building (ie Provincial average usage per person per unit per billing period) before the next tiered pricing rate takes effect.

Staff are presenting 4 alternatives with respect to tiered consumption charges:

- 1) Continue to bill the 2 inch bulk meter with rates set at 5/8 as provided by the current By-Law for 39 units (reduced from 40)
- 2) Amend the By-Law – potentially affecting 6 other properties within town
- 3) Offer a special exemption to the by-law for this property alone
- 4) Request condominium corporation to have owners retrofit for single meters at the owners expense

Staff are recommending option 1 for the following reasons:

- At the time of implementing metered water, this property was not required to upfront the expense of retro-fitting plumbing for individual meter installation
- There are no incentives for water conservation with the current single bulk meter
- There is no monitoring or isolating of leaks with the current bulk meter

- There is no guarantee the demographic of the building units owners will remain as predominantly fixed income seniors
- Is consistent with the Town's By-Law and equitable when compared to how other circumstances are treated with respect to tiered rate consumption charges and bulk meters, or no meter (ie Triple Billing)

Financial Impact & Changes

The reduction of units from 40 to 39 would save the base rate charge of 1 unit representing \$686.16 annually (2021 Rates Water \$25.71/mth; 2021 Rates Sewer \$31.47/mth). (*savings based on 2021 rate schedule)

If council were to choose option 2 or 3 with respect to tiered consumption charges, combined with reducing the units from 40 to 39 – this would represent a total estimated annual savings of \$1,164.78 for this property. (*savings will fluctuate based on usage and the example provided is based on the known usage for the March 2021 billing for the period of Jan/Feb 2021)

Amending the by-law would also affect various other locations within town that have been identified by staff – the full effects of the changes would be dependent on consumption and usage demand in addition to the number of units within each building (*number of units vary between buildings).

Council Strategic Priorities

Council's Strategic Priorities has three Goals - Sustainable, Engaged and Livable. There is a total of 12 targets within the three Goals.

This report aligns with the Sustainable Goals within the Targets:

Target T2 Municipal Services Review and Evaluation

Target T3 Invest and Fund Critical Infrastructure for Future

Supporting Documentation

Appendix 1 – December 8th, 2020 Letter from Jasper's Fayer Property Mgmt

Appendix 2 – February 9th, 2021 response from the town

Appendix 3 - February 18th, 2021 Delegation Letter from Jasper's Fayer Property Mgmt

Appendix 4 – Water Meter Policy 2020-03

Appendix 5 – Water & Sewer Bill Tiered Consumption Comparison Chart

Respectfully Submitted & Prepared by:

Joanne Marceau, Utility & Public Works Coordinator

Carey Holmes, Director of Financial Services / Treasurer

Reviewed by:

Denyse Morrissey, CAO



JASPERS-FAYER PROPERTY MANAGEMENT

8 December 2020

Town of Shelburne,
203 Main Street East,
Shelburne, Ontario. L9V 3K7

Re: Water billing – 250 Robert Street, Shelburne
Customer number 04020

We are writing you about the billing for water and sewer charges at the 39 unit condominium building at 250 Robert Street, Shelburne. The building has only one water meter.

Upon reviewing the latest utility bill and the Town of Shelburne water rates, we believe that we are being unfairly charged. Upon speaking with one of your staff members (Ms. Marceau – who was very helpful), we were informed that this is due to the bylaw and the software.

The first area of concern is that we are being billed for 40 units, while there are only 39 suites in the building. We were told that the extra unit is for the common room. However, the common room is never used by anyone other than the residents of 250 Robert Street, so HOW IS THAT FAIR? Do single family homes get charged for an extra unit if they have a rec room?

The second area of concern is the number of cubic metres we are allowed at the lower rate. Single family homes are allowed 220 cubic metres every two months and you would think that since we have 39 units, we should get 8,580 cubic metres (39 x 220) every two months, BUT NO, we are only allowed 220 cubic metres!! The Town not only saves by only sending 1 water bill instead of 39, but they are charging significantly higher for the usage over 220 cubic metres. We manage a number of multi-unit buildings in other municipalities and they adjust for the number of units in the buildings.

432 COLLEGE AVENUE, ORANGEVILLE, ONTARIO, L9W 4H2

E: jaspers.fayer@rogers.com

T: 519-941-3090

F: 519-942-8992



JASPERS-FAYER PROPERTY MANAGEMENT

The residents of 250 Robert Street are predominately seniors on a fixed income, whom the Town has been overcharging since water meters were installed in 2013. While these extra charges may seem like a drop in the bucket to the Town (pun intended), accordingly to our calculations, they are currently being overcharged over \$800 per year. This combined with the 2020 increases in Town of Shelburne water and sewer rates and increased usage due to residents staying home during the pandemic has severely increased our 2020 water and sewer charges by over \$5,700 compared to 2019.

We respectfully request that the Town of Shelburne address these inequities on behalf of the 39 tax paying citizens of the Town. Should you have any questions, please contact the undersigned at your convenience.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kim Jaspers-Fayer', with a long horizontal flourish extending to the right.

Kim Jaspers-Fayer, CPA, RCM
Property Manager for:
Dufferin Condominium Corporation
No. 14

/kjf

c.c. Board of Directors



A People Place, A Change of Pace
SHELburne
ONTARIO, CANADA

February 9, 2021

DUFFERIN CONDOMINIUM CORP
432 COLLEGE AVE
ORANGEVILLE, ONTARIO
L9W 4H2
Attention: Kim Jasper-Fayer

**Re: Letter of Concern
Water/Sewer Account -250 Robert St.**

Dear Mr Jasper-Fayer,

Thank you for utilizing the Town of Shelburne's website to submit your recent concern regarding the water and sewer invoice of Dufferin Condo Corporation (Utility Account 04020) with accompanying letter dated December 8, 2020.

The concerns identified in your letter relate to:

- Significant rise in bi-monthly billing
- Number of units used to calculate base rate charges for water and sewer
- Impact of tiered consumption charges

The above-mentioned concerns have been reviewed by Senior Management.

A breakdown of the three-year billing period and related usage was provided by the Utility Clerk (January 1, 2018-December 31, 2020):

Date of billing cycle	Cubic Meters Used (2 month billing cycle)	Total amount billed
January 1-December 31, 2018	2,721 m3	\$ 27,632.11
January 1-December 31, 2019	3,038 m3	\$ 29,054.93
January 1-December 31, 2020	4,237 m3	\$ 34,554.01

203 Main Street East, Shelburne, Ontario L9V 3K7

Tel: 519-925-2600 Fax: 519-925-6134 Web: www.shelburne.ca



As the table provides comparative data, it brings forward the rising water usage for the building, which has increased by 55% over a three-year period. The implications of COVID-19 and people spending more time at home would also attribute to the increase in usage for the calendar year 2020.

The annual rate increases (schedule B of By-Law 10-2020 attached) accompanied with the increased usage would explain the increase to the bi-monthly billing amounts.

The number of units used in the calculation of water and sewer base rate charges for 250 Robert Street is 40 units. This is based on the 40th unit being the common room used by the residents of 250 Robert St. The unit does fall under the definition of unit as captured in the Consolidated Zoning Bylaw 38-2007.

The Zoning By-law defines a "Dwelling Unit" as "one or more habitable rooms, occupied or capable of being occupied as an independent and separate housekeeping establishment, in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants."

The other definition for unit is provided in the Water/Sewer Bylaw 60-2020. The definition supports the decision to use the current number of units billed for 250 Robert St.

Unit – defined "unit" shall mean a full self-contained dwelling unit or in the case of commercial, industrial or institutional establishments, full self-contained units, each with a separate external access."

The Dufferin Condo Corporation installed one meter for the supply of the 40 units at 250 Robert Street. As such, all usage is measured under one meter reading. The impact of this, following the billing model based on the water sewer bylaw 10-2020, is the usage is falling under the tiered consumption rate calculation.

Most municipalities have a water and sewer rate structure that will encompass a tiered consumption rate structure to encourage water conservation. An extensive 2017 Water and Sewer Rate study was conducted by a financial firm to evaluate and gather appropriate data to establish rates to support the community. Water conservation is an important aspect of the Water Rate Study conducted by Watson and Associates.



The water/sewer invoice for 250 Robert St. follows the rate bylaw and currently there are no flat usage consumption rates available from the current bylaw to implement for the account. Bylaw 10-2020 has provided water and sewer rates from 2020-2025. In preparation for the new rates after 2025, a new Financial Rate Study will be conducted for the subsequent five-year forecast. Finance will make note of these special circumstances for Condo buildings and their pooled consumption to bring forward as discussion at that time.

I have also included a recent brochure prepared by staff for public information with respect to 2021 rates.

Sincerely,

**CORPORATION OF THE
TOWN OF SHELBURNE**

Carey Holmes,
Director of Financial Services/Treasurer
cholmes@shelburne.ca

Enclosure – Water Rate By-Law 10-2020
2021 Water & Sewer Brochure

Municipal Supply of Water and Sewer services is billed every two months (bi-monthly) in the Town of Shelburne. The invoice for this supply will consist of four parts: Water base rate charge, Sewer base rate charge, Water consumption and Sewer consumption. The collected rates fund the operating and capital needs of the water and sewer system for the next five years (2020-2025) to support a sustainable water and sewer system. These rates are reflected in By Law 10-2020 Water and Sewer User Rates

Fast Facts about your Water and Sewer service

Less than \$ 1.25 per day to provide safe, fresh potable drinking water (based on average residential water user or 30 m3 two months usage)

Less than \$ 1.65 per day to provide safe household sewage removal (based on average residential sewer user or 30 m3 two months usage)

Why are the rates increasing each year?

A rate study of the Town's Water and Sewer financials was conducted by Watson and Associates Economist and recommendations from the Consultants were adopted by Council February 24, 2020. As a result, a new rate schedule was passed and came into effect January 1, 2020.

Costs to provide this utility has nearly doubled in the past 10 years due to rising energy, environmental, security and insurance costs.

If your consumption has increased, you may have a leak in your private plumbing system.

See our website for leak detection tips or call the Town Hall for guidance: 519-925-2600 x 231 or by email water@shelburne.ca



A People Place, A Change of Pace
SHELburne
ONTARIO, CANADA

2021 Notice of Water and Sewer Rate Changes

Town of Shelburne

Website: www.shelburne.ca

Water and Sewer Department

Phone: 519-925-2600 x 231

Email: water@shelburne.ca

*Alternative formats of this publication
available upon request*

SUSTAINABLE ENGAGED LIVABLE

Rates are effective January 1st, 2021

Monthly Base Rate Charges for Water: (Fixed Portion of your Bill)

Size of Meter	2020 Water Base Fee	2021 Water Base Fee
5/8"	25.14	25.71
3/4"	25.14	25.71
1"	62.85	64.29
1 1/4"	94.29	96.43
1 1/2"	125.71	128.57
2"	201.14	205.71
3"	402.27	411.43
4"	628.55	642.86
6"	1,257.10	1,285.72
8"	2,011.36	2,057.15

Monthly Base Rate Charges for Sewer: (Fixed Portion of your bill)

Size of Meter	2020 Sewer Base Fee	2021 Sewer Base Fee
5/8"	29.25	31.47
3/4"	29.25	31.47
1"	73.14	78.68
1 1/4"	109.71	118.02
1 1/2"	146.27	157.35
2"	234.04	251.77
3"	468.08	503.53
4"	731.37	786.77
6"	1,462.74	1,573.54
8"	2,340.39	2,517.67

Rates are effective January 1st, 2021

Water and Sewer usage based on reading your meter. It is calculated by multiplying the usage (consumption in meters cubed (m3) by the consumption rate below.)

Water Consumption (Water use that your meter counts):

Increasing Block Rate measure in meters cubed	2020 Water Consumption rate	2021 Water Consumption Rate
000-220	0.71	0.78
221-690	0.78	0.86
690 and greater	0.88	0.97

Sewer Consumption (Based on the meter reading):

Increasing Block Rate measure in meters cubed	2020 Sewer Consumption rate	2021 Sewer Consumption Rate
000-220	1.15	1.20
221-690	1.26	1.32
690 and greater	1.42	1.49

1 m3= 220 Imperial Gallons = 1,000 Litres



THE CORPORATION OF THE TOWN OF SHELBURNE

BY-LAW NUMBER 10 - 2020

A BY-LAW TO AMEND BY-LAW NUMBER 57-2017 TO ADJUST RATES AND FEES ASSOCIATED WITH THE OPERATION AND MAINTENANCE OF THE WATER AND SEWER DEPARTMENT FOR THE CORPORATION OF THE TOWN OF SHELBURNE

WHEREAS the Council of The Corporation of the Town of Shelburne deems it expedient to amend By-law Number 57-2017;

AND WHEREAS Section 11 of the Municipal Act, 2001 as amended, gives the sphere of jurisdiction for Public Utilities including water and sewer;

NOW THEREFORE the Council of The Corporation of the Town of Shelburne enacts the following:

That Schedule B of By-law 57-2017 be amended with the following Schedule B to adjust rates and fees associated with the operation and maintenance of the water and sewer department.

**THIS BY-LAW READ A FIRST, SECOND AND THIRD TIME AND ENACTED THIS
THE 24th DAY OF FEBRUARY, 2020**



MAYOR



CLERK

CORPORATION OF THE TOWN OF SHELBURNE
SCHEDULE "B"
TO BY-LAW NUMBER # 10-2020

Calculated Water Rates (2020-2025)						
Description	2020	2021	2022	2023	2024	2025
Increasing Block Rate						
000-220	0.71	0.78	0.86	0.95	1.05	1.15
221-690	0.78	0.86	0.94	1.04	1.15	1.26
690 and greater	0.88	0.97	1.07	1.18	1.30	1.44
Monthly Base Charge by Meter Size						
5/8"	25.14	25.71	26.30	26.90	27.51	28.14
3/4"	25.14	25.71	26.30	26.90	27.51	28.14
1"	62.85	64.29	65.75	67.25	68.78	70.34
1 1/4"	94.29	96.43	98.63	100.88	103.17	105.52
1 1/2"	125.71	128.57	131.50	134.49	137.56	140.69
2"	201.14	205.71	210.40	215.19	220.09	225.10
3"	402.27	411.43	420.80	430.38	440.18	450.20
4"	628.55	642.86	657.50	672.46	687.78	703.43
6"	1,257.10	1,285.72	1,314.99	1,344.93	1,375.55	1,406.87
8"	2,011.36	2,057.15	2,103.99	2,151.89	2,200.88	2,250.99

Calculated Wastewater Rates (2020-2025)						
Description	2020	2021	2022	2023	2024	2025
Increasing Block Rate						
000-220	1.15	1.20	1.25	1.31	1.37	1.44
221-690	1.26	1.32	1.38	1.44	1.51	1.58
690 and greater	1.42	1.49	1.56	1.63	1.70	1.78
Monthly Base Charge by Meter Size						
5/8"	29.25	31.47	33.85	36.42	39.18	42.15
3/4"	29.25	31.47	33.85	36.42	39.18	42.15
1"	73.14	78.68	84.64	91.05	97.94	105.36
1 1/4"	109.71	118.02	126.96	136.58	146.92	158.05
1 1/2"	146.27	157.35	169.27	182.10	195.89	210.73
2"	234.04	251.77	270.84	291.35	313.42	337.16
3"	468.08	503.53	541.67	582.71	626.84	674.32
4"	731.37	786.77	846.37	910.48	979.44	1,053.63
6"	1,462.74	1,573.54	1,692.73	1,820.95	1,958.89	2,107.26
8"	2,340.39	2,517.67	2,708.37	2,913.53	3,134.22	3,371.62

Delegation Request Form

Please complete this form for a request for delegation. Any written submissions and background information for consideration bu Committee or Council must be submitted to the Clerk's office by 12:00 pm on the Wednesday two weeks prior to the requested meeting.

What is your first name *

Kim

What is your last name? *

Jaspers-Fayer

What is your phone number? *

What is your address? *

College Avenue, Orangeville, ON, Canada

What is your email address? *

Which Council meeting would you like to attend? *

3/8/2021



Please state the purpose of your delegation request (state your position taken on issue, if applicable) *

The 39 unit owners (and taxpayers) of 250 Robert Street, Shelburne are being overcharged for water and sewer charges. The entire condominium is only allowed 110 cubic metres per month at the lower rate for sewer and water - the exact same as one house! Furthermore, the condominium is being charged for 40 units - the excuse given is that the common room (which has a sink and microwave - no washroom) is considered a Dwelling Unit. This despite the fact that the bylaw says a Dwelling Unit must have "sanitation facilities." As per our calculations, the condominium has been overcharged over \$1,100 in 2020 and probably overcharged similar amounts since 2013.

Town staff advises that there is nothing that can be done until 2025 when the new Financial Rate Study is scheduled to be completed!



JASPERS-FAYER PROPERTY MANAGEMENT

18 February 2021

RECEIVED

FEB 22 2021

TOWN OF SHELBURNE

Town of Shelburne,
203 Main Street East,
Shelburne, Ontario.
L9V 3K7

Attention: Town Council

Re: 250 Robert Street, Shelburne
Water and sewage billing

Dear Ladies and Gentlemen;

We are the property managers for the 39 unit residential condominium building located at 250 Robert Street, Shelburne and we are asking for a review of their water and sewage billing. The condominium was built in 1994 and has one water meter for the entire building (which is common for most high-rise multi-residential buildings). The condominium units are owned almost exclusively by seniors on fixed incomes.

Our water and sewage bills have been increasing at an alarming rate. Part of the increase was due to the increase in rates and part due to increasing usage – some of which can be attributed to people staying home more during the pandemic. We are investigating water conservation solutions to offset some of the increase in costs.

There appears to be some inequities in our water and sewage bills. Firstly, we are being charged for 40 units, even though there are only 39 condominium units. The reason given by Town staff is that we are being charged for the common room. However, the definition of a unit as supplied by Town staff as per the Consolidated Zoning Bylaw 38-2007 is:

*“One or more habitable rooms, occupied or capable of being occupied as an independent and separate housekeeping establishment, in which separate kitchen and **sanitary facilities** are provided for the exclusive use of the occupants.”*

The common room has a sink and a microwave. It does not have “**sanitary facilities**” and obviously cannot be “**occupied as an independent and separate housekeeping establishment!**” We respectfully request the Town to correct this error and reduce the number of units we are being charged for to 39 units (equal to the number of units and bathrooms in the building).

.../2

COLLEGE AVENUE, ORANGEVILLE, ONTARIO, L9W 4H2



JASPERS-FAYER PROPERTY MANAGEMENT

Town of Shelburne
16 February 2021

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Secondly, as per Town Bylaw 10-2020, each household is entitled to 220 cubic metres of water and wastewater every two months at the lower rate. We would expect, that since there are 39 units (or households), that we would be entitled to 8,580 cubic metres (39 x 220), but NO we are only allowed 220 cubic metres every two months – FOR OVER 50 PEOPLE LIVING IN THE BUILDING! Town staff has informed us, that since there is only one water meter, that there is nothing we can do, and we will have to wait until 2025 for the new Financial Rate Study for this to be addressed! We manage many buildings (all with one water meter) in other municipalities, and they base the usage allowance on the number of units NOT the number of water meters. If those municipalities can figure it out, why can't the Town of Shelburne?

The Town is saving time and money by only having to send one water bill and only read one water meter instead of 39 every two months, but instead are overcharging for both usage and the number of units. We calculate that in 2020 alone, they were overcharged over \$1,100 and this has been going on since water meters were introduced (in 2013?).

On behalf of the 39 unit owners of 250 Robert Street, we respectfully request that these inequities be addressed and that they be treated the same as any other homeowner in Shelburne.

We trust you will find the foregoing in order, and we look forward to a positive response. Should you have any questions or require further information, we would be pleased to address them at the council meeting on 8 March 2021.

Sincerely yours

Kim Jaspers-Fayer, CPA, RCM
Property Manager for Dufferin
Condominium Corporation No. 14

/kjf

**CORPORATE POLICY****Schedule "A" To By-law # 62-2020**

DEPARTMENT:	WATER/SEWER
SECTION:	Water Meter Policy
APPROVAL:	COUNCIL
POLICY NUMBER:	2020-03
DATE OF PRESENTATION:	December 14, 2020
EFFECTIVE DATE:	December 14, 2020

1. PURPOSE:

The purpose of this policy is to establish:

1. Responsibilities for the Town and its residents for the installation and maintenance of water meters and related equipment.
2. Further clarity when legislation and current Town Bylaws fall silent.

2. POLICY STATEMENT:

A clear process must be established to define ownership of the components of water meters and the private plumbing system of the town's residents. The policy will provide a clear process to staff, eliminating a need for interpretation or differential treatment. This policy will establish fair and equitable processes to cover all aspects of water meters including installation, measuring of supply, access to meter and meter testing.

3. ASSUMPTIONS:

A meter installation program was established in 2011 where municipal water & sewer billing was converted from a flat rate charge to a metering program. During the period of 2011-2013, meter kits were installed. These kits included meter, dual and ball valves, meter valves, MXU and reader, and expansion tanks. The initial cost was funded by the town, through a 20-year long term debenture (maturing in 2033) and was initiated to monitor water usage, eliminate over usage and promote conservation.

The Town continues to replace meters due to malfunction and have dealt with grey areas of what portion of the meter and surrounding plumbing is the Town's responsibility. The attached image below is used to clearly define Town and Homeowner responsibility. Elements of plumbing such as expansion tanks and ball valves are adopted into the private plumbing system once meter has been installed. The meter, the check valve and meter tail piece connector are the only responsibilities of the Town. If there is vandalism to the meter, then the homeowner must provide the funds for a replacement valve as per current Water and Sewer Bylaw.



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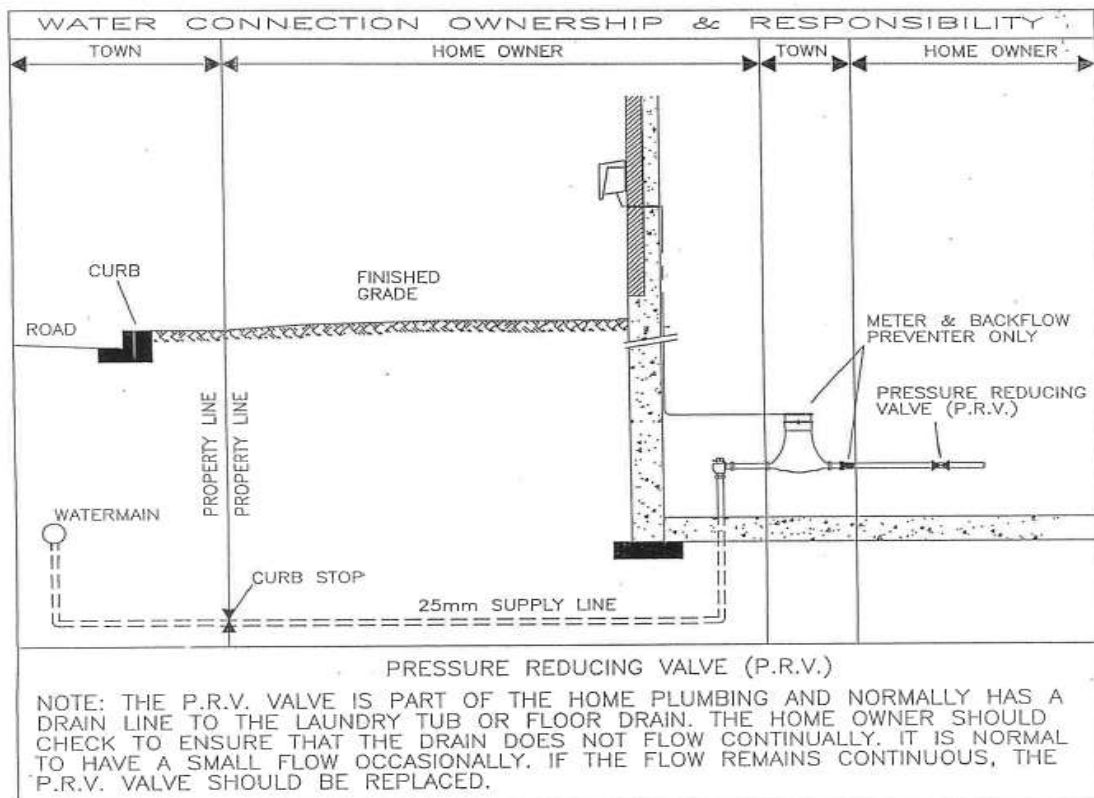
4. POLICY

The purpose of water meters is to:

- Record volume of water used by a property or unit.
- Enable Town of Shelburne to charge for usage and monitor usage.
- Assist customers to detect water leaks within their property.
- Monitor volume entering the sewer system.

Ownership and supply of meters

Water meters are supplied by and owned by the Town of Shelburne. Homeowners are required to pay for the installation of the water meter and arrange for the activation and inspection of the installed meter. Please see image below:





Although meter reading is now automated, Town of Shelburne employees or contractors acting on behalf of the Town may require access to a meter for repairs, replacement, and quality checks. The current Water and Sewer Bylaw #60-2020 authorizes Town personnel access to the premises and be provided free and clear access to the meter. Initially, an estimated billing may be created to satisfy the required invoicing, but the occupant/homeowner will be required to provide access within fourteen (14) days upon written notification. The Town has options to shut off supply of water until such a time that access is granted or to enforce triple water base rates as per the User Fees and Charges By-law.

Meter replacement

The Town of Shelburne has a meter replacement program for 5/8 meters (residential) when a meter has been deemed as reaching its full life. Meters will also require replacement when they have stopped registering water use or are damaged. Meters will only be replaced by a Town employee or a licensed contractor acting on behalf of the Town. All costs for replacement of the meter will be the responsibility of the Town for all non-functioning meters, the homeowner will be billed for the replacement, in the case of neglect or vandalism.

If a water meter or remote readout is removed or stolen, the owner of the premises shall pay the cost of replacing the water meter including installation. If not paid, the cost may be added to the taxes levied on the property and collected in the same manner as municipal taxes.

Protection and safekeeping of Town Meter

The owner is responsible for the safe keeping of the water meter and any remote reading devices that may be installed with the water meter on the owner's property. All owners shall protect the water meter and connecting valves and pipes from freezing, excessive heat, overheating of water, external and internal damage of any kind or any other thing which may affect the operation or reading of the water meter. If the meter has been damaged due to neglect, theft or tampering, the Town will arrange for a new meter to be installed and the homeowner will bear the cost and fees associated with the replacement.

Relocation of Water Meter Piping

Relocation of the meter or meter piping is prohibited without written approval from the Town. The owner/developer or authorized agent may submit proposed plans and specifications for approval from the Town. The owner/developer shall pay the entire cost involved in the relocation and compensate the Town for any cost incurred by the Town.



Backflow Prevention requirements

Cross connections exist in all plumbing systems and may not be protected against backflow. Contamination could provide high risk to the Municipal Drinking Supply.

Backflow devices are required on properties zoned:

- Industrial (A)
- Agricultural (PI, IN, EI)
- Commercial (NC, GC, RUC, RC)
- Institutional (I)
- Multi residential properties with 4 or more ~~stories~~ (this should read 4 or more units)
- Residential with mixed use

Meters 32 mm and larger (1 ¼" inch or larger) will have a backflow preventor installed and be installed with a bypass. By March 30th of each year, properties with backflow preventers must arrange to have their device tested by an authorized person (Authorized Function List Backflow Prevention Bylaw Appendix A) and the test results submitted to Town of Shelburne Water and Wastewater department.

Properties posing a risk that currently do not have a backflow preventer installed:

- Must install a backflow preventer at the property owner's cost
- May have water shut off until a preventer is installed

Site Surveys (Appendix B of the Backflow Prevention Bylaw) will be conducted by Town Staff or an authorized person, wherever potable water is available, and plumbing meets the criteria that carries elevated risk. The Site Survey will require renewal every five (5) years. Notices from the Shelburne Water department will be delivered at the first of the calendar year upon the expiration of the current survey.

Notification of Malfunctioned meter

The resident should notify the Town of Shelburne immediately whenever the meter or any part of the meter has malfunctioned or appears damaged.

New Meter Installation-Residential

Developer/Owner is responsible for the cost of new meter and remote reader and will be responsible for all plumbing to install all components of the meter kit ie: expansion tank, meter ball valve, meter valve, dual check valve, reader/MXU including the wiring from the MXU to the meter. Arrangements must be made with the Town upon install to allow an inspection and activation of meter. Any service 1¼" and larger must be plumbed with a bypass.



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All meters will be mounted horizontally (1" and higher) and vertically (5/8' or 3/4 ') for all services and allowed a cleared minimum access space of 3'. Meter valve must be exposed, and the expansion tank must be installed between the hot water tank and the meter.

If an inspection indicates the installation has not been carried out as indicated, the Municipality shall correct or modify the installation at the homeowner's expense.

Services are billed to the contractor as of the date water/wastewater services are turned on by municipal staff, as per the current By-law. If water/wastewater services are turned on by anyone other than municipal staff, the contractor is charged a flat rate from the date of service installation and/or inspection. Billing will change from flat rate, billed to developer, to metered use as per sale date or occupancy date, to the new homeowner. Resident is required to sign an application for new water sewer account (Schedule A of Water and Sewer Bylaw) and to make an appointment for municipal staff to activate the installed meter for meter activation.

New Meter Installation-Commercial/Industrial

Developer/Owner is responsible for the cost of a new meter and remote reader and will be responsible for all plumbing to install meter. Arrangements must be made with the Town upon install to allow an inspection and activation of meter. Any service 1¼" and larger must be plumbed with a bypass.

All meters will be mounted horizontally (1" and higher) and vertically (5/8' or 3/4 ') for all services and allowed a cleared minimum access space of 3'. Meter valve must be exposed, and the expansion tank must be installed between the hot water tank and the meter.

If an inspection indicates the installation has not been carried out as indicated, the Municipality shall correct or modify the installation at their expense.

Schedule 1 provides restrictions for Shelburne's Industrial Park (lot plan #) limiting water use.

All specifications must follow the Town's Design criteria and the Ontario Building Code, as updated.

Water Utility Turn on

The water control valve or curb stop is to be activated only by employees or individuals authorized by The Town of Shelburne. The owner or his authorized agent must request an appointment from Town of Shelburne Water and Sewer Department prior to when they require the water to be turned on. Charges will apply as per the Town's User Fees and Charges By-law.



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5. CONTACT

Mailing and website address:

Town of Shelburne

203 Main St. East

Shelburne, Ontario

L9V 3K7

website www.shelburne.ca

Email inquiries:

water@shelburne.ca

Phone inquiries:

Water and Sewer Department

519-925-2600 extension 231

Water and Sewer Emergencies:

519-938-0124

Appendix 5 - FS 2021-07

**Dufferin Condo Corporation -250 Robert St.
Water/sewer Billing Comparison**

<i>Actual with recommended reduced unit</i>	
Base Rates (bi-monthly rate) 2021 rate	
Water (\$25.71 per month)	51.42
Sewer (\$31.47 per month)	62.94
Number of Units in household	39
Number of days in bi-monthly billing	60
Total base charge per closing period	4,460.04
Start Reading	29,767.43
<i>(Meter reading period January 1-March 1, 2021)</i>	30,386.28
Total cubic meters used	618.85
tier pricing - Sewer:	
220.00 m3 at 1.20	264.00
398.85 m3 at 1.32	526.48
total sewer consumption	790.48
tier pricing - Water:	
220.00 m3 at .78	171.60
398.85 m3 at .86	343.01
total water consumption	514.61
Total usage charge Water and Sewer	1,305.09
GRAND TOTAL	5,765.13

<i>Proposed</i>	
Base Rates (bi-monthly rate) 2021 rate	
Water (\$25.71 per month)	51.42
Sewer (\$31.47 per month)	62.94
Number of Units in household (removed 1 unit)	39
Number of days in bi-monthly billing	60
Total base charge per closing period	4,460.04
Start Reading	29,767.43
<i>(Meter reading period January 1, -March 1, 2021)</i>	30,386.28
Total cubic meters used	618.85
remove tiered pricing	
Sewer consumption: 618.85 m3*1.20	742.62
total sewer consumption	742.62
water consumption: 618.85 m3*0.78	482.70
total water consumption	482.70
Total usage charge Water and Sewer	1,225.32
***Note: maximum threshold for consumption could be implemented for 30 meter cubed for 2 months/ unit	
39 units x 30=1,170 meters cubed per 2 month period (maximum threshold for building)	
GRAND TOTAL	5,685.36

Reduction in revenue per invoice (2 month)	
Total reduction in water/billing	31.91
Annual Reduction in revenue - water	191.45
Total reduction sewer/billing	47.86
Annual reduction in revenue - sewer	287.17

***Note: provincial average use per month per person is 7 m3
allotted usage per unit per month = 14 m3