



## Infrastructure Services Staff Report

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Report Title:	Special Service Levy Survey for the Unserved Areas of Breslau
Report Number:	IS20-2021
Author:	Jared Puppe
Meeting Type:	Council Meeting
Meeting Date:	May 11, 2021
File:	E05
Consent Item:	No
Final Version:	No
Reviewed By:	Jared Puppe
Final Review:	Senior Management Team

### Recommendation:

That the Council of the Township of Woolwich, considering Report IS20-2021 respecting a special service levy survey for the unserved areas of Breslau:

1. authorize staff to issue a special service levy survey to the unserved areas of Breslau to gauge landowners desire for municipal servicing; and,
2. receive a future staff report indicating the results of the survey and staff's recommendation on municipal servicing for the unserved areas of Breslau.

### Background:

Breslau is becoming the fastest growing settlement within the Township with a population growth projection of 7,690 people by 2031. This target will increase substantially by 2041 to reflect the 55 hectares of lands recently added to the Breslau Urban Area in the Regional Official Plan, which are owned by Breslau Properties Limited and Empire Communities - Riverland (Empire).

There has been a significant amount of development activity that has occurred since the Elroy Acres Subdivision was built on private services in the 1960's. The new development over the last 15 years, being the Thomasfield Homes and Empire subdivisions, has resulted in the extension and expansion of municipal servicing from the City of Kitchener to Breslau. The Thomasfield and Empire Subdivisions have provided some existing properties with access to municipal water and wastewater servicing. In 2016, the Township also provided properties along Woolwich Street South, between Dolman Street and the Hopewell Creek Bridge, the opportunity to connect into the municipal water and wastewater systems as part of the reconstruction project that connected the two water systems that service the Thomasfield Homes and Empire subdivisions.

In 2010 there were 96 properties on private services in the older area of Breslau and there still remains 60 properties that are on private water (well) and wastewater (septic) systems. Municipal water servicing does exist for a large number of properties within the Elroy Acres area, however, there is no direct access to existing municipal wastewater services and there remains 90 properties with private septic systems. The pressure to provide full municipal services, especially in the Elroy Acres neighbourhood, will increase substantially once the Breslau Properties lands develop around it over the next 10 years.

Please refer to Appendix A for a location map of the unserviced areas within the settlement area of Breslau.

The Township did engage with these unserviced landowners beginning in 2008 which resulted in a 2010 Council decision not supporting a special levy for the extension of municipal services to the unserviced areas of Breslau. Council further stated that any resurrection of a plan to extend full municipal services to these areas, through a special service levy in Breslau, would need to be initiated by the community.

The following Council reports frame the special service levy process that previously occurred:

#### **E20-2008 Breslau Servicing Study Report – May 13, 2008**

Council authorized Staff to proceed with the Special Service Levy work plan identified in the report. The report also identified that 30% of the servicing study costs were to be recouped from the benefitting properties as a Special Service Levy – this was never done.

#### **E39-2009 Engineering Consultant for Breslau Servicing Study Report – May 19, 2009**

Two Engineering firms replied to the Request for Proposal (RFP) and Council awarded the Engineering services RFP to Stantec Consulting Ltd.

#### **E12-2010 Breslau Servicing Study Results Report – February 23, 2010**

The culmination of the report was that four options were presented through a public survey and a number of residents voiced their displeasure of the concept of municipal servicing being funded solely by the benefitting property owners. Ultimately Council did not proceed with the special service levy and made it clear that the issue regarding municipal servicing would not be considered until the majority of affected property owners request it.

### **Comments:**

Staff consider the survey to be appropriate based upon:

- 1) the amount of growth that has occurred over the last 15 years since Council's decision in 2010;
- 2) the forecasted growth of Breslau to 2031 and beyond;

- 3) the proposed residential development that will occur on Breslau Properties lands that will surround the Elroy Acres neighbourhood;
- 4) the deterioration of a number of the affected roadways within the unserved areas of Breslau;
- 5) the heightened awareness and need to extend municipal services to the Elroy Acres neighbourhood that has occurred as part of the process of resolving the Breslau Municipal Drain issues; and,
- 6) the number resident inquires that have been fielded by Staff in recent years has, in Staff's opinion, fulfilled the Council directive given in 2010.

Staff recognize the value in re-engaging with those affected property owners to determine their level of interest in the Township initiating a special service levy process for the purpose of designing and extending full municipal services to those areas that are currently privately or partially serviced. Staff believe the number of inquiries received to date from individual property owners and through the Breslau Municipal Drain process is significant enough to start this special service levy process as required in Council's 2010 resolution.

A special service levy survey, to be sent to the affected property owners, has been prepared and is included as Appendix B of this report.

### **Interdepartmental Impacts:**

None

### **Financial Impacts:**

At this time, there are no financial impacts associated with the special service levy survey.

### **Strategic Plan Impacts:**

The issuance of a special service levy survey to landowners within the unserved area of Breslau supports the Township of Woolwich's strategic direction to "*Manage and maintain all municipal infrastructure with an emphasis on continuous improvement and greater efficiencies*", with a goal to "*Optimize the Use of Municipal Infrastructure*".

### **Conclusion:**

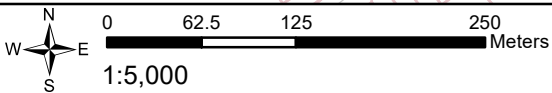
Staff are requesting that Council endorse a public engagement process for the extension of municipal water and/or wastewater servicing for the unserved areas of Breslau. Staff would then prepare a report for Council's consideration after the results have been assessed.

### **Attachments:**

Appendix A – Location Map

Appendix B – Special Service Levy Survey

# Appendix 'A'



**Location Map**

## Legend

- Private Water and Septic
- Public Water and Septic



THE TOWNSHIP OF  
**WOOLWICH** APPENDIX B

BOX 158, 24 CHURCH ST. W.  
ELMIRA, ONTARIO N3B 2Z6  
TEL. 519-669-1647 / 1-877-969-0094  
COUNCIL/CAO/CLERKS FAX 519-669-1820  
PLANNING/ENGINEERING/BUILDING FAX 519-669-4669  
FINANCE/RECREATION/FACILITIES FAX 519-669-9348

July 13, 2021

Dear Resident of Breslau,

**RE: Extension of Municipal Services through a Special Service Levy (SSL)**

You are receiving this public survey as your property has been identified without either municipal water and/or municipal wastewater servicing. Municipal water and/or wastewater services can be extended through the use of a Special Service Levy, which is identified in Section 326 of the Municipal Act. The Municipal Act grants Municipal Councils the authority to enact a Special Service Levy (SSL) through the passage of a by-law.

The older area of Breslau, including Berlin Street, Joseph Street, Schiefele Place, Shield Street, Woolwich Street (Older Area) and the Elroy Acres area, including Cooper Crescent, Dover Court Road, Elroy Road, a portion of Menno Street and Sheridan Drive underwent a Special Service Levy process that started in 2008 and ended in 2010 with Council not supporting the installation of municipal services at that time. This was largely attributed to the fact that only 32.8% (Older Area) and 36.4% (Elroy Area) of the surveyed respondents were in favour of servicing. Much has changed in Breslau since 2010 and Township Staff have fielded several landowner inquiries regarding the extension of municipal water and wastewater serving since that time. Given the amount of time that has passed and a renewed interest by some in the community, Staff have received Council's endorsement to issue a survey to affected landowners to gauge interest.

Since 2016 the Township has extended municipal water and wastewater servicing in Breslau, St. Jacobs and Conestogo through the use of a SSL. Generally, Township Councils have sought a majority from the community before enacting a SSL, however, it is important to note that a municipal Council does not require support from a community in order to enact a SSL.

Below is some information regarding the Township's use of SSL on past projects:

1. If a SSL were to be enacted by Council, all the benefiting properties within the service area would be required to pay actual construction costs and associated soft costs, which would include: engineering, contract administration and inspections. Benefiting properties are those that can connect to municipal services;
2. A SSL only covers costs associated with design and construction within the public road allowance, which includes the mainline and service pipe up to the common lot line between the public road allowance and private property line;
3. Property owners within the service area would be responsible for all work necessary on their property to connect to municipal servicing. Private property work requires a Plumbing Permit, which is issued from the Township's Building Section and requires a licensed plumber or a contractor with a valid drain layers licence to install the pipe from the street line to the house. For more information regarding private side plumbing work please contact the Township's Building Section at 519-669-6042;



## APPENDIX B

4. A benefitting property cannot connect to municipal wastewater without first connecting to municipal water as water consumption is used to calculate wastewater discharge. For water and wastewater billing information, please contact the Township's Finance Department at 519-669-6018 or email at [water@woolwich.ca](mailto:water@woolwich.ca);
5. If a SSL were enacted by Woolwich Council, a benefitting property owner would be under no obligation to connect to the municipal system(s). The only exception would be if there were a public health and safety concern that resulted in a provincial or municipal order to connect due to an unsafe condition resulting from a failed private service such as a well or septic system;
6. A SSL is applied to the property tax role and not the property owner, therefore, if a current owner were to sell their property any outstanding repayment amount would be the responsibility of the new property owner;
7. Payment for servicing through a SSL is amortized over a 20 year period using a fixed rate of interest that is determined once all construction costs are known. The interest rate is based on the published prime lending rate at the time plus 2%;
8. There are three payment methods, which include:
  - a) One lump sum payment for the entire amount; or,
  - b) Amortize the entire amount over a 20 year period at a fixed rate of interest; and,
9. Any amortized amount would be assigned to your property's roll number with 1/20<sup>th</sup> of the remaining balance being payable annually as part of your property tax bill. In other words, any amount owing would be assigned directly to the property and payment would be required by either you as the current property owner or any future property owner. During the amortization period, a landowner would be able to pay down, in full, any remaining balance; however, no partial lump sum payments are accepted.

Following past practice, enclosed is a formal survey seeking your input on the issue of expanding municipal water and/or wastewater to the unserved areas of Breslau. The Township of Woolwich is seeking your input and ask that you provide your comments by **June 30, 2021**. Only comments received will be tallied and included in a future report for Council's consideration.



## APPENDIX B

### Special Service Levy Survey

Regarding the possible Extension of Municipal Water and/or Wastewater Servicing

**\*\*\*PLEASE RETURN THIS PAGE TO THE TOWNSHIP of WOOLWICH\*\*\***

The Township is seeking your feedback regarding the extension of municipal water and/or wastewater servicing in your area. Please indicate your decision by checking the appropriate box below. Provide your name (printed), your street number, street name, your signature and date, then return your signed response either by mail, using the self addressed stamped envelope enclosed, or scan and email your response to Chere Schwindt of the Township of Woolwich at [cschwindt@woolwich.ca](mailto:cschwindt@woolwich.ca).

Your feedback is requested by **June 30<sup>th</sup>, 2021**. Please indicate one of the following:

- ☐ I am **not** interested in the extension of municipal services;
- ☐ I am interested in the extension of municipal services; or,
- ☐ I do not have a strong opinion either way regarding the extension of municipal services.

Property Owner's Name (Print): \_\_\_\_\_

Number and Street of Property (Print): \_\_\_\_\_

Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_, 2021

☐ Check this box if you would like to receive future correspondence regarding the possibility of the expansion of municipal servicing in your area. Please circle your preferred method of communication and provide the necessary information below:

**Mail**                      **Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

Print address if different from above: \_\_\_\_\_

Please contact the undersigned should you have any questions or require further information.

Sincerely,

**Jared Puppe, C.E.T.**  
Director of Infrastructure Services  
Township of Woolwich  
Phone: 519.669.6029  
E-mail: [jpuppe@woolwich.ca](mailto:jpuppe@woolwich.ca)