

**Subject: New Urban and Village Boundary Expansion Official Plan
Application Process**

File Number: ACS2024-PDB-PS-0102

**Report to Joint meeting of Agriculture and Rural Affairs Committee and Planning
and Housing Committee on 9 October 2024**

and Council 16 October 2024

**Submitted on October 3, 2024 by Derrick Moodie, Director, Planning Services,
Planning, Development and Building Services Department**

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Ward: City Wide

**Objet : Processus de demande pour la modification du Plan officiel en
vue d'élargir les limites urbaines et de village**

Dossier : ACS2024-PDB-PS-0102

**Rapport déposé à la réunion conjointe du Comité de l'agriculture et des affaires
rurales et du Comité de l'urbanisme et du logement**

le 9 octobre 2024

et au Conseil le 16 octobre 2024

**Soumis le 3 octobre 2024 par Derrick Moodie, Directeur, Services de la
planification, Direction générale des services de la planification, de
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Quartier: À l'échelle de la ville

REPORT RECOMMENDATIONS

That Agriculture and Rural Affairs Committee and Planning and Housing Committee recommend Council:

1. Approve the Framework for Urban and Village Expansion Applications identified in this report and direct staff to prepare necessary amendments to the Official Plan; and
2. Approve amendments to the Development Application Study Policy By-law 2023–297 to list materials necessary for the City to assess an urban and village expansion application, as detailed in this report, as detailed in Document 1; and
3. Approve amendments to the Planning Fees By-law to add a new application type and fee for Urban and Village Expansion Official Plan Applications, as detailed in Document 2; and
4. Approve amendments to the Water By-law (2019-74) to add a new service and fee for a “Servicing Capacity Assessment Request for an Urban and Village Boundary Expansion to City of Ottawa” to achieve cost recovery when providing this information to interested parties, as detailed in Document 3.

RECOMMANDATIONS DU RAPPORT

Que le Comité de l’agriculture et des affaires rurales et le Comité de la planification et du logement recommandent au Conseil :

1. d’approuver le cadre pour les demandes d’élargissement des limites urbaines et de village défini dans le présent rapport et de demander au personnel de rédiger les modifications nécessaires du Plan officiel;
2. d’approuver les modifications du *Règlement concernant l’information et les documents requis pour les demandes d’aménagement* (n° 2023-297) afin de dresser la liste des documents nécessaires pour que la Ville puisse évaluer les demandes d’élargissement des limites urbaines ou de village, comme l’expliquent en détail le présent rapport et le document 1;
3. d’approuver les modifications du *Règlement sur les droits d’aménagement* en vue d’ajouter de nouveaux types de demandes et de frais pour les demandes de modification du Plan officiel en vue d’élargir les limites urbaines et de village, comme l’explique en détail le document 2;

4. **d'approuver les modifications du *Règlement municipal sur l'eau* (n° 2019-74) en vue d'ajouter de nouveaux services et de nouveaux frais pour les demandes d'évaluation de la capacité en matière de viabilisation dans le cadre des demandes d'élargissement des limites urbaines et de village dans la ville d'Ottawa, afin de pouvoir recouvrer les coûts en fournissant ces renseignements aux parties intéressées, comme l'explique en détail le document 3.**

EXECUTIVE SUMMARY

The purpose of this report is to seek Council approval for a framework relating to urban and village area boundary expansions and to amend three by-laws to implement a new development application type that will now be permitted with the new [Provincial Planning Statement \(2024 PPS\)](#) which will come into effect on October 20, 2024.

One of the significant changes in the 2024 PPS is a move from a comprehensive approach to planning for growth to a piecemeal approach allowing private applications. The proposed framework for urban and village area boundary expansions confirms the City's desire for a comprehensive and collaborative approach while also addressing the need to allow for applications to be considered based on the criteria in the 2024 PPS.

Notwithstanding our regular review cycle for growth in 2030, the framework proposes the City initiate in 2025 an update of the Official Plan growth projections using the population projections from the Ministry of Finance as the basis, followed by a land needs review and expansion exercise. This approach will be similar to the expansion exercise conducted through the new Official Plan process and may take approximately 12 to 18 months to complete. This public process is part of regular operations of the City and does not require stakeholders to pay an application fee for the consideration and rating of prospective expansion lands.

Until the Official Plan is updated through this exercise, the framework proposes using the current Official Plan growth projections to assess the adequacy of the required 15-year land supply for expansion applications. This approach is in-line with the frequency established in the *Planning Act* to update an Official Plan every five years and consideration of residual planned capacity in the 2024 Infrastructure Master Plan and 2013 Transportation Master Plan as required in the 2024 PPS. The approach is also consistent with the Province's intent to implement the 2024 PPS growth projection updates through regular Official Plan review cycles.

If Council approves the framework, prospective applicants may wish to consider waiting until the City-initiated growth projections update and lands need review to have their lands considered for inclusion into the urban or village area boundaries for free.

To reflect the unique challenges of an urban and village expansion assessment at any time, and for staff to assess these applications appropriately, staff recommend a new application type and fee (including a new Servicing Capacity Assessment for Urban Boundary fee), adding new documentation to the Development Application Study Policy By-law, and approving a framework to consider these applications.

RÉSUMÉ

Le présent rapport vise à demander au Conseil d'approuver un cadre lié à l'élargissement des limites des secteurs urbains et de village, et à modifier trois règlements afin de mettre en œuvre un nouveau type de demande d'aménagement qui sera désormais permis avec la nouvelle [Déclaration provinciale sur la planification \(DPP 2024\)](#), qui prend effet le 20 octobre 2024.

Au nombre des changements notables apportés à la DPP 2024, on délaisse une approche globale en matière d'aménagement au profit d'une démarche fragmentaire autorisant les demandes déposées par les particuliers. Le cadre proposé pour l'élargissement des limites des secteurs urbains et de village confirme le souhait de la Ville d'avoir une approche globale et collaborative, tout en répondant au besoin de permettre que les demandes soient examinées en fonction des critères de la DPP 2024.

Sans égard à notre cycle de révision régulier de la croissance en 2030, le cadre propose que la Ville entame en 2025 une mise à jour des projections de croissance du Plan officiel en utilisant les projections de population du ministère des Finances comme base, suivie d'un exercice consistant à examiner et à étendre les besoins en terrains. Cette approche sera similaire à l'exercice d'expansion mené dans le cadre du processus lié au nouveau Plan officiel et pourrait prendre entre 12 et 18 mois. Ce processus public s'inscrit dans les activités régulières de la Ville et n'oblige pas les intervenants à payer des droits pour présenter une demande d'examen et d'évaluation des terrains propices à une expansion.

D'ici à ce que le Plan officiel soit mis à jour par le truchement de cet exercice, le cadre propose d'utiliser les projections de croissance du Plan officiel actuel pour déterminer l'adéquation de l'offre de terrains pendant 15 ans nécessaire pour les demandes d'expansion. Cette approche est conforme à la fréquence établie dans la *Loi sur l'aménagement du territoire*, qui consiste à mettre à jour un Plan officiel tous les cinq ans, et tient compte de la capacité planifiée résiduelle dans le Plan directeur de l'infrastructure de 2024 et le Plan directeur des transports de 2013, comme l'exige la DPP 2024. L'approche est aussi conforme à l'intention qu'a la Province de mettre en œuvre les mises à jour des projections de croissance de la DPP 2024 pendant les cycles d'examen réguliers du Plan officiel.

Si le Conseil approuve le cadre, les demandeurs prospectifs pourraient vouloir attendre la mise à jour des projections de croissance et l'examen des besoins en terrains effectués à l'initiative de la Ville pour proposer que leurs terrains soient inclus sans frais dans les limites des secteurs urbains ou de village.

Afin de refléter les défis uniques que pose en tout temps l'évaluation de l'élargissement des limites urbaines et de village, et de permettre au personnel d'examiner ces demandes d'une manière appropriée, ce dernier recommande un nouveau type et de nouveaux droits de demande (incluant de nouveaux frais pour l'évaluation de la capacité en matière de viabilisation dans le cadre des demandes d'élargissement des limites urbaines), l'ajout de nouveaux documents dans le Règlement de la politique d'étude des demandes d'aménagement et l'approbation d'un cadre pour examiner ces demandes.

BACKGROUND

Context on the 2024 PPS

The [province announced on August 20, 2024](#) a new 2024 PPS that will take effect on October 20, 2024.

One of the 2024 PPS changes is the ability for applicants to apply to municipalities to expand urban and village area boundaries.

The consideration of such expansions requires an Official Plan Amendment. The Official Plan currently does not contemplate private applications to add lands outside of a comprehensive review but does list criteria for adding urban or village lands through a comprehensive review in Section 3.2 Policy 5 that include:

- a review of existing supply to accommodate a 15-year supply,
- sufficient capacity in available or planned infrastructure,
- exclusion of Agricultural Resource Area lands,
- exclusion of Sand and Gravel Resource Overlay and Bedrock Overlay lands and areas that are within 300 and 500 metres respectively due to blasting,
- exclusion of natural heritage system lands
- exclusion of lands with proximity and access to a provincial 400-series highway

The Official Plan's Section 3.4 Policy 6 considers adjustments to urban and village boundaries outside of a comprehensive review but only through a no net loss principle, amongst other criteria such as adequate municipal services and exclusion of

Agricultural Resource Area lands. Staff will propose, in a future report, an update to the Official Plan for criteria related to private urban and village expansions through a future amendment to conform to the 2024 PPS. In the meantime, a new application type is required to assess private applications for urban and village expansions.

Official Plan and Settlement Areas

Settlement Areas in the 2024 PPS are identified in the Official Plan as being the urban and village areas where growth is to be concentrated. The PPS states that the City must have a minimum 15-year land supply, being a subset of the total land inventory to accommodate growth to 2046, a total of 25 years from 2021.

Typically, the process to add lands to settlement areas are completed through a new Official Plan, or comprehensive Official Plan updates. Ottawa has had two Official Plans, the first being post-amalgamation in 2003 and the second being the “New Official Plan” in 2022. Official Plan updates occurred between these Official Plans, with OPA 76 in 2009 and OPA 180 in 2016 being notable recent updates where a review of growth projections occurred through a municipal comprehensive review.

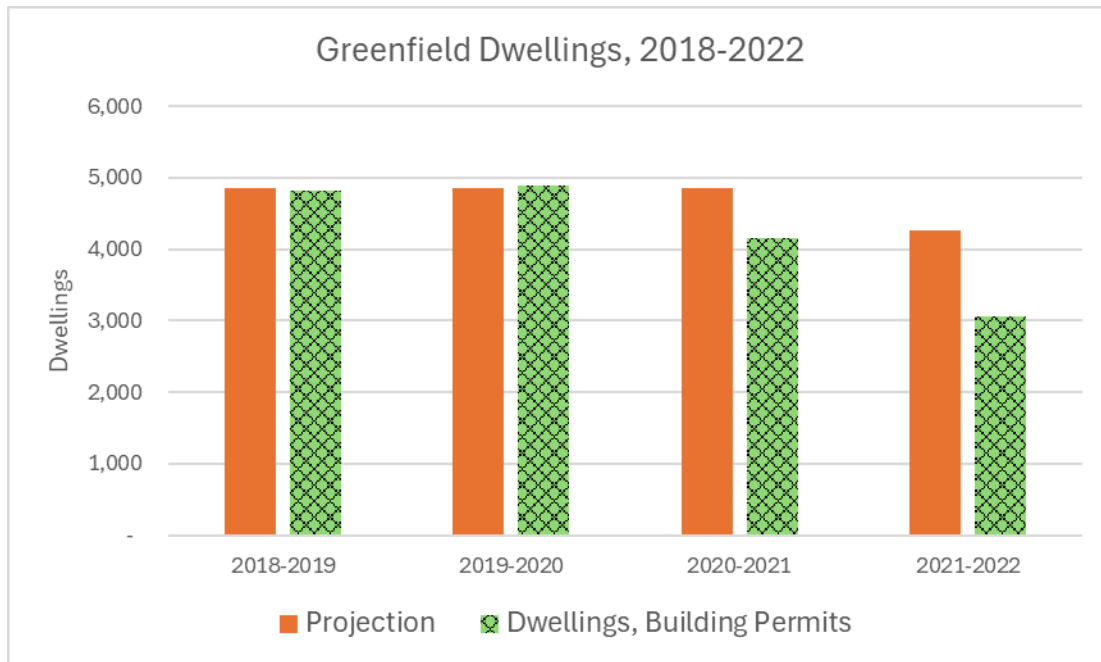
The Official Plan approved in 2022 is considered a “new official plan” under the *Planning Act* and does not have to be reviewed for ten years post-approval, being 2032. The *Planning Act* requires an official plan review every five years thereafter. However, when considering the growth management strategy of the new Official Plan ([ACS2021-PIE-EDP-0001](#)) on February 10, 2021, Council directed staff to review residential and industrial development patterns from 2020 to 2026 and the adequacy of related PPS land supply requirements. As such, staff are obligated to review the residential and industrial land supplies after the first five years of the Official Plan.

The City invested approximately \$3.4 million to complete the new Official Plan, over a period of three years (2018-2021). Consultants and internal staff capacity was ramped up to undertake this momentous exercise, which entailed:

- Forecasting Ottawa’s population growth for the next 25 years from 2018 to 2046 based on the Ministry of Finance and Statistics Canada population projections
- Determining whether the City needed additional lands within the Urban Area and Villages to house its population growth
- Evaluating the lands adjacent to the Urban Boundary for expansion suitability using criteria, including: existing and planned infrastructure and transportation investments, proximity to transit, and suitability of land for agricultural activities.

- Recommending to Council a balanced growth management plan that balanced adding new lands to the urban boundary and increased intensification within the urban area to accommodate the projected growth.
- Expanding the urban area boundary by 1,281 hectares

The [Official Plan Monitoring report for 2022](#) indicates that Official Plan projections are on-track with 10 per cent less greenfield dwellings than projected from 2018 to 2022.



The [Greenfield Residential Land Supply report for 2022](#) indicates an existing supply of almost 88,000 dwellings or a 25-year supply for the greenfield market generally summarized as follows:

- one-third of this supply is available in the short-term over the next seven years as registered and draft approved subdivisions
- one-third will be available in the medium-term over the next 8 to 15 years as either existing applications or approved in secondary plans ready for application submission by landowners
- one-third will be available in the long-term over the next 16 to 25 years representing the 1,281 hectares of urban area expansions.

Of the expansion areas, 96 per cent (1,224 hectares) have either formally commenced or are preparing to begin their secondary planning exercises and represent the next

phases to augment the 15-year minimum supply.

| Greenfield Residential Supply by Status, July 1 2022 | | | | |
|---|-------------------------|-------------------|---------------------------------|---------------------|
| Development Status | Land Supply (net ha) | Unit Potential | Projected Years of Supply | Supply Unit Year |
| Registered | 286.6 | 11,486 | 3.1 | 2025 |
| Draft Approved | 428.9 | 19,702 | 4.6 | 2027 |
| Pending | 253.4 | 13,323 | 2.7 | 2025 |
| CDP | 466.2 | 18,489 | 5.0 | 2027 |
| No Plan | 47.1 | 1,786 | 0.5 | 2023 |
| Council-adopted expansion areas | 640.5 | 23,050 | 9.4 | 2031 |
| Total | 2,112.7 | 87,836 | 25.3 | 2047 |

The new Official Plan is the base upon which other City master plans are developed. The Transportation Master Plan (TMP) identifies the projects and investments that are needed to accommodate future travel demand based on the Official Plan's growth projections, and then prioritizes the transportation infrastructure investments to service the existing and new lands. The Infrastructure Master Plan (IMP) relies upon the lands within the urban area and the population projection to plan for appropriate servicing of existing and new lands, including identification of specific capital projects as we accommodate population growth.

All three plans are interconnected and feed into the Long-Range Financial Plan, where the City allocates long term capital investments in the infrastructure needed throughout the City to accommodate population and employment growth. There are potential cost, resource and time implications to other Master Plans in the instance that Council, or the Ontario Land Tribunal, decides to add lands to the urban boundary in the Official Plan. The IMP was approved by Council on June 26, 2024 and the TMP Capital Infrastructure Plan is targeting approval in Q3 2025.

DISCUSSION

This report outlines an urban area boundary expansion framework that recommends initiating a growth projections update in 2025 and a new application type for urban and village expansions until that update is complete should landowners wish to apply prior or concurrent with the growth projections update. The framework also outlines the process for these applications and staff recommend a fee that is based on a cost-recovery principle. Staff also note that applications or fees will not be required for expansion requests through the growth projections update in 2025, consistent with past Official Plan reviews.

Impacts of Applications for Urban and Village Boundary Expansions

Staff propose to develop a new application type for the consideration of private requests for urban and village expansions. Implications to Development Review, being the processing of application under the *Planning Act*, include:

- Private applications to expand urban and village boundaries create the potential for a piecemeal approach without the ability to evaluate the best options for expansion in a holistic context.
- Urban and village expansion applications will require new studies as part of the application process, requiring an amendment to the Development Application Study Policy By-law (DASP), to confirm sufficient capacity in existing or planned infrastructure, including transportation. This will have implications on City resources as applicants and their consulting engineers will require assistance from City staff to determine the infrastructure network capacity external to the subject lands. The level of resource implications will depend on the context of the application and the frequency of the applications.
- A landowner may appeal a “refusal” decision or “lack of decision within 120 days of a complete application” to the Ontario Land Tribunal.

Long-Term Planning and Financial Implications include:

- The City will not benefit from the previous full capital investment into its new Official Plan. Resources, staff and consultants will need a financial funding source (through an amendment to the Planning Services Fees By-law) for the review of applications that affect long term capital spending and several master plans.
- Infrastructure and transportation master plans identify needs and prioritize projects to support growth and intensification in the areas identified by the Official Plan. Urban and Village expansion applications, if approved, could affect these needs and relative priorities. For example, downstream transit or road capacity deficiencies may be triggered or made worse by the new development. This could compromise established multi-year capital programs. Furthermore, the master plans identify cost-effective capital programs, including individual projects that service multiple expansion areas.
- Urban and village expansion applications to add lands not considered by the approved IMP and draft TMP are expected to require infrastructure and transportation projects and services, the costs of which could scale with the size

of the application and/or number of applications; these would need to be covered by Development Charges or be funded directly by the benefiting developer. The City would need to review its approach and financial mechanisms to ensure that this unexpected growth pays for the associated infrastructure and services.

- Off-site projects needed to service individual urban and village expansion applications are unlikely to be cost-effective if they are not scoped in consideration of other potential expansion areas that could benefit from these projects. The net result will be higher infrastructure costs, larger inventories of infrastructure to operate, maintain and renew over time, compared with the current situation where projects are identified in consideration of all expansion areas added through a comprehensive OP review.

Recommendation 1: Urban Boundary Expansion Framework

The following framework will guide the consideration of urban and village expansion requests.

1. The City will initiate a growth projection update and land needs review in 2025.

The 2024 PPS directs that planning authorities shall base population and employment growth forecasts on Ontario Population Projections published by the Ministry of Finance and may modify, as appropriate, or may continue to forecast growth based on forecasts issued by the Province. The growth projections in the Official Plan were based on population projections from the Ministry of Finance and Statistics Canada and therefore are currently consistent with the 2024 PPS.

However, there are concerns from the home-building industry that the Ministry of Finance has recently significantly increased their population projections to 2046 compared to the Ministry of Finance projections in 2019 that the Official Plan was originally based on. Figure 1 shows the population projections between the Official Plan and the Ministry of Finance for Ottawa over the years.

| Population | 2018 | 2046 | 2051 |
|---------------------------|-------------|-------------|-------------|
| New Official Plan, 2019 | 1,007,501 | 1,409,649 | n/a |
| Ministry of Finance, 2019 | 1,007,501 | 1,421,845 | n/a |
| Ministry of Finance, 2023 | 1,004,802 | 1,656,493 | n/a |
| Ministry of Finance, 2024 | 1,008,849 | 1,664,071 | 1,785,653 |

Figure 1: Comparison of Population Projections

The *Planning Act* requires an official plan review every five years, except for a new official plan where the first review may occur ten years after coming into effect. The 2024 PPS in combination with the *Planning Act* allows an official plan to update growth forecasts based on Ministry of Finance population projections at the next applicable review. This process provides time to conduct related infrastructure, transportation, parks and facilities, and other service-related master plan reviews that are derived from the Official Plan growth. This approach is consistent with the provincial approach to Implementation of the proposed Provincial Planning Statement, stated in [June 2023](#):

- The Planning Act requires official plans to be revised every five years (or every ten years after a new official plan). The intention is that official plans would be updated as necessary to implement these new policies at the time of their ordinary review cycle.

Our current Official Plan and its growth projections were approved by the Province in 2022, therefore the next update cycle would begin in 2030 to be completed by 2032.

In the adoption of the new OP, Council directed staff to review the residential and industrial development patterns and remaining land supplies by 2026. Staff recommend using this opportunity to also update the Official Plan growth projections based on the most Ministry of Finance population projection rather than waiting for a 10-year review. This will provide a comprehensive approach to updating the Official Plan population projections and then translating the residential and employment projections, as the Ministry of Finance does not project housing or jobs. This timeframe will also align with required provincial guidance, which are currently not available, to assist with determining housing and employment forecasts from the Ministry of Finance population projections.

Should additional residential and/or industrial land needs be identified, a comprehensive land selection process can begin. The selection process would be similar to the new Official Plan process and could be more efficient for those lands that were already evaluated. Figure 2 summarizes the evaluated expansion lands in the new OP¹, with “Category 1” having strong criteria adherence, “Category 2” with partial criteria adherence, “and “Category 3” being potential new community options but required additional information and analysis at the time². Lands that had strong adherence to the 2021 evaluation criteria through the new OP process, being

¹ As detailed in growth management report 2 to the new Official Plan, [ACS2021-PIE-EDP-0001](#), Document 2.

² Ibid, Document 3.

“Category 1” lands, and were not added to the urban area are also highlighted in Figure 2 and will likely score well through the 2025 process.

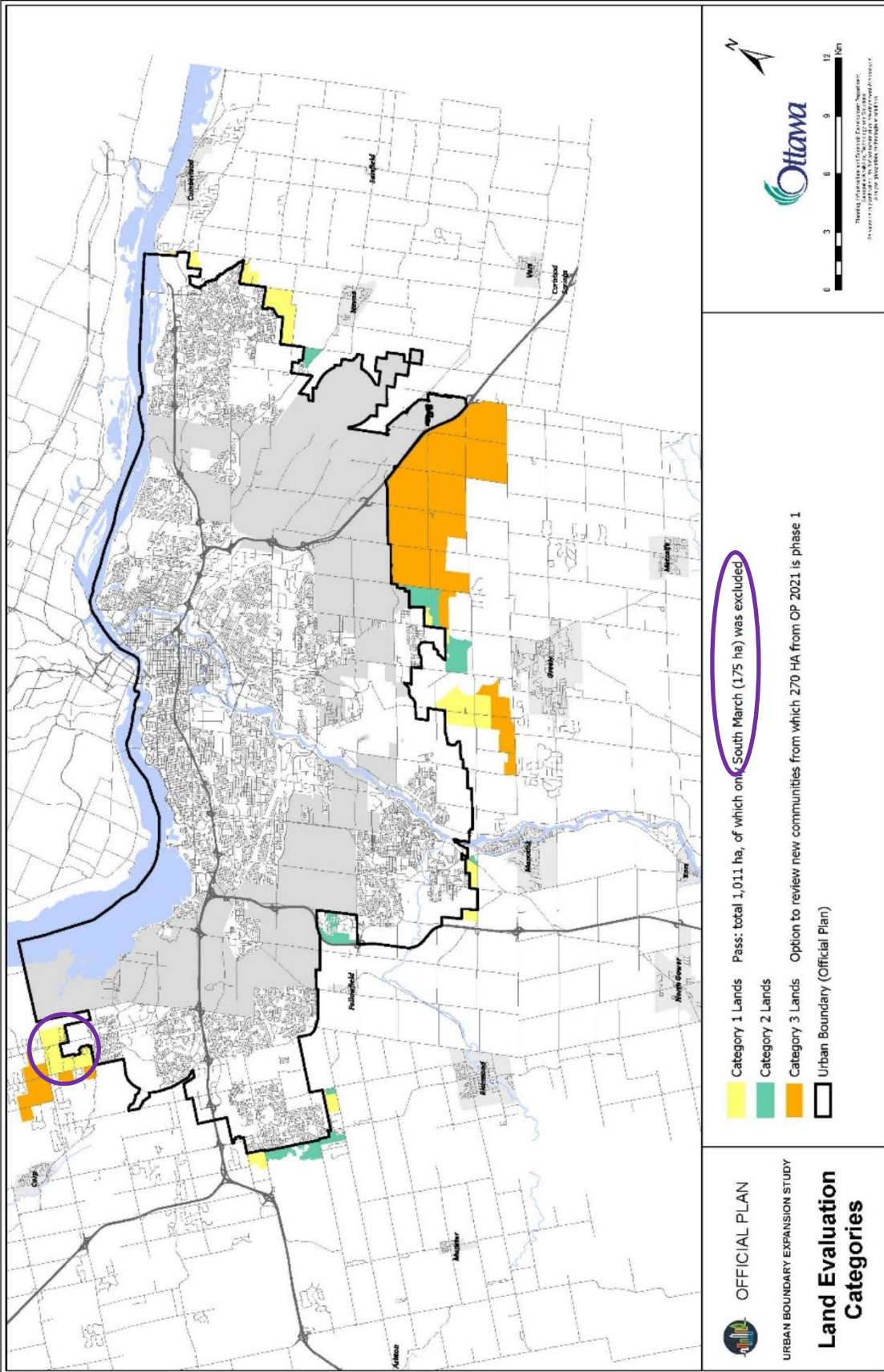


Figure 2: New OP Expansion Land Categories

The 2025 Official Plan update process will:

- Review and apply provincial guidance for growth projections, which the Province is currently developing and is not available at this time
- Review the latest Ontario Population Projections published by the Ministry of Finance and update housing and employment projections for residential and industrial land needs using provincial guidance when available
- Review a planning horizon to either 2046 or post-2046 as permitted by the 2024 PPS and consistent with the time horizon from the latest Ontario Population Projections published by the Ministry of Finance
- Determine whether existing lands within urban and village area boundaries are sufficient to comply with the 15-year land supply requirement in the 2024 PPS and the planning horizon
- If required, a holistic assessment of potential urban and village expansion parcels that reviews and selects the best options at the same time with stakeholders through a single process
- Recommend to Council any necessary changes to the planning horizon, growth projections, and if required urban and village expansions

Until then, the current growth projections in the Official Plan are consistent with the 2024 PPS and staff also note that the Minister of Municipal Affairs and Housing made no modifications to the growth projections in the approval of the Official Plan. If Council approves the framework for urban and village expansion applications, prospective applicants may wish to consider waiting until a City-initiated growth projection update and lands need review is completed to have their lands considered for inclusion into the urban or village area boundaries, for free.

2. The need for urban and village expansion requests shall be based on the current Official Plan growth projections and adequacy of a 15-year land supply, as opposed to a land supply to 2046, until the 2025-initiated review is completed.

Applications for urban and village expansions will use the current growth projections in the Official Plan to base their assessment of need to designate additional lands. The needs assessment shall compare with the existing designated supply and determine if there is less than a 15-year land supply as required by the 2024 PPS.

3. Identified land needs that increase supply to a 15-year minimum shall consider locations that have sufficient existing or planned infrastructure capacity in the 2024 IMP and the 2013 TMP or the 2025 TMP, whichever is in-force on the date of the application.

The 2024 PPS requires that Council consider if there is sufficient capacity in existing or planned infrastructure and public service facilities. Water, sanitary, and stormwater infrastructure will rely on the 2024 IMP to determine the planned capacity. Likewise, transportation infrastructure will rely on the TMP in-force on the date of the application to determine the planned capacity. As applicants do not have access to off-site infrastructure information or models relating to the City's respective network, applicants will require assistance from staff to determine if sufficient planned capacity exists in the relevant master plan. Further details on staff assistance are provided in the DASP (Recommendation 2) and Fees section (Recommendation 3 and 4) of this report.

4. Identified land needs that have sufficient existing or planned infrastructure capacity shall be locations that meet criteria specified in the 2024 PPS and best implement the strategic directions in the Section 2 of the Official Plan.

Staff have a long-established practice to rate all potential parcels and select the best parcels that meet identified criteria that conform to the PPS. For the new Official Plan the criteria, detailed in the [Residential Growth Management Strategy for the New Official Plan](#), included:

- Locations that will generate high transit ridership
- Locations that are the most efficient and cost effective for water, wastewater, and stormwater management services
- Locations that could have a high degree of integration and connectivity to existing communities
- Proximity to existing services and amenities such as major City facilities, emergency services response, and commercial and retail services
- Avoid Agricultural Resource Areas and other environmental conflicts such as core natural heritage and links

The 2024 PPS requires that Council consider other criteria for urban and village expansions that include the evaluation of locations that avoid Agricultural Resource Area designated lands, comply with the minimum distance separation formulae from

livestock facilities, avoid impacts on the agricultural system, and locations that provide for the phased progression of urban development.

In section 2 of the Official Plan, criteria for new urban or village expansions through a comprehensive review include connectivity to existing neighbourhoods and proximity to transit and existing commercial services to increase the share of sustainable trips, reduce GHG emissions, and help accelerate and improve 15-minute neighbourhood scores over time.

Recommendation 2: Development Application Study Policy By-law Amendment

The *Planning Act* allows the City to require information or material if the Official Plan contains provisions to that effect. Ottawa's Official Plan refers to the Development Application Study Policy By-law which identifies studies that staff can request for a "complete" *Planning Act* application.

The list of plans, studies and materials in the DASP are not required for every application, but rather represent the complete list of possible information that City could request to form part of a "complete" application submission.

Each of the items listed has a detailed Terms of Reference that is published on the following City webpage: "[Planning application submission information and materials](#)".

Given the new application type of Urban and Village Expansion Official Plan Amendment, staff propose to add three new materials on the DASP:

1. Urban and Village Area Boundary Expansion - Land Needs Assessment
 - a. A report that uses the current Official Plan growth projections as the basis for determining need for comparison with the existing designated supply to determine if there is less than a 15-year supply.
2. Urban and Village Area Boundary Expansion - Infrastructure Capacity Assessment
 - a. Servicing capacity assessment: report that confirms existing or planned capacity in the in-force IMP at the time of the application to service the subject lands. Completion of the report will require staff time to assess the off-site network capacity that the subject lands connect to and need for any off-site works to create the required capacity.
 - b. Transportation capacity assessment: report that confirms existing or planned capacity in the in-force TMP at the time of the application to service the subject lands. Completion of the report will require staff time to

complete the assessment in relation to the off-site network capacity that the subject lands connect to.

3. Urban and Village Area Boundary Expansion – Settlement Area Parcel Analysis (SAPA)

- a. A report on how the subject lands meet the location criteria established in the Official Plan, including alternative locations. Prior to the 2025 Official Plan update, staff will provide a future report to update the Official Plan for criteria related to these applications. Through this report staff will likely recommend a similar location scoring methodology that was used to add expansion lands in the current Official Plan. For lands that were scored previously, an update to the previously completed scoring analysis, to account for any changes, rather than a completely new analysis will suffice. At a minimum the analysis will include the following specific requirements in the 2024 PPS:
 - i. evaluate if the subject lands avoid agricultural areas and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands;
 - ii. determine whether the subject lands comply with minimum distance separation formulae;
 - iii. determine whether impacts on the agricultural system are avoided, or where avoidance is not possible, impacts are minimized and mitigated to the extent feasible as determined through an agricultural impact assessment or equivalent analysis;
 - iv. evaluate if the subject lands exclude the natural heritage system overlay;
 - v. determine how the subject lands provide for phased progression of urban or village development.

Staff are developing the details of the terms of reference for each of the above studies and are targeting October 20, 2024 as a publishing date, should Council approve the recommendations of this report. Given the short timeline provided by the Province to adapt to the new 2024 PPS, there is not sufficient time to consult fully on the development of the Terms of Reference. Staff will prioritize input from the industry to the continuous improvement review of DASP Terms of References in the new year.

Staff will also initiate an Official Plan Amendment to update the Official Plan for conformity to the 2024 PPS that includes urban and village expansion criteria and an evaluation for how an agricultural system approach may be developed and implemented.

Recommendations 3 and 4: Planning Services Fee, and Water By-law Amendments

To reflect the unique challenges of an urban or village expansion assessment at any time, with impacts to all of the City's master plans, a new application type and fee is proposed. Comprehensive Official Plan reviews typically involve subject-matter experts to perform technical reviews of potential expansion lands.

The estimated pressure is \$1,800,000 for the City to complete a review of land needs, infrastructure capacity, and location alternatives. To arrive at this number, Management of the core team of the last growth management strategy were interviewed:

1. Community Planning
 - Total: 300k
2. Transportation Planning
 - Total: \$400k
3. Infrastructure Planning
 - Total: \$450K (\$400k under Municipal Act, and \$50k under the Planning Act).
4. Geographic Information System (GIS)
 - Total: \$150k
5. Natural Systems
 - Within existing resources
6. Legal Services
 - Within existing resources
7. Business and Technical Services – Consultation and Project Management
 - Total: 150k
8. Corporate Support and HST/LMS Capital Contribution

- Total: \$350k

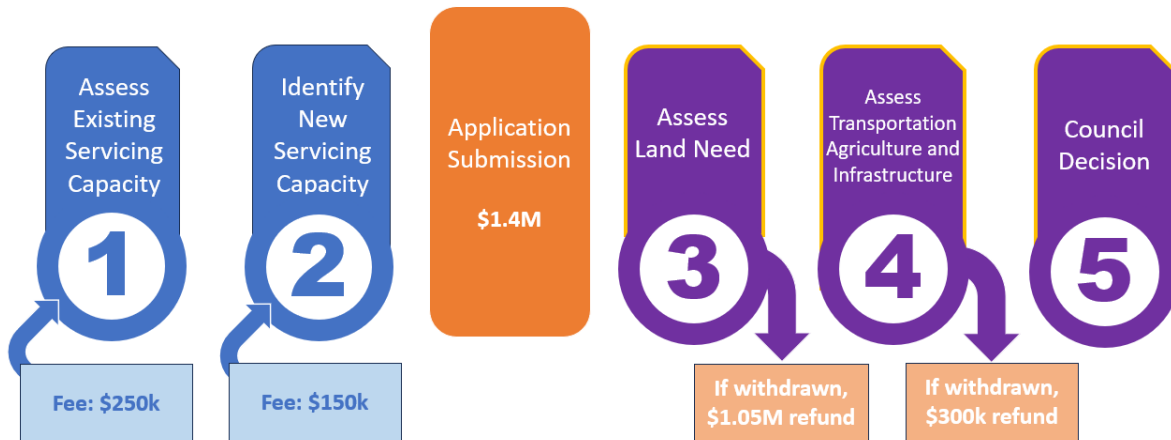
The proposed fees reflect an estimated staff level of effort to consider potential expansion lands from a growth management needs perspective, along with an assessment of infrastructure and transportation capacity within the existing master plans and long-range capital financial plans, some or all of which may require significant consultant support.

Graduated Fee Structure

The cost recovery for urban and village boundary expansion pressures is recommended to be split into multiple fees: two *Municipal Act* fees administered under the Water By-law and one *Planning Act* administered under the Planning Services Fee By-law. The fees will be administered under a “Graduated Fee” structure, with options to onboard and off-board at each step.

Graduated Fee and off-ramps

Blue – before submitting an application
 Orange – Application submission
 Purple – Official Review



Water By-law Amendment

To consider whether lands should be added to the urban boundary, it is proposed that staff (or a City-hired consultant) conduct a Servicing Capacity Assessment. The work would be split into two parts:

1. an assessment of existing servicing capacity (\$250,000), and
2. where capacity does not exist, the second report identifying projects and the cost of off-site works required to accommodate the expansion (\$150,000).

For the assessment of existing services, Staff had already begun work for lands that were added in the Official Plan by the Minister of Municipal Affairs and Housing, and

subsequently removed by Bill 150. A \$50,000 reduction would be applied for those lands.

As applicants do not have access to sufficient off-site infrastructure information or models relating to the City's drinking water and sanitary sewer networks, applicants will require assistance from City staff to determine if sufficient planned capacity exists in the relevant master plan. As the in-force IMP would not have considered any proposed expansions following adoption of the 2024 PPS, it is expected that sufficient capacity would typically not exist, and therefore the assessment would include identification, and costing of off-site works required to accommodate the expansion.

The applicant wishing to obtain Servicing information, and an assessment of required infrastructure for their proposal, would be required to share their expected servicing needs with the City, so that staff may determine whether there is existing or planned capacity to service the subject lands. Staff time will be required to complete the assessment in relation to the off-site network capacity that the subject lands connect to. Staff may retain consultants to identify infrastructure upgrades should those lands be added to the urban or village boundary in the future.

This "Servicing Capacity Assessment Request" to the City supports the development of a complete planning application for Urban Expansion under the *Planning Act*. It is possible that certain applicants will have the upstream servicing analysis already from having engaged with the City on recent development applications, and may not necessitate this touch base with the City.

In order to achieve cost recovery for this detailed work, it is proposed that the Water By-law be amended to add a new "fee for service", under the authority of the *Municipal Act*. The Servicing Capacity Assessment Request for Urban Boundary Expansion to City of Ottawa, is split in two parts: \$250K for the assessment of existing capacity, and \$150K for the projects and costs identification where capacity does not exist. The Water By-law is therefore proposed to be amended with a new Section 33 (10) which speaks to the authority to request the fee for urban and village boundary expansion capacity assessment, and a new fee under Schedule "B", Section 10.

Planning Services Fee By-law Amendment

Based on the resource pressures identified above for the *Planning Act* portion of the work, and that we have no indication of how many such applications will be submitted, the fee proposed for the Urban and Village Expansion Official Plan Amendment is \$1,400,000. Staff will monitor whether this amount is sufficient to ensure cost-recovery.

Upon submission of an Urban and Village Boundary Expansion Official Plan Application, a fee of \$1,400,000 would apply and would have to be paid to the City.

3. Land Need Assessment

- a. Staff will review the growth projections and corresponding land supply assessment provided by the applicant and render a draft recommendation to the applicant as to whether it has been proven (or not) that more land is needed to meet the PPS requirement of a 15-year land supply.
- b. Should the applicant select to withdraw at this stage and there is no outstanding right to appeal, a refund of \$1,050,000 would be administered.

4. Transportation, Agriculture and Infrastructure Assessment

- c. Staff will review the Infrastructure Capacity Assessment and the SAPA, ensuring that PPS, OP and terms of references are adhered to, while ensuring that any lands that would be added are the best lands for the long-term interest of the City. Staff will then provide a draft recommendation to the applicant, stating the staff position on the lands.
- d. Should the applicant select to withdraw at this stage and there is no outstanding right to appeal, a refund of \$300,000 would be administered.

5. Decision by Council

- e. Staff will present the report recommendations to Council, update Master Plans, Geographic Information System, webpages, and communicate changes to stakeholders.

Process and Application Sequencing

Applicants will not be permitted to submit an Urban and Village Expansion Official Plan Amendment application concurrently with any other development application. To be deemed complete, applications other than the Urban and Village Expansion Official Plan Amendment application must already have the subject lands included in the Urban Boundary. Within the urban area, a Future Neighbourhood overlay will apply along with the corresponding requirements for a secondary plan process. Area-specific policies may apply for village expansions that may require a similar secondary plan process depending on the context of the expansion.

Alternatives considered but not recommended

Staff considered, but ultimately did not recommend the following:

- Initiating the Official Plan growth projection review in 2030.

Staff did not recommend this approach because staff recognize and are taking action on the concerns from the home-building industry that the Ministry of Finance has recently significantly increased their population projections to 2046 compared to the Ministry of Finance projections in 2019 that the Official Plan was originally based on. Delaying the review to 2030 increases the risk of expansion application appeals and moves towards a litigious and piecemeal approach to growth management rather than a collaborative process. Staff prefer and recommend a collaborative approach starting next year, rather than waiting to 2030 for the update.

- Completing the 2025 Official Plan growth projections review, but then rely on applications for land selection instead of a comprehensive land supply update

Staff did not recommend this approach because an application-based process for adding lands would be time consuming and increase the costs for applicants. This is also an inefficient process with redundancies in the work required to review applications as they are submitted.

The best options may not be available when evaluating applications leading towards a piecemeal approach to growth management. Continuous updates to the TMP and IMP would be required as applications are received, which would challenge the ability of staff to appropriate plan and establish a long-range financial plan. Alternatively, updates could occur at set intervals but would stall an application and ultimately delay the necessary infrastructure projects to support housing.

- Not introducing a new application type and fee.

Staff did not recommend this approach because of Council's past decision that growth pays for growth. Without a new application type and fee, taxpayers would subsidize the remaining costs from a standard Official Plan Amendment application fee of \$34,960. Using a standard Official Plan Amendment fee does not represent cost-recovery or sound fiscal management for the City.

- Reducing the fee based on an expected number of applications

Staff did not recommend this approach because the number of boundary expansion applications that may be submitted to the City is not predictable. Reducing the fee to be spread to multiple applications introduces a financial risk to the City.

- Not requiring an alternative location analysis in the Settlement Area Parcel Analysis (SAPA)

Staff did not recommend this approach because it would lead to piecemeal additions to the urban boundary on a first-come-first-served basis, as opposed to ensuring the best lands are included in the boundary. Comparative analysis enables planned infrastructure to be related to the lands that are most affordable to the network and decrease overall costs.

RURAL IMPLICATIONS

The report has rural implications given that most potential expansion lands are currently in the rural area.

ENVIRONMENTAL IMPLICATIONS

Expansion of the urban boundary requires the conversion of land from natural or agricultural uses to urban uses. This increases impervious surfaces, reduces vegetation cover, removes natural habitats for native plant and animal species, and increases demands for natural resources such as aggregates. These changes in turn affect water quality, reduce carbon storage and sequestration, increase the urban heat island effect, reduce biodiversity, and increase the environmental footprint of the City.

The policies of the City's Official Plan, the Urban Boundary Expansion Framework, the City's Master Plans, and other supporting guidelines and studies, contain measures to reduce and mitigate the environmental impacts of urban expansion. This includes but is not limited to requirements to avoid agricultural lands, exclude the natural heritage system, retain and protect natural heritage features, support the maintenance and growth of the urban forest, and provide stormwater protection for watercourses and waterbodies.

CONSULTATION

Given the very short timeline provided by the Province to adapt to the new 2024 PPS, there is not sufficient time to consult fully on the development of the Framework and the Terms of References for the required studies. Staff value input from the development industry and will prioritize their feedback in the continuous improvement review of DASP Terms of References, in the new year.

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the report recommendations. The purpose of this report is to establish policy and process in response to the most recent update to the Provincial Planning Statement 2024.

RISK MANAGEMENT IMPLICATIONS

The approval of the Framework will allow the City to respond to applications for urban and village boundary expansions, supported by technical analyses, and cost recovery.

ASSET MANAGEMENT IMPLICATIONS

As stated in the report, off-site projects needed to service individual urban and village expansion applications are unlikely to be cost-effective if they are not scoped in consideration of other potential expansion areas that could benefit from these projects. The net result will be higher infrastructure costs, larger inventories of infrastructure to operate, maintain and renew over time, compared with the current situation where projects are identified in consideration of all expansion areas added through a comprehensive OP review.

FINANCIAL IMPLICATIONS

Due to the new Provincial Planning Statement (2024 PPS), Staff are proposing a new application for the consideration of private requests for urban and village expansions. In accordance with the City's User Fees and Charges Policy whereby Section 391 of the Municipal Act, 2001 provides municipalities with authority to establish and collect user fees and charges to recover costs associated with the delivery of services where users can be identified. The cost to complete a review of land needs, infrastructure capacity, and location alternatives is estimated at \$1,800,000. A graduated fee structure is being proposed to ensure cost recovery.

Through an amendment to the Water By-Law, a Servicing Capacity Assessment Request for Urban and Village Boundary Expansion to City of Ottawa Fees are being proposed, split into two parts:

1. Assessment of existing capacity to support Urban and Village Urban Boundary Expansion at \$250,000 per application.
2. Report identifying and costing of off-site works required to accommodate the expansion, to be completed where there is no existing capacity at \$150,000 per application.

For the assessment of existing services, Staff had already begun work for lands that were added in the Official Plan by the Minister of Municipal Affairs and Housing, and subsequently removed by Bill 150. A \$50,000 reduction would be applied for those lands. The Servicing Capacity Assessment Request for an Urban and Village Boundary Expansion to City of Ottawa Fees are non-refundable.

Through an amendment to the Planning Fees By-Law, an Urban Expansion Official Plan Application Fee of \$1,400,000 is being proposed.

The Urban Expansion Official Plan Application Fee would be eligible for a \$1,050,000 refund, where withdrawal occurs before staff begin the Transportation, Agriculture and Infrastructure Assessment, or a \$300,000 refund of the fee, where withdrawal occurs after the Transportation, Agriculture and Infrastructure Assessment has begun.

There is no indication of how many applications will be submitted, therefore, no revenue and expenditure budget will be setup and resource requirements will be staffed and awarded upon collection of fees. Revenue collected and expenses required to deliver the work will be tracked and fees will be adjusted through future budget process(es) to ensure cost recovery.

ACCESSIBILITY IMPACTS

There are no accessibility impacts with the recommendation of this report.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- A city that has affordable housing and is more liveable for all.

SUPPORTING DOCUMENTATION

Document 1 – Development Application Study Policy By-law

Document 2 – Planning Services Fee By-law

Document 3 – Water By-law

DISPOSITION

Planning Services will implement the new Urban Boundary Expansion Official Plan Amendment application type and fee.

Legal Services will prepare the new By-laws and the Office of the City Clerk with list them on a future Council agenda.

Infrastructure and Water Services will implement and administer the Servicing Capacity Assessment Requests, fee and payment mechanisms.

Document 1

BY-LAW NO. 20XXX - XXX

A by-law of the City of Ottawa respecting information and materials required for certain planning applications and to repeal By-law 2023 - 297.

The Council of the City of Ottawa enacts as follows:

1 . In addition to the prescribed information identified by regulation made under the Planning Act, any person or public body that applies for:

- (a) an Official Plan amendment,
- (b) a Zoning By-law amendment,
- (c) a draft Plan of Subdivision approval, or
- (d) Condominium approval, or
- (e) Site Plan Control application, or
- (f) Urban and Village Boundary Expansion Official Plan amendment.

may be required to provide such other information that the City may need either at the time of filing an application or subsequently to assist in resolving any concerns identified through the review of the application.

2. The other information or materials that may be required to be provided are:

- (a) Application Form
- (b) Agrology and Soil Capability Study
- (c) Archaeological Assessment
- (d) Building Elevations
- (e) Community Energy Plan
- (f) Environmental Impact Study
- (g) Energy Modelling Report
- (h) Environmental Management Plan
- (i) Environmental Site Assessment (Phase 1 & Phase 2)
- (j) Geotechnical Study
- (k) Grading and Drainage Plan
- (l) Heritage Impact Assessment
- (m) Heritage Act Acknowledgment Report
- (n) Hydrogeological and Terrain Analysis
- (o) High-performance Development Standard
- (p) Impact Assessment Study — Mineral Aggregate
- (q) Impact Assessment Study — Mining Hazards
- (r) Impact Assessment Study — Waste Disposal Sites / Former Landfill Sites
- (s) Landscape Plan
- (t) Mature Neighbourhood Streetscape Character Analysis
- (u) Minimum Distance Separation

- (v) Noise Control Study
- (w) Parking Plan
- (x) Plan of Survey
- (y) Plan of Subdivision
- (z) Plan of Condominium
- (aa) Planning Rationale
- (bb) Preliminary Construction Management Plan
- (cc) Public Consultation Strategy
- (dd) Rail Proximity Study
- (ee) Shadow Analysis
- (ff) Site Plan
- (gg) Site Servicing Study
- (hh) Slope Stability Study
- (ii) Transportation Impact Assessment
- (jj) Tree Conservation Report
- (kk) Urban Design Brief
- (ll) Urban Design Review Panel Report
- (mm) Water Budget Assessment
- (nn) Wellhead Protection Study
- (oo) Wind Analysis
- (pp) Zoning Confirmation Report
- (qq) Urban and Village Boundary Expansion – Land Needs Assessment
- (rr) Urban and Village Area Boundary Expansion – Settlement Area Parcel Analysis
- (ss) Urban and Village Area Boundary Expansion - Infrastructure Capacity Assessment

3. This by-law may be cited as the Information and Materials for Planning Applications Bylaw or the Development Application Study Policy as per Section 11.8(2) of the Official Plan.
4. By-law 2022-254 is repealed.
5. This by-law shall be deemed to come into force on October 16, 2023

ENACTED AND PASSED this XXX day of October 2024.

Document 2:

BY-LAW NO. 2024 - ###

A by-law of the City of Ottawa to impose fees for planning applications and to repeal By-law No. XXX-XX.

The Council of the City of Ottawa enacts as follows:

DEFINITIONS

1. In this by-law,

"City" means the City of Ottawa;

"Confederation Line" means the Confederation Line system as described in the 2013 Confederation Line Proximity Study Guidelines, or subsequent Rail Proximity Study Terms of Reference;

"Development Zone of Influence" means the area identified in Annex 2 of the Official Plan for the City of Ottawa;

"Do it Yourself Agreement" means an agreement where the applicant will be doing work within a highway under the jurisdiction of the City;

"General Manager" means the General Manager of the Planning, Development, and Building Services Department;

"minor zoning by-law amendment application" means an application for a zoning by-law amendment that seeks only one or more of the following:

- (i) modifications to performance regulations only,
- (ii) the extension of a zoning boundary to reflect the addition of lands to existing property,
- (iii) the establishment of an accessory apartment or a special needs/group home,
- (iv) the lifting of interim control for one use only,
- (v) temporary amendment,
- (vi) any zoning changes required as a condition of severance,
- (vii) A change in use that is wholly contained within an existing buildings envelope, where no building permit has been issued within the previous two years to increase the size of the building and which is not located within a residential zone, as defined by Zoning By-law 2008-250, to introduce one new non-residential use. No additional amendments to performance standards may be sought and the change in use cannot result in the establishment of any of the following uses:
 - a. Amusement centre or Amusement park;
 - b. Automobile body shop;
 - c. Automobile dealership;
 - d. Automobile rental establishment;
 - e. Automobile service station;
 - f. Heavy equipment and vehicle sales, rental and servicing;
 - g. Drive-through facility;
 - h. Bar;
 - i. Kennel;
 - j. Nightclub;
 - k. Payday loan establishment;

"on-site sign" means the information sign that is required to be posted on the property that is the subject of the planning application and "on-site signs" has a similar meaning;

"rural area" means in respect to land inside the area of Schedule B9 of the Official Plan for the City of Ottawa;

"staff" means the file lead in the Planning, Development, and Building Services Department to whom the planning application has been assigned;

"undertaking" means an undertaking to pay the legal costs in respect of preparation for an attendance at an Ontario Land Tribunal hearing, including disbursements of the City where,

- (i) the application is site specific,
- (ii) there are no city-wide policy implications, and
- (iii) the City and the applicant substantially agree on the proposed amendment.

OFFICIAL PLAN AMENDMENTS

2. The fee for an application to amend the Official Plan of the City of Ottawa shall be in accordance with Schedule "A".

ZONING BY-LAW AMENDMENTS

3. The fees for an application to amend the Zoning By-law of the City of Ottawa shall be in accordance with Schedule "B".

APPROVAL OF A PLAN OF SUBDIVISION

4. The fees for an application for approval of a plan of subdivision shall be in accordance with Schedule "C".

SITE PLAN APPROVAL

5. The fees for an application for site plan approval shall be in accordance with Schedules "D" or "E", as applicable.

APPROVAL OF A PLAN OF CONDOMINIUM

6. The fees for an application for approval of a plan of condominium shall be in accordance with Schedule "F".

PART LOT CONTROL EXEMPTIONS

7. The fees for an application for an exemption from part lot control shall be in accordance with Schedule "G".

DEDICATION/RECONVEYANCE OF 30 CENTIMETRE RESERVE

8. The fees for an application for the dedication or re-conveyance of a 30 cm reserve shall be in accordance with Schedule "G".

DEMOLITION CONTROL

9. The fees for an application in respect of demolition control shall be in accordance with Schedule "G".

COMMITTEE OF ADJUSTMENT

10. The planning review fees relating to matters that arise before the Committee of Adjustment shall be in accordance with Schedule "G".

LEGAL NON-CONFORMING RIGHTS

10.1 The fee associated with an application to establish legal non-conforming or legal non-complying rights shall be in accordance with Schedule "G".

DEVELOPMENT APPLICATION GATEWAY FEATURE

10.2 The fees associated with an application for a gateway feature shall be in accordance with Schedule "G".

HISTORIC LAND USE INVENTORY

10.3 The fee associated with a request for a historical land use inventory shall be in accordance with Schedule "G".

FRONT ENDING AGREEMENT

10.4 The fees for an application for the initiation of a front ending agreement shall be in accordance with Schedule "G".

PRE-CONSULTATION

10.5 The fee for an application for pre-consultation shall be in accordance with Schedule "G".

APPLICATION REVISIONS REQUIRING CIRCULATION FEE

10.6 The fee for the revision circulation of an application, other than an application under Schedule "C", shall be in accordance with Schedule "G".

ROAD MODIFICATION DETAILED DESIGN REVIEW FEE

10.7 The fee for review of road modification detailed designs shall be in accordance with Schedule "G".

PROXIMITY STUDY FEE

10.8 The fees to be submitted with studies for development in proximity to the Confederation Line as part of an application for plan of subdivision approval or site plan approval shall be in accordance with Schedule "G".

RURAL PARK DEVELOPMENT FEE

10.9 The fee for rural park development shall be in accordance with Schedule "G".

RETAIL BUSINESS HOLIDAYS ACT EXEMPTION APPLICATION

10.10 The fee for an application requesting an exemption by-law associated with the *Retail Business Holidays Act* shall be in accordance with Schedule "G".

SITE REVIEW - HERITAGE PROPERTY

11. The fees for a review of the site elements in an application to alter a property designated pursuant to the provisions of the *Ontario Heritage Act* shall be in accordance with Schedule "H".

HERITAGE CONFIRMATION

11.1 The fee for a heritage status letter shall be in accordance with Schedule "H".

STREET/LANE OPENING/CLOSURE

12. The fees for an application for a street opening, not including the dedication of a 0.3 metre reserve, or for an application for a road closing shall be in accordance with Schedule "I".

ON-SITE SIGNS

13. The fees for on-site signs shall be in accordance with Schedule "K".

REVIEW OF ANTENNA SYSTEMS

14. The fees for an application associated with a municipal review of antenna systems shall be in accordance with Schedule "L".

MAPPING AND GRAPHICS FEES

15. The mapping and graphics fees in respect of miscellaneous planning applications shall be in accordance with Schedule "M".

REQUEST FOR MAILING LISTS

16. In addition to the fees imposed by Sections 2 to 13 of this By-law, where any person is directed by the Ontario Land Tribunal to circulate notices of a prehearing or hearing and is required to obtain a circulation mailing list from the City of Ottawa, such

person shall pay to the City a fee of \$1.00 per address label provided by the City.

MISCELLANEOUS LEGAL FEES

17. In addition to the fees imposed by Sections 2 to 13 of this By-law, where any of the items set forth in Column "A" of Schedule "J" are required, a fee in the amount set forth in Column "B" of Schedule "J" shall be paid to the City prior to the earliest of the execution of the document by the City or the registration of the document.

UNDERTAKING

18. (1) Where an undertaking to pay the City's costs of a hearing is required pursuant to Schedules "A" or "B", or the participation of the City is requested by the applicant for a plan of subdivision and an undertaking is required, the maximum payable pursuant to such an undertaking shall be \$3,000.00 for a minor zoning by-law amendment application and \$10,000.00 for official plan amendments, plans of subdivision and all other zoning by-law amendment applications.
- (2) The hourly rate to be paid pursuant to the undertaking shall be \$160.00 in the instance of a solicitor who is an employee of the City and, in the instance of a solicitor who is not an employee of the City, the actual rate invoiced by such solicitor to the City.

REFUND POLICY

19. (1) Where an application is made subject to the fees in Schedules "A" to "H", 75% of the planning component of the application fee and 100% of the legal component of the application fee, if applicable, will be refunded where the application is withdrawn and a request for a refund is received by the Planning, Development, and Building Services Department prior to the preparation of the technical circulation and public notification.
- (2) Where an application is made subject to the fees in Schedules "A" to "H", 33.3% of the planning component of the application fee and 100% of the legal component of the application fee, if applicable, will be refunded where the application is withdrawn and a request for a refund is received by the Planning, Development, and Building Services Department prior to the preparation of the memorandum, in the instance of an approval delegated

to staff, or the report to the Planning and Housing or Agriculture and Rural Affairs Committee where the approval is with the Standing Committee or City Council.

- (3) Where the entering into of an agreement is not a condition of the approval for plan of subdivision revisions, a plan of condominium, site plan control approval, or a permit for demolition control, the legal component of the application fee will be refunded at the request of the applicant.
- (4) Planning component, as referenced within this Section of the By-law, includes the planning and initial design review and inspection fees.
- (5) Despite 19.(1) above, where an application is made subject to the Urban Boundary Expansion fees in Schedules "A", in the instance an applicant chooses to withdraw their application and should there be no appeals when the application is withdrawn, the applicant would be eligible for:
 - a) a \$1,050,000 refund of the planning portion of the fee, where withdrawal occurs before staff begin the Transportation, Agriculture and Infrastructure Assessment; or
 - b) a \$300,000 refund of the planning portion of the fee, where withdrawal occurs after the Transportation, Agriculture and Infrastructure Assessment has begun.

HARMONIZED SALES TAX

20. All legal and engineering fees to be collected pursuant to this By-law will be subject to Harmonized Sales Tax (H.S.T.) or any successor sales tax program thereto, where applicable.

REPEAL

21. By-law No. 2024-33 entitled "A by-law of the City of Ottawa to impose fees for planning applications and to repeal By-law No. 2024-33" is repealed.

SHORT TITLE

22. This by-law may be cited as the Planning Fees By-law.

EFFECTIVE DATE

23. This by-law shall be deemed to have come into force and take effect on XXX, 2025.

ENACTED AND PASSED this XXX day of XXX 2024.

DEPUTY CITY CLERK MAYOR

SCHEDULE "A"

Official Plan Amendment

TABLE 1

| Column "A" - Application | Column "B" - Fee |
|---|-----------------------|
| Official Plan Amendment | \$34,960.00 |
| <u>Urban and Village Boundary Expansion</u> | <u>\$1,400,000.00</u> |

1. The fee in respect of an application to amend the Official Plan for the City of Ottawa as outlined in Table 1, shall be paid at the time of the submission of the application.

2. At the time of the submission of the application, the applicant shall be required to sign an undertaking.

SCHEDULE "B"

Zoning By-law Amendment

TABLE 2

| Column "A" - Application | Column "B" - Fee |
|--|------------------|
| Zoning By-law Amendment - Major | \$29,823.00 |
| Zoning By-law Amendment - Minor | \$15,321.00 |
| Lifting Holding By-law | \$10,558.00 |
| Zoning By-law Amendment - Severance of Surplus Farm Dwelling | \$6,312.00 |

1. The fees in respect of an application for a zoning by-law amendment, as outlined in Table 2, must be paid at the time of submission of the application,.

2. At the time of the submission of the application for a zoning by-law amendment, the applicant shall be required to sign an undertaking.

SCHEDULE "C"

Plan of Subdivision

1. Subject to the other provisions of this Schedule, the fees due for draft and final approval of a plan of subdivision are that set forth in Table 3 of this Schedule.

TABLE 3

| Type of Development | Application for Draft Approval | Final Planning Fee, payable at the registration of each phase | Legal Fee, payable at the registration of each phase |
|--------------------------------------|---|---|--|
| 1 to 40 dwelling units | \$61,638.00 | \$13,508.00 | \$11,118.00 |
| 41 to 250 dwelling units | \$110,182.00 | \$15,936.00 | \$17,093.00 |
| More than 250 dwelling units | \$134,124.00 | \$19,774.00 | \$23,487.00 |
| Non-residential uses | \$51,354.00 | \$6,693.00 | \$4,295.00 |
| Residential and non-residential uses | the fee applicable to the number of dwelling units plus \$13,508.00 | n/a | n/a |
| Revisions requiring circulation | \$6,693.00 | n/a | \$2,560.00 |
| Extension of Draft Plan Approval | \$6,186.00 | n/a | n/a |

2. Subject to Sections 7 and 8 of this Schedule, the Draft Approval fee set forth in Table 3, is payable upon the submission of the application, and the Final Planning fee and Legal fee are to be paid prior to the registration of each phase of the plan of subdivision.

3. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed in each phase of a plan of subdivision and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed in each phase of a plan of subdivision are payable prior to the final approval of the plan of subdivision.
4. Where the entire works being installed for each phase of a plan of subdivision have a construction value of less than or equal to \$300,000.00, an initial fee for review, approval, inspection and release of security of \$5,000.00 is payable at the time of application.
5. Where the entire works being installed for each phase of a subdivision have a construction value of more than \$300,000.00, an initial fee for review, approval, inspection and release of security of \$10,000.00 is payable at the time of application.
6. In all cases, the amount collected at the application stage pursuant to Section 4 or 5 of this Schedule shall be credited against the ultimate fees to be collected under Section 3 herein.
7. Where a revision involving a recirculation is required for a plan of subdivision, the fee is payable prior to the recirculation or revision as set out in Table 3 of this Schedule.
8. The fee for the extension for Draft Plan Approval is payable at the time of an application for the extension of draft plan approval.
9. Where an application under this Schedule includes the development of a park, a fee for the final review and inspection of the park equal to 4% + HST of the estimated value of the park works is payable prior to the final approval of the plan of subdivision.

SCHEDULE "D"

Site Plan Control Approval

1. Subject to the other provisions of this Schedule, the fees due for site plan control approval are those set forth in Table 4 of this Schedule and such fees are payable at the time of submission of the application.

TABLE 4

| Type of Site Plan Application | Planning Fee | Legal Fee |
|---|--------------|------------|
| Complex | \$63,193.00 | \$6,888.00 |
| Standard, non-rural area | \$22,302.00 | \$6,888.00 |
| Standard, rural area | \$18,682.00 | \$6,888.00 |
| Street townhouse, not previously approved through the subdivision process | \$9,948.00 | n/a |
| Rural Small, rural area | \$1,207.00 | n/a |
| Revision - Complex | \$43,495.00 | \$3,458.00 |
| Revision - Standard, non-rural area | \$9,948.00 | \$3,458.00 |
| Revision - Standard, rural area | \$1,207.00 | n/a |
| Extension - non-rural area | \$5,582.00 | n/a |
| Extension - rural area | \$1,207.00 | n/a |

2. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed within the lands subject to the application for site plan approval and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed within the lands subject to the application for site plan approval are payable at the time of site plan control approval.

3. Where the entire works being installed have a construction value of less than or equal to \$50,000.00, an initial fee for review, approval, inspection and release of security of \$1,000.00 is payable at the time of application.

4. Where the entire works being installed have a construction value of more than \$50,000.00 but less than or equal to \$300,000.00, an initial fee for review, approval, inspection and release of security of \$5,000.00 is payable at the time of application.

5. Where the entire works being installed have a construction value of more than \$300,000.00, an initial fee for review, approval, inspection and release of security of \$10,000.00 is payable at the time of application.

6. In all cases, the amount collected at the application stage pursuant to Section 3, 4 or 5 of this Schedule shall be credited against the ultimate fees to be collected under Section 2 herein.

SCHEDULE "E"

Master Site Plan Control Approval

1. Subject to the other provisions of this Schedule, the fees due for master site plan control approval shall be that set forth in Table 5 of this Schedule. Such fees are payable at the time of submission of the application, or in the case of the Final Approval and Legal Fee, at the time of registration.

TABLE 5

| Type of Application | Planning Fee for Draft Approval | Planning Fee for Final Approval | Legal Fee |
|---------------------|---------------------------------|---------------------------------|------------|
| Master | \$48,571.00 | \$3,010.00 | \$6,888.00 |

2. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed within the lands subject to the application for site plan approval and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed within the lands subject to the application for site plan approval are payable at the time of site plan control approval.

3. Where the entire works being installed have a construction value of less than or equal to \$50,000.00, an initial fee for review, approval, inspection and release of security of \$1,000.00 is payable at the time of application.

4. Where the entire works being installed have a construction value of more than \$50,000.00 but less than or equal to \$300,000.00, an initial fee for review, approval, inspection and release of security of \$5,000.00 is payable at the time of application.

5. Where the entire works being installed have a construction value of more than \$300,000.00, an initial fee for review, approval, inspection and release of security of \$10,000.00 is payable at the time of application.

6. In all cases, the amount collected at the application stage pursuant to Section 3, 4 or 5 of this Schedule shall be credited against the ultimate fees to be collected under Section 2 herein.

SCHEDULE "F"

Plan of Condominium

1. Subject to the other provisions of this Schedule, the fees due for a Plan of Condominium shall be that set forth in Table 6 of this Schedule, and such fees shall be payable at the time of the application.

TABLE 6

| Type of Application | Application Fee | Legal Fee |
|--|-----------------|------------|
| New Standard, Common Elements, Phased or Leasehold Condominium | \$22,100.00 | \$5,975.00 |
| New Vacant Land Condominium | \$54,416.00 | \$5,975.00 |
| Condominium - Revision or Extension | \$4,030.00 | \$2,560.00 |

2. Despite Table 6, where the application for approval of a vacant land condominium is submitted concurrently with an application for site plan approval, the fee for the application for approval of a vacant land condominium is \$22,100.00 plus a legal fee of \$5,975.00, and such fee is payable at the time of application.

3. Where the entire works being installed for the vacant land condominium have a construction value of less than or equal to \$300,000.00, an initial fee for review, approval, inspection and release of security of \$5,000.00 is payable at the time of application.

4. Where the entire works being installed for the vacant land condominium have a construction value of more than \$300,000.00, an initial fee for review, approval, inspection and release of security of \$10,000.00 is payable at the time of application.

5. Sections 3 and 4 of this Schedule do not apply to an application for approval of a vacant land condominium submitted concurrently with an application for site plan

approval.

6. In all cases, the amount collected at the application stage pursuant to Section 3 or 4 shall be credited against the ultimate fees to be collected under Section 7 herein.

All Condominium Applications

7. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed in each phase of a plan of condominium and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed in each phase of a plan of condominium are payable prior to the final approval of the plan of condominium.

SCHEDULE "G"

Miscellaneous Planning Applications and Review Fees

Part Lot Control

1. A fee of \$9,811.00, plus a legal fee of \$1,718.00 in respect of the first part lot control exemption by-law for a plan of subdivision, is payable at the time of the application for exemption from part lot control where draft approval of the plan of subdivision was given by The Regional Municipality of Ottawa-Carleton or its successor municipality and the application for draft approval of the plan of subdivision was made on or after May 22, 1996.
2. A fee of \$1,254.00, plus a legal fee of \$1,269.00 is payable at the time of the application for an extension of the time limit for a part lot control exemption.
3. A legal fee of \$1,269.00 is payable at the time of the application for the second or subsequent part lot control exemption by-law in respect of a plan of subdivision.

Lifting 30 Centimetre Reserve

4. A fee of \$2,019.00, plus a legal fee of \$937.00, is payable upon the submission of an application for the dedication or re-conveyance of a 30 cm reserve.
5. A fee of \$1,011.00, plus a legal fee of \$937.00, is payable upon the submission of an application for the dedication or re-conveyance of a 30 cm reserve where such reserve is in place in the rural area, on a per lot basis, to ensure compliance with findings of a previously approved hydrogeological study.

Demolition Control

6. The fees payable at the time of an application in respect of demolition control are as follows:

- (1) for an application under Part IV of the Demolition Control By-law, being By-law 2012-377, as amended, the fee shall be the same as the fee for a permit to demolish under the Building By-law, being By-law No. 2014-220, as amended;
- (2) for an application under Part V of the Demolition Control By-law the fee shall be \$3,154.00, plus a legal fee of \$1,028.00.

6.1 The penalty payable for a failure to complete a new building in the time specified in a demolition permit for a residential property as per subsection 33 (7) of the *Planning Act* is \$8,667.00 for each dwelling unit contained in the residential property.
Engineering Design and Review Fees

7. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed as a result of applications pursuant to Sections 1, 2, 3, 4, and 5 inclusive of this Schedule and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed as a result of applications pursuant to Sections 1, 2, 4, and 5 inclusive of this Schedule are payable prior to the final approval of the application.

8. A fee of \$4,333.00 is payable for the review of the third submission and each subsequent submission in respect of a planning application as part of the engineering fees to be paid at the time of registration of the plan or agreement, or such fee is payable upon invoice by the City.

9. A fee of \$240.00 is payable in respect of an application for a sewer permit.

Committee of Adjustment

10. A fee of \$659.00 for the planning review of minor variance applications is payable at the time of an application for a minor variance to the Committee of Adjustment.

11. A fee of \$1,102.00 for the planning review of severance/consent applications is payable at the time of an application for a severance/consent to the Committee of Adjustment.

12. A fee of \$1,271.00 for the planning review of a combined severance/consent

and minor variance application is payable at the time of a combined application to the Committee of Adjustment.

Legal Non-Conforming Rights

13. A fee of \$710.00 for review of an application to determine legal non-conforming or legal non-complying rights associated with a property. Such fee is payable upon the application for such a determination.

Development Application Gateway Feature

14. The fees payable for a gateway feature are:

- (1) A fee of \$48,081.00 per gateway feature is payable prior to the registration of a plan of subdivision.
- (2) Where the cost of construction of a gateway feature exceeds \$100,000.00, in addition to the fee payable under subsection (1), an amount equal to 15% of the value of the feature above \$100,000.00 is payable at the same time as the fee set out in subsection (1).

Historic Land Use Inventory

15. A fee of \$181.00 is payable for each property with respect to which a list of the historical land uses is requested. Such fee is payable upon request for such review.

Front Ending Application

16. An application fee of \$14,768.00 and a legal fee of \$17,648.00 are payable upon application to initiate a Front Ending Agreement.

17. Fees for the final review, approval, and inspection equal to 5% + HST of the value of construction costs for the Front Ending Agreement application are payable prior to the execution of the agreement by the City and commence work issuance to proceed

with the works that are the subject of the Front Ending Agreement, and in accordance with the following:

- (1) Where the entire works being installed have a construction value of less than or equal to \$50,000.00, an initial fee for review, approval, inspection and release of security of \$1,000.00 is payable at the time of application.
- (2) Where the entire works being installed have a construction value of more than \$50,000.00 but less than or equal to \$300,000.00, an initial fee for review, approval, inspection and release of security of \$5,000.00 is payable at the time of application.
- (3) Where the entire works being installed have a construction value of more than \$300,000.00, an initial fee for review, approval, inspection and release of security of \$10,000.00 is payable at the time of application.
- (4) In all cases, the amount collected at the application stage pursuant to subsection 17 (1), (2) or (3) of this Schedule shall be credited against the ultimate fees to be collected under Section 17 herein.

Pre-Consultation

18. A fee of \$906.00 is payable at the time of submission of an application for each pre-consultation with respect to an application for:

- (1) official plan amendment;
- (2) zoning by-law amendment described in Rows 1 and 2 of Table 2 in Schedule "B";
- (3) site plan control;
- (4) draft approval of a plan of subdivision;
- (5) draft approval of a vacant land condominium;

- (6) municipal review of an antenna system.

19. The fee(s) payable under Section 18 of this Schedule are non-refundable after the pre-consultation meeting has occurred or document review by staff has begun, and is only valid for 12 months following the date of the pre-consultation meeting.

Application Revisions Requiring Circulation Fee

20. A fee of \$5,779.00 is payable prior to the re-circulation of any of the following applications:

- (1) official plan amendment;
- (2) zoning by-law amendment;
- (3) site plan control;
- (4) demolition control;
- (5) draft approval of a vacant land condominium.

20.1 Re-circulation referenced in section 20 applies to:

- (1) where documentation is re-submitted to the City, with significant changes to required information and materials or where a new use is introduced;
- (2) any *Planning Act* application where documentation is re-submitted to the City, beyond one year since the application submission was last circulated.

Road Modification Detailed Design Review Fee

21. A separate process fee of \$2,940.00 for the review of road modification detailed designs is payable at the time of site plan control approval where proposed road modification works have not been accepted by the City at the time of approval.

Proximity Studies Fee

22. Where a study identified in Table 7 is required to be submitted as part of an application for plan of subdivision approval or site plan approval, the fee due for such study shall be, subject to Section 23, that set forth in column II, III, or IV of Table 7 of this Schedule and is payable at the same time as, and in addition to any fee payable under Schedules "C", "D", or "E" of this by-law.

23. The application fee under Table 7 is determined in accordance with the following:

- (1) The level 1 fee in column II is payable when the application is to permit development within the Development Zone of Influence and staff conclude there to be minimal anticipated impact on Confederation Line structures;
- (2) The level 2 fee in column III is payable when the application is to permit development within the Development Zone of Influence and staff conclude there to be substantial anticipated impact on Confederation Line structures anticipated;
- (3) The level 3 fee in column IV is payable when the application is to permit development on top of, or within 1 metre of a Confederation Line structure.

TABLE 7

| Column I Technical Study/Report/Plan | Column II Level 1 Fee | Column III Level 2 Fee | Column IV Level 3 Fee |
|---|----------------------------------|-----------------------------------|----------------------------------|
| Shoring - Design & Monitoring Plan | \$598 | \$2,389 | \$4,779 |

| | | | |
|--|-------|---------|---------|
| Excavation Support System | n/a | \$598 | \$1,792 |
| Geotechnical Hydrogeological Analysis | n/a | \$1,194 | \$1,194 |
| Groundwater Control Plan | \$598 | \$2,389 | \$2,389 |
| Waterproofing System | n/a | \$598 | \$1,194 |
| Structural Analysis - Loading | n/a | \$2,389 | \$2,389 |
| Fire Ventilation | n/a | \$598 | \$1,194 |
| Station Ventilation | n/a | \$598 | \$1,194 |
| Access Requirements (including AODA) | \$598 | \$598 | \$896 |
| Noise and Vibration Study | \$598 | \$1,194 | \$2,389 |
| EMI/Stray Current | n/a | \$598 | \$598 |
| Construction Coordination Protocols | \$598 | \$1,792 | \$3,584 |
| Pre-Post Construction Surveys | \$598 | \$598 | \$1,792 |
| Set-Back Requirements from Structures in the Zone of Influence | \$598 | \$1,194 | \$1,792 |
| Fire/Smoke Dispersion Analysis | n/a | \$1,792 | \$2,389 |
| Crane Swing and Lifting Loads | \$598 | \$1,194 | \$1,792 |
| Insurance Requirements | n/a | \$598 | \$598 |
| Property - M&L Requirements | n/a | \$598 | \$1,194 |
| Utility relocations and Installations | \$598 | \$1,194 | \$1,792 |
| Entrance Connection Agreement | n/a | \$4,779 | \$5,973 |
| Security Plan | n/a | \$1,792 | \$1,792 |
| Construction As-Built Drawings | n/a | \$598 | \$1,792 |

Rural Park Development Fee

24. A fee of \$3,303.00 per lot is payable where an agreement as part of a plan of subdivision approval provides for the payment of a rural park development contribution.

25. The fee set out in Section 25 of this Schedule shall be payable upon the initial conveyance of each lot.

Retail Business Holidays Act Exemption Application

26. A fee of \$2,790.00 is payable for an application requesting an exemption by-law associated with the *Retail Business Holidays Act*. The fee is payable at the time of the application.

SCHEDULE "H"

Heritage Applications

1. The following fees are payable for delegated heritage permits and major heritage applications:

- (1) Delegated Authority Permits - Alterations: \$286.00;
- (2) Delegated Authority Permits - Additions: \$858.00;
- (3) Minor Alterations (that require Built Heritage Committee/Council approval): \$2,399.00;
- (4) Major Alterations (that require Built Heritage Committee/Council approval): \$9,153.00;
- (5) Demolition - Part IV/Grade 1/Contributing: \$14,303.00;
- (6) Demolition - Grade 2/Non-Contributing: \$2,861.00;
- (7) New Construction on Designated Property - Small Scale: \$3,433.00;
- (8) New Construction on Designated Property - Medium Scale: \$5,721.00;
- (9) New Construction on Designated Property - Large Scale: \$9,153.00.

2. A fee of \$228.00 is payable at the time of an application for a heritage status letter.

SCHEDULE "I"

Street/Lane Opening and Closure

1. A fee of \$22,100.00, plus a legal fee of \$4,030.00, is payable at the time of an application for a street or lane opening.
2. If a "Do it Yourself Agreement" is not required by the City, \$500 of the legal fee payable under Section 1 of this Schedule will be refunded.
3. The fees payable for a street or lane closure are as follows:
 - (1) A fee of \$16,276.00, plus a legal fee of \$669.00, payable at the time of the application, for the closing of a travelled or untravelled arterial, major collector and collector road.
 - (2) A fee of \$7,445.00, plus a legal fee of \$669.00, payable at the time of application, for the closing of any other travelled or untravelled road or lane.
4. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed as a result of an application for street opening or road closing and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed as a result of an application for street opening or road closing are payable prior to the final approval of the application.

SCHEDULE "J"

Miscellaneous Legal Fees

TABLE 8

| Column "A" - Application/Agreement | Column "B" - Fee Payable |
|---|--------------------------|
| Easement | \$1,611.00 |
| Encroachment | \$1,611.00 |
| Encroachment, simple and/or assignment | \$657.00 |
| Conveyance as a condition of development approval | \$657.00 |
| Postponement Agreement | \$657.00 |
| Partial Discharge of Mortgage | \$657.00 |
| Maintenance and Liability Agreement | \$1,393.00 |
| Amending Maintenance and Liability Agreement | \$657.00 |
| Do it Yourself Construction Agreements | \$3,215.00 |
| Watermain Agreements | \$657.00 |
| Inhibiting Orders - Routine | \$657.00 |

| | |
|-----------------------------|------------|
| Inhibiting Orders - Complex | \$1,993.00 |
|-----------------------------|------------|

| | |
|---|---|
| Release of Inhibiting Order - Routine | \$445.00 |
| Release of Inhibiting Order - Complex | \$1,993.00 |
| Early Servicing Agreement - Subdivision | \$12,954.00 |
| Release of Deferral Agreement | \$657.00 |
| Communal Water and Wastewater Agreements | \$12,954.00 |
| Private Roadway Agreement | \$1,611.00 |
| Release of Easement | \$1,083.00 |
| Release of Site Plan Agreement | \$1,083.00 |
| Pre-Servicing Agreement - Site Plan | \$1,678.00 |
| Agreements arising from Consent Application | \$4,106.00 |
| Agreements arising from Minor Variance | \$1,611.00 |
| Well Agreement | \$655.00 |
| Other Agreements arising from Committee of Adjustment Applications | \$1,083.00 |
| Amending Site Plan Agreement Not Covered by Development Application Fee | \$3,040.00 |
| Amending Subdivision Agreement Not Covered by Development Application Fee | One-half of Primary Agreement Legal Fee |

| | |
|---|------------|
| Miscellaneous Agreement Arising from Development Applications | \$1,766.00 |
| Release of Miscellaneous Agreements Arising from Development Applications | \$657.00 |
| Traffic Signal Agreement | \$657.00 |
| Municipal Covenant Agreement | \$657.00 |
| Consolidation Agreement | \$657.00 |
| Community Improvement Plan (Development Assistance) Grant Agreement | \$657.00 |
| Road Modification Agreement | \$1,766.00 |
| Other Agreements - Complex | \$1,993.00 |
| Other Agreements - Simple | \$657.00 |
| Limiting Distance Agreement | \$829.00 |
| Section 37 Bonusing Agreement | \$657.00 |
| Brownfield Agreement | \$657.00 |
| Municipal Responsibility Agreement | \$3,955.00 |
| Cost Sharing Agreement | \$3,955.00 |

1. In this Schedule,

"routine inhibiting order" means where conditions contained in the inhibiting order can be fulfilled at the time of registration of the plan of subdivision;
and

"complex inhibiting order" means an inhibiting order where conditions contained in the inhibiting order will not be fulfilled until after the plan of subdivision is registered.

2. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed as a result of a Do It Yourself Construction Agreement for roads, sewers and traffic signals and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed as a result of a Do it Yourself Construction Agreement for roads, sewers and traffic signals are payable prior to the execution of the agreement by the City.

SCHEDULE "K"**On-Site Sign Fees**

1. A fee of \$906.00, plus HST is payable at the time of an application for an official plan amendment, a zoning by-law amendment, draft approval of a plan of subdivision, a site plan control complex, revision complex and master application, draft approval of a vacant land condominium, a demolition control application, or an application for a road closure, for a travelled road or lane, for two on-site signs on the property subject to the application.
2. Despite Section 1 of this Schedule, the fee payable at the time of application for a zoning by-law amendment related to the severance of a surplus farm dwelling shall be \$452.00, plus HST for one on-site sign on the property subject to the application.
3. Should the General Manager determine that more than two (2) on-site signs are required for the applications set out in Section 1 of this Schedule, or that more than one (1) on-site sign is required for the application set out in Section 2 of this Schedule, the applicant shall be invoiced in the amount of \$452.00, plus HST for each additional on-site sign.
4. No planning application described in this Schedule will be processed by the approval authority unless and until the applicable fees described herein are paid in full.

SCHEDULE "L"

Municipal Review of Antenna Systems

1. A fee of \$5,244.00 is payable at the time of an application for Municipal Review of an Antenna System, where such application is required pursuant to the Council-approved Municipal Concurrence and Public Consultation Process for Antenna Systems for an antenna system as defined under that process.
2. A fee of \$586.00 is payable at the time of an application for Municipal Review of an Antenna system, where such application is required pursuant to the Council-approved Municipal Concurrence and Public Consultation Process for Antenna Systems for a residential use antenna system as defined under that process.
3. No application described in Sections 1 or 2 of this Schedule will be processed by the City unless and until the fee described in Sections 1 or 2 is paid in full.

SCHEDULE "M"

Miscellaneous Fees Related to Planning Applications

1. The fees to be collected pursuant to Table 9 are subject to Harmonized Sales Tax (H.S.T.) or any successor sales tax program thereto, where applicable.

TABLE 9

| Column "A" | Column "B" |
|---|------------|
| Fence Viewer Fee | \$430.00 |
| Administration / Research Fee (per street segment) | \$91.00 |
| Customization Fees/Electronic File Translation | |

| | |
|--|----------|
| Production of Customized Map, Data or Engineering Plan (hourly rate) | \$127.00 |
| Aerial photography, base mapping, and LiDAR | |
| Aerial Base Vector Mapping | \$159.00 |
| Aerial Ortho-Imagery | \$159.00 |
| Aerial LIDAR | \$159.00 |
| 3D Building (Production of customized fee might apply) | \$159.00 |
| Engineering, UCC Central Registry Plans, Thematic and Cartographic Maps | |
| Engineering plans - pdf | \$16.50 |
| Engineering plans CAD or GIS file | \$49.00 |
| Central Registry Plans - CAD | \$156.00 |
| Central Registry Plans - pdf | \$49.00 |
| General land use maps and online store maps - print copy | \$16.50 |
| General land use maps - pdf | \$127.00 |
| Water / Wastewater Distribution / Collection Plans | |
| 1:2500 scale - .pdf | \$49.00 |

| | |
|--|----------|
| Water/Wastewater - CAD/GIS files 1:2000 | \$156.00 |
| Engineering / Geotechnical Reports/Studies: | |
| Cost per digital report | \$37.00 |

Document 3 – Water By-law Amendments

BY-LAW NO. 2019-74

A By-law of the City of Ottawa to regulate the municipal water supply and to repeal By-law 2018-167.

WHEREAS Sections 8, 9 and 10 of the *Municipal Act, 2001*, authorize a municipality to pass by-laws that are necessary or desirable for municipal purposes and, in particular, respecting economic, social and environmental well-being of the municipality; health, well-being and safety of Persons; services and things that the municipality is authorized to provide; and protection of Persons and property, including consumer protection;

AND WHEREAS Section 391 of the *Municipal Act, 2001* provides that a municipality may pass by-laws imposing fees or charges on Persons for services or activities provided or done by or on behalf of it;

THEREFORE the Council of the City of Ottawa enacts as follows:

DEFINITIONS

1. In this By-law:

“Approved” means having the approval of the General Manager of Public Works and Environmental Services or an authorized representative of the General Manager of Public Works and Environmental Services or the General Manager of Planning, Infrastructure and Economic Development or an authorized representative of the General Manager of Planning, Infrastructure and Economic Development or City Treasurer or an authorized representative of the City Treasurer.

“Backflow” means the flowing back or reversal of the normal direction of flow in either the City’s water distribution system or a private water service.

“By-law Officer” means a Person appointed by the Council of the City of Ottawa as a Municipal Law Enforcement officer to enforce the provisions of this By-law.

“Blank” means the temporary or permanent decommissioning of a pipe by means of plugging, capping or other method.

“Building Code Act” means the Ontario *Building Code Act, 1992*, S.O. 1992, c.23, as amended, and its regulations, as amended.

“Building Control Valve” has the same meaning as in the Building Code Act.

“Chief Building Official” means the Chief Building Official of the City of Ottawa, appointed in accordance with the Building Code Act.

“City” means the City of Ottawa and its employees.

“City Standards” means all applicable City design manuals, standards and guidelines as amended.

“City Treasurer” means the City Treasurer of the City of Ottawa or an authorized representative of the City Treasurer.

“City Water Meter” means a water meter supplied by the City or Owner (owned by the City) that is used to measure the amount of City supplied water to a premises and includes, as part of the water meter’s components, the City Water Meter Reading Device and the City Water Meter Reader Wire.

“City’s Water Distribution System” means the part of the City’s water system that is used in the distribution, storage or supply of water up to and including the service isolation valve, and is not part of a treatment system.

“City Water Meter Reading Device” means the unit that is installed at a premise that reads the City water meter.

“City Water Meter Reader Wire” means the communication wire that connects the City Water Meter to the City Water Meter Reading Device.

“Cross-Connection” means any actual or potential connection between a potable water system and a source of pollution or contamination.

“General Manager of Public Works and Environmental Services” means the General Manager of Public Works and Environmental Services or an authorized representative of the General Manager of Public Works and Environmental Services.

“General Manager of Planning, Infrastructure and Economic Development” means the General Manager of Planning, Infrastructure and Economic Development or an authorized representative of the General Manager of Planning, Infrastructure and Economic Development.

“Drinking Water System” has the same meaning as in the *Safe Drinking Water Act, 2002*, as amended, and includes the City Water Meter.

“Frontage Charge” means the charge payable for connecting a Water Service to an original Watermain, or to the replacement of an original Watermain, that is or was funded by the City.

“Inspection” includes an audit, examination, survey, test and inquiry.

“Land” includes all buildings or any part of any building and all structures, machinery and fixtures erected or placed upon, in, over, under or affixed to land and in the case of utility service providers and the City of Ottawa, all buildings or any part of any building erected or placed upon, in, over, under or affixed to land but shall not include machinery whether fixed or not, nor the foundation on which it rests, work structures other than buildings, substructures, poles, towers, lines, nor any of the things exempted from taxation, nor to any easement or the right, use or occupation or other interest in land not owned by such utilities.

“Occupant” includes an Owner of Land or Premises where that Owner resides or carries on a business within the Land or Premises, and includes any Person or corporation residing or carrying on a business within the Land or Premises either as a lessee or licensee.

“Other Charges” means those charges related to repairs, installations, services rendered, or other expenses, payable by the Owner or Occupant as provided for in this By-law or as directed by City Council, and to those charges associated with water, wastewater and stormwater billing imposed pursuant to the applicable Fees By-law.

“Owner” means a Person who has any right, title, estate, or interest in Land or Premises, other than that of only an Occupier and, where that Person is a corporation, shall include the officers, directors and shareholders of that corporation, and shall include any Person with authority or power over or control of that Land or Premises on behalf of an Owner, and an Owner includes a developer.

“Permit Holder” means the Person to whom the Water Connection Permit has been issued, or with whom an agreement has been signed, authorizing the installation, repair, renewal or removal of Waterworks or connection to a Watermain in accordance with the terms and conditions of the permit agreement.

“Person” means an individual, association, partnership, corporation, municipality, Provincial or Federal Agency or any agent or employee thereof.

“Plumbing” means a drainage system, a venting system and water system or parts thereof.

“Premises” means a separately assessed parcel of Land.

“Private Water Distribution System” includes but it is not limited to Private Watermains, Private Water Services, private water wells, private hydrants and fittings.

“Private Water Service” means the installed water pipe from the Service Isolation Valve or from a Private Watermain to the Building Control Valve.

“Private Watermain” means the installed water pipe from the Service Isolation Valve within the Owner’s Land from which Private Water Services can be taken.

“Service Isolation Valve” means a valve located on a Water Service, that is accessible for operation from the ground surface to control water flow through the Water Service.

“Sewage Works” has the same meaning as in the Sewer Use By-Law as amended.

“Stormwater Rates” has the same meaning as the “stormwater service fees” in the Stormwater Service Fees By-Law, as amended.

“Temporary Water Service” means a pipe installed from a public waterworks by the City, for a City project, and for a specified temporary period of time.

“Wastewater Rates” means the fixed wastewater rate and variable wastewater rate

“Water Connection Permit” means approval by the City authorizing the permit holder to connect to the public water supply in accordance with the terms and conditions set out in the permit.

“Water Rates” means the fixed water rate, variable water rate, and fire supply charges.

“Water Service” means a potable water pipe of any size, tapped or teed from a Watermain to a building.

“Watermain” means a City pipe that supplies potable water to Water Services and hydrants.

“Waterworks” means buildings, structures, plant, machinery, outlets, underground construction and installations and other works designed for the production, treatment, distribution, and storage of water and includes land appropriated for such purposes and uses.

“Wastewater” means the spent water of a community, which may be a combination of liquid and water-carried Wastes from residences, commercial buildings, industrial facilities and institutions, together with any groundwater or storm water that may be present.

APPLICATION/INTERPRETATION

2. (1) This By-law shall apply to the Water Service areas as identified in the City's Official Plan and supporting Infrastructure Master Plan as amended from time to time.
 - (2) All schedules, forms, tables, and diagrams attached to this By-law shall form part of this By-law.
 - (3) All legislation and regulations referenced herein are Ontario provincial laws, as amended, unless noted otherwise.
 - (4) All other documents referenced herein such as By-laws, codes, and standards are as amended documents issued by the City.
 - (5) Any headings, sub-headings, or table of contents in this By-law are included for guidance purposes and convenience only, and shall not form part of this By-law.
 - (6) Every provision of this By-law is independent of all other provisions, if any provision of this By-law is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this By-law shall remain valid and enforceable.

PART I - WATER SERVICE CONNECTIONS AND CHARGES

DUTIES OF THE GENERAL MANAGER OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES

3. The General Manager of Public Works and Environmental Services shall supervise and administer the City's Drinking Water System, excluding the City Water Meter and shall be responsible for its operation, maintenance, repair and extension.
4. (1) Should conditions arise that imperil the municipal water supply or its distribution, the General Manager of Public Works and Environmental Services:
 - (a) may issue a Notice of Restriction identifying all remedial measures as may be necessary to protect the municipal water supply or its distribution system, which may include limiting or stopping the supply of water in any area and restricting the use of water for any specific purpose;
 - (b) shall expend money and employ workers as needed to restore the City's Drinking Water System, excluding the City Water Meter; and
 - (c) shall report to the Committee of Council mandated to review such matters as soon as practical after such measures have been taken.
- (2) Notice of Restriction under this Section may be given by posting on the City's webpage or by any means that, in the opinion of the General Manager of Public Works and Environmental Services, are sufficient to provide reasonable notice of the restriction and this notice shall be deemed to have been given to the Person or Persons to which the notice is directed on the earliest date of any such posting.

(3) No Person shall use, or cause or permit to be used, water in a manner contrary to any direction given by the General Manager of Public Works and Environmental Services during a period when the use of water has been prohibited or restricted pursuant to subsection (1).

(4) In the event of an emergency or where any or all provisions of this Section have been violated, or where a Notice of Restriction issued pursuant to subsection (1) has been violated, the General Manager of Public Works and Environmental Services may shut off the water supply to any Person without prior notice.

5. The General Manager of Public Works and Environmental Services may enter into agreements authorizing the installation, repair, renewal or removal of a Water Distribution System excluding City Water Meters.

6. The General Manager of Public Works and Environmental Services may discontinue water supply and continue to refuse water supply as determined to be necessary subject to any provisions of this by-law.

7. Where a water supply is continued or initiated pursuant to this By-law, the General Manager of Public Works and Environmental Services shall supply water to a Private Water Service.

DUTIES OF THE GENERAL MANAGER OF PLANNING, INFRASTRUCTURE AND ECONOMIC DEVELOPMENT

8. The General Manager of Planning, Infrastructure and Economic Development may issue permits authorizing the installation, repair, renewal or removal of a Water Distribution System excluding the Water Meter.

9. The General Manager of Planning, Infrastructure and Economic Development shall establish and periodically update standards, guidelines and specifications governing the design and construction of the City's Drinking Water System.

DUTIES OF THE CITY TREASURER

10. The City Treasurer shall invoice and collect Water Rates, Wastewater Rates, Stormwater Rates, Frontage Charges and all other applicable fees and charges.
11. The City Treasurer shall issue water certificates in conjunction with a final reading of the City Water Meter and final bill to the Owner of the property when a written request has been received and the water certificate fee has been paid.
12. The City Treasurer may authorize the installation, repair, renewal or removal of a water meter and accompanying meter reading devices. The City Treasurer shall authorize the specifications to be used for the installation, repair and renewal of a water meter and shall communicate these specifications to the General Manager of Planning, Infrastructure and Economic Development.
13. The City Treasurer may enter into agreements with non-city employees to supply and install City Water Meters and accompanying meter readings.
14. The City Treasurer may discontinue water supply and continue to refuse water supply as determined to be necessary, subject to any provisions of this by-law.

NO LIABILITY

15. The City shall not be liable for damages or loss suffered by anyone due to the operation of the Drinking Water System, unless shown to be directly due to the negligence of the City, and without limiting the generality of the foregoing, shall not be liable for damage or loss:
 - (1) for the settlement of any excavation or trench made for the installation or repair of any part of the Drinking Water System, or any damage or loss resulting from such settlement;
 - (2) caused by the break or failure of any component of Waterworks;

- (3) caused by the disruption of any supply of water from the Drinking Water System when such disruption is necessary in connection with the repair or maintenance of the Drinking Water System; or
- (4) caused by the disruption or shutting off the water supply in the event of an emergency.

RESPONSIBILITIES OF THE OWNER AND OCCUPANT – GENERAL

16. Despite any other provision of this By-law, where a Water Service is continued or initiated pursuant to this By-law, no Owner or Occupant shall fail, at the Owner or Occupant's sole expense, to:

- (1) provide a Private Water Service;
- (2) ensure that the Private Water Service, Building Control Valve, City Water Meter, and plumbing on the Owner's or Occupant's Land or Premises comply with the provisions of this By-law;
- (3) ensure that any permits, inspections or Approvals required pursuant to this By-law or other applicable legislation have been conducted or obtained and are valid and subsisting, prior to connection to the Drinking Water System;
- (4) ensure that the Private Water Service does not interfere with the operation of the Drinking Water System; and
- (5) provide access to the Land or Premises to the City when required under this By-law.

INTERFERENCE

17. No Person, except those authorized by the General Manager of Public Works and Environmental Services, General Manager of Planning, Infrastructure and Economic Development or the City Treasurer shall:

- (1) tap off or make any connection with a Watermain;
- (2) turn off or on any Watermain valve;

- (3) turn off or on, damage, destroy, remove or interfere in any manner with any Water Service and/or the Service Isolation Valve;
- (4) interfere or tamper in any way with the operation of any City Water Meter;
- (5) Blank or cap any Watermains;
- (6) interfere in any way with or cause any interference with the use of the City's Drinking Water System by another Owner or Occupant;
- (7) attach any device to any water pipe which may create noise, a pressure surge, Backflow or contamination of the Drinking Water System;
- (8) use any device on any Water Service Connection, on the upstream side of a City Water Meter for the purposes of boosting or increasing water pressure; or
- (9) tamper with, break or remove any seal, lock-out device or lock-out tag installed by the City on any valves, City Water Meters, or flanged outlets on Waterworks.

CONDITIONS OF SERVICE

18. The City shall perform all work having to do with the Drinking Water System and with the installation, repair, renewal, or removal of the City's Water Distribution System, excluding water Meters, except where approved by the General Manager of Public Works and Environmental Services.

19. The City shall perform all work having to do with the Drinking Water System and with the installation, repair, renewal, or removal of the City's Water Meters, except where approved by the City Treasurer.

20. The City may temporarily interrupt the water supply without notice.

21. (1) Water shall not be supplied from the City's Water Distribution System unless a Water Service is laid and equipped in accordance with the provisions of this By-law and all necessary permits have been obtained from the City.

(2) A Temporary Water Service may be installed with the permission of the City Treasurer or the General Manager of Public Works and Environmental

Services or the General Manager of Planning, Infrastructure and Economic Development for the purpose and on the conditions specified by the City Treasurer or the General Manager of Public Works and Environmental Services or the General Manager of Planning, Infrastructure and Economic Development.

22. The City does not guarantee:

- (1) any pre-determined water pressure or flow from the Drinking Water System or from any temporary Water Service;
- (2) any level of service of water pressure or flow that may be used for private fire suppression systems or any other systems; or
- (3) that water supplied be free of colour or turbidity.

WATER CONNECTION PERMITS

23. No Person shall fail to obtain a Water Connection Permit prior to the installation, repair, renewal, removal, Blanking or capping of a Watermain or Water Service or City Water Meter unless otherwise authorized by the General Manager of Planning, Infrastructure and Economic Development.

24. The General Manager of Planning, Infrastructure and Economic Development shall inspect plans and specifications for any drinking water system or water service to ensure compliance with City Standards.

25. A Water Connection Permit shall not be issued until:

- (1) the applicant for a Water Connection Permit has completed and submitted the appropriate forms and provided all required drawings and information to the satisfaction of the City;
- (2) the Water Service connection charge set in Schedule "B" has been paid;
- (3) any applicable Frontage Charge, as set in Schedule "B" and Schedule "C" has been paid;
- (4) all other required permits have been obtained; and

(5) the General Manager of Planning, Infrastructure and Economic Development is satisfied that the proposed works meet City standards and do not contravene any other municipal By-law.

26. Extensions of and connections to the City's Water Distribution System shall only be permitted where they conform to the Official Plan of the City.

27. New Water Service connections and Water Service installations made in association with a capital works project of the City shall be subject to the entire permit requirements of this By-law and to the charges and fees set in Schedule "B".

28. There shall be no charge for the replacement of a public Water Service as part of a Watermain rehabilitation project provided that the replaced public Water Service is the same diameter or meets the City minimum service standards.

29. The fee for changing the diameter of a Water Service shall be equivalent to the full cost of a Water Service connection set in Schedule "B".

30. (1) Work performed by the City on behalf of an Owner shall comply with this By-law and with the terms and conditions of the Water Connection Permit and applicable laws.

(2) Work shall commence only upon issuance of the Water Connection Permit and payment of the fees and charges set in Schedule "B".

31. (1) A Water Connection Permit shall be valid for a period of six months from the date of the issuance of the permit, and in the event that a Water Service connection is not made within the six-month period, the permit may be cancelled by the City.

(2) If cancelled, all funds paid on application for the Water Connection Permit shall be refunded without interest to the payor, less an administration fee set in Schedule "B".

FRONTAGE CHARGE

32.(1) Every Person applying for a Water Connection Permit shall be required to pay a Frontage Charge, where applicable, prior to installation of the Water Service, and the charge shall be:

(a) in accordance with the rate in Schedule "B" and based on the assessable frontage of the property fronting on the Watermain from which the connection is made, and the calculation shall be in accordance with Schedule "C" when such land sets apply, or

(b) where so identified in Schedule "B", on the basis of an area specific charge set forth in Schedule "B".

(2) Approval to sever Land or Premises shall be conditional upon all outstanding Frontage Charges being paid on the severed portion.

(3) In the event that a Water Connection Permit is no longer valid in accordance with Section 31 of this By-law, then any monies paid for the Frontage Charge shall be returned to the Owner, as per Section 31, without interest, provided that in any new application for a Water Connection Permit, the applicant shall be required to pay the applicable Frontage Charge

DESIGN AND INSTALLATION OF DRINKING WATER SYSTEMS

New Drinking Water Systems

33.(1) All Drinking Water Systems shall be designed and constructed in conformance with City Standards unless Approved by the General Manager of Public Works and Environmental Services.

(2) A registered easement shall be obtained prior to the installation of a Water Service to any Premise in, or over, or across the property of another Premise.

(3) The City shall install the Water Service according to City Construction Specifications.

(4) The City shall remain the owner of the portion of the Water Service as described in subsection (3).

- (5) The Water Service as described in subsection (3) shall remain in the off position, accessible, and in good working order until it is extended and connected to a City Water Meter.
- (6) All private Watermains and Private Water Services shall be of the same size and material and meet the same City Standards and specifications as the public Water Services installed by or on behalf of the City to the property line, unless otherwise required or Approved by the General Manager of Public Works and Environmental Services.
- (7) Every Owner shall be responsible for all excavation and backfilling and all required support including but not limited to equipment, tool, permit required for the installation apart from the parts and labour to perform the actual installation of the new Water Service from the Watermain to the property line.
- (8) Any Private Water Distribution System shall be installed by the Owner, at the Owner's sole expense, in accordance with all applicable law including, but not limited to, the Building Code Act, City Standards and this By-law.
- (9) Upon request or when deemed necessary by the General Manager of Public Works and Environmental Services, the City may require flushing of a new Drinking Water System to maintain water quality and the Owner shall pay based on water consumption or estimate as outlined in Section 85(4). The Owner shall install flushing infrastructure and follow procedures and standards to the satisfaction of the General Manager of Public Works and Environmental Services at the Owner's sole costs.
- (10) An applicant applying for a "Servicing Capacity Assessment Request for Urban Boundary Expansion to City of Ottawa" shall pay a fee for service in accordance with Schedule "B".

Existing Drinking Water Services

- 34.(1) Any Owner wishing to relocate, replace, alter, disconnect or reuse an existing Water Service must make an application and receive Approval of the General Manager of Infrastructure and Economic Development prior to commencing the work.
- (2) Where a change referred to in subsection (1) is Approved by the Deputy City Manager of Planning and Infrastructure, the Owner, at the Owner's sole expense, may have the work performed on the City-owned portion of the Water Service by either an indemnified contractor or the City.

- (3) An existing Water Service shall not be connected to a new building unless it meets current City Standards and the Water Service is inspected and Approved for reuse by the Deputy City Manager of Planning and Infrastructure in advance of any connection being made.
- (4) If an existing Water Service to a Premise has any portion located within another Premise it shall not be reused unless a registered easement is obtained for the portion of the Water Service in, or over, or across the property of another Premise.

General Provisions for the Installation of Drinking Water Systems

- 35. (1) An applicant applying for the installation, relocation, replacement, alteration or disconnection of a Drinking Water System shall pay an inspection fee in accordance with Schedule "B".
- (2) In the event that a connection to the Waterworks or a Water Service is installed in a manner other than provided for in this By-law, the General Manager of Public Works and Environmental Services may, at the sole expense of the Owner:
 - (a) re-excavate the connection or Water Service for the purpose of inspection and testing and, if necessary, require the Owner to reinstall the work in accordance with this By-law; and
 - (b) disconnect the Water Service, which shall not be reinstalled or reconnected except with the prior written permission of the General Manager of Public Works and Environmental Services and full compliance with the requirements of this By-law.

BACKFLOW PREVENTION

36. No Person shall connect, cause to be connected, or allow to remain connected to the Waterworks, or construct, install or maintain any piping, fixture, fitting, container, appliance, equipment or any other connection which may or could enable any substance to enter the Waterworks.

- 37.(1) The General Manager of Public Works and Environmental Services may require the installation of an Approved Backflow

prevention mechanism on a Private Watermain or Private Water Service in accordance with Schedule "I"; and

- (2) Every Person required to install an Approved Backflow prevention mechanism on a Private Watermain or Private Water Service shall comply with the Backflow Prevention Program Requirements as set out in Schedule "I".

38. In the event that any or all provisions of Section 36 have been violated, or where a requirement mandated by Section 37 has been violated, the General Manager of Public Works and Environmental Services may shut off the water supply to a Private Water Main or Private Water Service without prior notice to any Person.

INSPECTION OF WATER DISTRIBUTION SYSTEMS

39. No Waterworks shall be connected to any Watermain until it is inspected, tested and disinfected to the satisfaction of the General Manager of Planning, Infrastructure and Economic Development.

40. City staff shall inspect Waterworks during construction, and upon approval of a Water Connection Permit, the applicant shall pay to the City the inspection fee in accordance with Schedule "B".

41. Issuance of the Water Connection Permit entitles the Permit Holder to an inspection under Section 39 of that portion of the Waterworks for which a Water Connection Permit was Approved to ensure that the service is installed in accordance with City Standards.

42. Where the General Manager of Planning, Infrastructure and Economic Development does not deem necessary, the inspection pursuant to Section 39 shall not include:

- (1) examination of the elevation of the Water Service when laid in advance of the Watermain;
- (2) examination of unexposed materials; or
- (3) inspection of the backfill of the trench.

43. Water supply shall not be provided until the Private Water Service or Private Watermain has been inspected, tested and disinfected to the satisfaction of the General Manager of Planning, Infrastructure and Economic Development.

44. (1) Prior to backfilling of the trench, the Permit Holder shall inform the General Manager of Planning, Infrastructure and Economic Development when a Private Water Service has been installed and the General Manager of Planning, Infrastructure and Economic Development shall have the Private Water Service inspected.

(2) Backfilling shall only occur upon approval of the General Manager of Planning, Infrastructure and Economic Development.

(3) Approval to backfill a Private Watermain or Private Water Service is not a guarantee or warranty that the structures will perform trouble free.

45. The City may require the Permit Holder to undertake tests to the satisfaction of the General Manager of Planning, Infrastructure and Economic Development to demonstrate proper Water Service installation prior to issuing authorization to backfill.

46. A Private Watermain or Private Water Service shall not be put into service until the City has completed its final acceptance, and final acceptance by the City shall not occur until a final inspection has been carried out to the satisfaction of the General Manager of Planning, Infrastructure and Economic Development.

47. For the purposes of Section 46, the City may require written confirmation from a Registered Professional Engineer in the Province of Ontario that a Private Water Distribution System was installed and inspected in accordance with City Standards.

MAINTENANCE OF PRIVATE WATER DISTRIBUTION SYSTEMS

48. Every Owner shall maintain and ensure proper functioning of Private Water Distribution Systems at the Owner's sole expense.
49. The General Manager of Public Works and Environmental Services has the right to inspect, disinfect, and test a Private Water Distribution System, at the Owner's sole expense.
50. The City shall give notice to the Owner and Occupant of Premises determined to have a defective or leaking Water Service, Watermain, hydrant or Plumbing whenever an inspection indicates the existence of a problem.
51. The City shall turn off the water supply to a Private Water Distribution System and isolate it from the Drinking Water System by means of turning off the Service Isolation Valve if remedial action is not taken with respect to a notice issued pursuant to Section 50.
52. Every Owner shall pay to the City the fee in accordance with Schedule "B" for any turning off or on of the Service Isolation Valve to shut off or restore Water Service to Premises.
53. The General Manager of Public Works and Environmental Services shall thaw Private Water Distribution Systems to the City Water Meter or the first tap in the basement only at the request of an Owner, at the risk of the Owner and at the Owner's sole expense, according to fees set out in Schedule "B".
54. Thawing operations shall not be undertaken where, in the opinion of the General Manager of Public Works and Environmental Services, such action may present a hazard.

ACCESS

55. (1) As a condition of Water Service and as operational needs dictate, the City shall have, at all reasonable times, free access, to all parts of Land or Premises in which water is delivered and consumed or Water Service located, for the purposes of:

- (a) installation, inspection, testing, maintenance, repair, altering, replacement, disconnecting and removal of the Drinking Water System, Water Service connections, City Water Meters, and other parts of the Drinking Water System;
 - (b) inspection of Backflow prevention devices or other equipment and works associated with the Drinking Water system and the Private Water Service;
 - (c) reading of City Water Meters;
 - (d) verifying water leaks; or
 - (e) inspections for compliance with this By-law, a Notice of Violation or a condition to any permit.
- (2) No Person shall deny access to the City to any Land or Premises or any part of the Drinking Water System, City Water Meter, Water Service Connections and other parts of the Drinking Water System for any purpose provided for in this By-law.

ACCESS TO DWELLINGS

56. (1) The City shall not enter a place being used as a dwelling unless:

- (a) **the consent of the Owner or Occupant is first obtained, ensuring the Owner or Occupant is first advised that entry may be denied;**
- (b) a warrant issued under Section 158 of the *Provincial Offences Act*, as amended, is obtained;
- (c) a warrant issued under Section 439 of the *Municipal Act, 2001*, as amended, is obtained;
- (d) a warrant issued under subsection 386.3 of the *Municipal Act, 2001*, as amended, is obtained;
- (e) an order issued under Section 438 of the *Municipal Act, 2001*, as amended, is obtained; or

- (f) the delay necessary to obtain a warrant or the consent of the Owner or Occupant would result in the immediate danger to the health or safety of any Person.

ENTRY ON LAND OR PREMISES – NOTICE REQUIREMENTS

57. Whenever the City exercises a power of entry pursuant to this By-law, the City shall:

- (1) provide reasonable notice of the proposed entry to the Owner or Occupant of the Land or Premises by personal service or prepaid mail or interactive online tools or by posting the notice on the land in a conspicuous place for three consecutive days prior to entry;
- (2) in so far as is practicable, restore the Land or Premises to its original condition where any damage is caused.

SERVICE FEE FOR ADDITIONAL VISITS

58. The additional visit fee set out in Schedule “B”, shall be charged to the Owner or Occupant where the City is required to make an additional visit at Premises for any of the following reasons:

- (1) the Owner or Occupant, after receiving notice from the City of a failed attempt to enter the Premises to install, maintain, repair, replace, alter, disconnect, inspect, test or read a City Water Meter or any other equipment or part of the Drinking Water System, its appurtenances or Plumbing, continues to refuse the City access to Land or Premises;
- (2) the City attends at a Premises for a scheduled appointment to perform any of the functions set out in subsection (a), and the Owner or Occupant is not present at the scheduled time to provide access to the Premises; or
- (3) the City attends at a Premises to perform any of the functions set out in subsection (a) and is unable to proceed based on dangerous circumstances or the inadequacy of access to the Premises or Drinking Water System.

SHUTTING OFF/RESTRICTING WATER SUPPLY

59. (1) Despite any other provision of this By-law, the City may shut off or restrict the supply of water to a Private Water Distribution System if the provisions under subsection 73(1) and (2) are not met or if the City is denied access to Land, Premises or a dwelling to install, replace, repair, downsize, read or inspect a City Water Meter.
- (2) Before shutting-off or restricting the supply of water under this Section, the City shall:
- (a) by personal service or by registered mail, serve the Owners and Occupants of the Land, Premises or a dwelling with a notice of the date upon which the City intends to shut off or restrict the supply of water; or
- (b) ensure that a copy of the notice described in subsection (2)(a) is securely attached to the Land, Premises or a dwelling in a conspicuous place.
- (3) The City shall not shut off or restrict the supply of water under subsection (1) unless it has made reasonable efforts as determined by the City Treasurer to get access to the Land, Premises or a dwelling and has been unable to get access within fourteen days after one of the following methods of customer notice:
- (a) the day the last notice under subsection (2)(a) of this By-law was Personally served; or
- (b) the day the last notice under subsection (2)(a) of this By-law was mailed.
- (4) If the City has shut off or restricted supply of water under subsection (1), the City shall restore the supply of water as soon as practicable.
- (5) The Owner or Occupant shall pay all applicable fees as prescribed in Schedule "B".

INTERRUPTION AND BLANKING

60. Any Person requiring the turn-off of a Water Service and removal of the City Water Meter for the purpose of demolition, private water well decommissioning or other reasons shall excavate, backfill, and reinstate the pipe at their own cost so that the City may Blank the Water Service at the Watermain in the street, and all work must be inspected by the City, and the owner or applicant shall pay the fee for the inspection in accordance with Schedule "B".

61. Every Owner shall pay a fee for each Water Service to be Blanked in accordance with Schedule "B" where the City determines it is necessary to Blank a Water Service or Watermain.

62. Every Owner of a Water Service shall provide written notification to the General Manager of Public Works and Environmental Services when use of the Water Service is discontinued, and the Owner shall pay to the City a disconnection fee in accordance with Schedule "B".

63. The General Manager of Public Works and Environmental Services may Blank a Water Service and charge the Owner of the Water Service the disconnection fee in accordance with Schedule "B" where the Water Service has been unused for a period of one year or more. The City will invoice the cost over to the Owner or/and refund the difference if less than deposit.

64. Disconnected Private Water Distribution Systems shall not be reconnected without advance written consent of the General Manager of Public Works and Environmental Services and payment of applicable fees in accordance with Schedule "B".

65. Without limiting the generality of Section 63, in the event that a new Water Service is to be installed, the Owner shall ensure any existing disconnected Water Service is Blanked at their sole cost prior to the installation of a new Water Service.

USE AND CARE OF HYDRANTS

Permission to Use Water from Fire Hydrants

66. No Person shall operate a fire hydrant, except:

(1) the General Manager of Public Works and Environmental Services;

(2) a member of the fire department; or

- (3) a Person with a permit to take water from flusher hydrants for the purpose of flushing streets, construction and maintenance, flushing sewers or other uses Approved by the General Manager of Public Works and Environmental Services for which a permit has been issued.

Flusher Hydrant Permits

67. (1) The General Manager of Public Works and Environmental Services may require that any Person wishing to use a fire hydrant or draw water from a fire hydrant pursuant to subsection 66(c) shall:

- (a) obtain a flusher hydrant permit from the City;
- (b) connect to the hydrant in the manner required by the flusher hydrant permit and comply with the flusher hydrant Use Guidelines and Operational Procedures while drawing water from a fire hydrant or while connected to a fire hydrant;
- (c) report all water usage within 24 hours of taking the water as stipulated in the flusher hydrant Use Guidelines and Operational Procedures; and
- (d) affix a copy of the flusher hydrant permit to the vehicle it was issued for, as follows:
 - (i) for single unit vehicles, to the front windshield, lower corner, passenger side; or
 - (ii) for trailer units, to the tanker trailer or water container itself, not the towing vehicle.

(2) A flusher hydrant permit shall not be transferred.

Fire Hydrants Flow Test

68. (1) Fire flow tests will not be conducted by the City on private Land or Premises or using private fire hydrants.

(2) (a) A fire hydrant flow test shall be conducted by the Owner or Occupant with the assistance of City staff and on such other terms and conditions,

including indemnification of the City, as may be required by the General Manager of Public Works and Environmental Services.

- (b) Only City staff may operate the hydrants to conduct the flow test and the applicable fees set out in Schedule "B" apply.
 - (c) The Owner or Occupant is responsible for selecting the appropriate pair of hydrants to test to obtain the specific flow data they require, supplying a Person(s) qualified to conduct the flow measurements and to document the flow test data, and supplying all equipment needed to conduct the test.
- (3) Fire flow tests shall only be carried out between April 1 and October 31; or as indicated by the General Manager of Public Works and Environmental Services Department.
- (4) (a) The City reserves the final decision on whether a scheduled flow test may proceed.
- (b) A test may be cancelled if there is potential for adverse operational impacts to the waterworks and customer service concerns at the time of the scheduled test.
 - (c) The test fee will be reimbursed to the Owner or Occupant if the City cancels the test.

Fire Hydrants – General

69. (1) Unless authorized by the General Manager of Public Works and Environmental Services, no Person shall:
- (a) open or close any fire hydrant or fire hydrant valve;
 - (b) connect any device of any kind to a fire hydrant, including a pipe, hose, fixture, or appliance; or
 - (c) use water from any fire hydrant, regardless of whether that fire hydrant is located on private or public property, for any purpose other than fire protection.

- (2) No Person shall paint fire hydrants or tamper with the colour scheme of fire hydrants except with the permission of the General Manager of Public Works and Environmental Services.
- (3) Any Person who wishes to have a City owned fire hydrant relocated may request in writing to the General Manager of Public Works and Environmental Services that the fire hydrant be relocated, and if Approved, the Person making the request shall pay the estimated cost determined by the General Manager of Public Works and Environmental Services, subject to a refund or additional payment, depending upon the actual cost when the work has been completed.

Obstruction of a Hydrant

- 70.(1) The Owner or Occupant of Premises adjacent to a fire hydrant or on which a fire hydrant is located shall ensure that there is access to the fire hydrant at all times and that access is not obstructed in any manner whatsoever.
- (2) No Owner or Occupant of Premises shall allow anything on the Premises to interfere with the operation of a fire hydrant or private fire hydrant located on or adjacent to the or Premises.
- (3) Any Person who owns Premises on which a fire hydrant is located or own property adjacent to City owned property on which a fire hydrant is located:
 - (a) shall ensure there is a three metre corridor free of vegetation and other objects between the hydrant and the curb and shall ensure there is a 1.5 metre radius clearance free of vegetation and other objects beside or behind a hydrant unless authorized in writing by the General Manager of Public Works and Environmental Services; and
 - (b) shall ensure that nothing is constructed, erected, or placed within the clearance provided in subsection 3(a) .
- (4) If an Owner fails to provide the proper clearances on or around the fire hydrant within 48 hours of being notified to do so by the General Manager of Public Works and Environmental Services, the General Manager of Public Works and Environmental Services may remove any and all obstructions or encroachments and the Owner shall pay the City all costs associated with the removal of those obstructions or encroachments.

CITY WATER METERS

71. (1) All Water Services shall be metered unless otherwise permitted by the City Treasurer.
- (2) All new City Water Meters twenty-five (25) mm and over or special City Water Meter sets shall be supplied and installed by the City Treasurer at the Owner's expense unless otherwise directed by the City Treasurer.
- (3) The City Water Meter to be supplied and installed in a Premises must be Approved by the City Treasurer.
- (4) Only one City Water Meter per Water Service shall be installed for Water Service billing purposes.
- (5) The City Water Meter shall be owned by the City and its installation shall meet City Standards.
- (6) All City Water Meters shall have a City Water Meter Reading Device (endpoint) installed. The City Water Meter Reading Device (endpoint) shall be owned by the City and its installation shall meet City Standards.

Costs Associated with City Water Meters

72. The Owner or Occupant of the Land or Premises on which a City Water Meter is to be located shall:

- (1) pay the fee in accordance with Schedule "B" for the supply and installation of the City Water Meter, prior to its installation;
- (2) pay the cost of altering, repairing, relocating, downsizing or replacing a City Water Meter;
- (3) pay the cost of plumbing required as a result of downsizing the City Water Meter;
- (4) pay the cost of installing, replacing or repairing any damaged, missing or stolen component of a City Water Meter;

Location, Installation and Maintenance of City Water Meters

73. (1) As a condition of service, and despite any other provision of this By-law, the City Treasurer may:
- (a) determine the location that a City Water Meter is to be installed;
 - (b) drill holes and install new hardware for the purpose of installation, relocation and maintenance of the City Water Meter;
 - (c) upon prior notice, enter upon a Premises for the purpose of installing, relocating, replacing, repairing or inspecting the City Water Meter, without the Owner being present at the time of the visit if there is an adult eighteen years or older present to provide access;
 - (d) require a City Water Meter either to be tested on site or removed for testing by a Person authorized by the City Treasurer at the discretion of the City;
 - (e) require a City Water Meter to be replaced or relocated;
 - (f) inspect Land or Premises prior to supplying water to determine if a site is suitable for the installation, reading, maintenance and repair of a City Water Meter and related works; and
 - (g) inspect an installation at any time to ensure it meets approved or modified drawings and require an Owner to remedy any deficiencies.
- (2) Despite any other provision of this By-law, every Owner and Occupant shall:
- (a) provide a suitable site for installation of the City Water Meter near the Building Control Valve, to the satisfaction of the City Treasurer and in accordance with City Standards;
 - (b) provide a properly valved and sealed bypass around the City Water Meter, at the Owner or Occupant's sole expense, only when required by the City Treasurer;
 - (c) when required by the General Manager of Public Works and Environmental Services, provide at the Owner or Occupant's sole expense and to the satisfaction of the City Treasurer a meter/backflow building, vault, or chamber on the property and near the property line in accordance with City Standards;
 - (d) ensure the maintenance and repair of any building, vault or chamber referred to in subsection (c), and, upon failure to do so the City

Treasurer may have such work performed by the City at the Owner or Occupant's sole expense;

- (e) ensure that the City has clear access at all times to meter areas and City Water Meters;
 - (f) ensure the safe-keeping of any City Water Meter, that is installed on the Land or Premises;
 - (g) protect the City Water Meter, valves and pipes located on the Premises;
 - (h) make repairs to facilitate the removal or testing of the meter if, in the opinion of the City, the condition of the Water Service pipe or valves and of the Plumbing system on such piping is such that the City Water Meter cannot be safely removed for the purpose of testing, replacing, repairing or testing without fear of damage to the Water Service pipe valves or City Water Meter; and
 - (i) notify the City Treasurer within 24 hours if the seal on a by-pass valve or a City Water Meter is broken.
- (3) An Owner or Occupant may request that a City Water Meter be tested for accuracy, and the cost of any such test shall be at expense of the City if the City Water Meter is found to be not accurate within the standards established by the American Water Works Association or substitute therefore and at the Owner's sole expense if the City Water Meter is found to be accurate within the standards established by the American Water Works Association or substitute therefore.

WATER CONSERVATION

Unmetered Service

74. No water shall be taken from an unmetered service provided for fire protection purposes except for the following purposes:
- (1) fire protection or the training of firefighters; or
 - (2) testing of the system by employees of an incorporated fire underwriter's association.

Outdoor Water Use Restrictions

75. (1) In the event that the General Manager of Public Works and Environmental Services determines there to be the need for reduced water usage, the General Manager of Public Works and Environmental Services may declare outdoor water use restrictions.
- (2) No Person shall use, or cause or permit to be used, water during a period when the use of water has been suspended pursuant to subsection (1).
- (3) The declaration of an outdoor water use restriction by the General Manager of Public Works and Environmental Services may apply to:
- (a) the entire City;
 - (b) a specific zone or geographic area of the City; or
 - (c) other specific locations as directed by the General Manager of Public Works and Environmental Services.
- (4) In the event of an outdoor water use restriction, the General Manager of Public Works and Environmental Services may declare the restriction effective immediately.
- (5) In the event of a declaration of outdoor water use restrictions made pursuant to this Section, the General Manager of Public Works and Environmental Services shall:
- (a) determine the severity of the outdoor water use restrictions and determine the restricted activities;
 - (b) cause public notice indicating outdoor watering restrictions and the effective date of such restrictions by any means that, in the opinion of the General Manager of Public Works and Environmental Services, are sufficient to provide reasonable notice of the subject matter of the notice of restriction or notice of suspension, as the case may be, and that any such method of notice shall be deemed to have been given to the Person or Persons to which the notice is directed, on the earliest date of any such posting;
 - (c) when changing the area or any other specific related to the restrictions in any area or lifting a declaration of outdoor water use

restriction, cause a public notice of such declaration to be provided in the manner described in subsection 5(b); and

- (d) after determining that the reason or reasons that required the reduced water usage has sufficiently abated, declare an end to outdoor water use restrictions and cause public notice of such declaration to be given in the manner described in subsection 5(b).
- (6) When an outdoor water use restriction is in effect, no Person shall use, or cause or permit to be used water, including water supplied through the Drinking Water System:
- (a) for any activity or application, the General Manager of Public Works and Environmental Services has prohibited; or
 - (b) in any manner contrary to any direction given by the General Manager of Public Works and Environmental Services during a period when the use of water has been restricted.

REFUSAL OF SERVICE

76. In the event that the Owner or Occupant does not provide the City access to the City Water Meter after the City has sent notice requesting access, whether the Owner or Occupant has submitted meter reading figures or not, the Owner shall pay the Water Rate and Wastewater rate in accordance with Schedule "A" applied to twice the water use estimated under Section 85.
77. In the event that the Owner or Occupant does not meet the requirements of subsections 73(1) and (2) or performs the necessary work for a City Water Meter to function properly after being notified of the requirement to perform this work by the City, the Owner shall pay the Water Rate and Wastewater Rate in accordance with Schedule "A" applied to twice the water use estimated under Section 85.
78. The City may apply twice the previous water use estimate to every billing cycle thereafter.

OFFENCES

By-pass Valves

79. Any Owner or Occupant who benefits from an open by-pass valve on a City Water Meter or metering installation except in the case of emergency is guilty of an offence, and shall pay the Water Rate and Wastewater Rate set in Schedule "A" applied to twice the water use estimated under Section 85.

Hydrants and Unmetered Service

80. Any Person, Organization, Owner or Occupant who benefits from an open hydrant or an unmetered service, except in the case of emergency or unless properly authorized under the provisions of this by-law, is guilty of an offence, and shall pay the Water Rate and Wastewater Rate set in Schedule "A" applied to twice the water use estimated under Section 85.

City Water Meter

81. Any Owner or Occupant who benefits by wilfully impairing or permitting a City Water Meter to be altered or impaired, so that the City Water Meter indicates less than the actual amount of the water that passes through it, is guilty of an offence, and shall reimburse the City for any repairing or replacing expenses of the City Water Meter incurred by the City and the Water Rate and Wastewater Rate as set in Schedule "A" applied to twice the water use estimated under Section 85.

82. Any person, Owner or Occupant who wilfully damages or causes damage to any City Water Meter is guilty of an offense, and shall reimburse the City for any expenses of repairing or replacing the City Water Meter.

WATER SERVICE RATES AND CHARGES

83. (1) The Owner of Premises that is connected to a Watermain and in which a City Water Meter has been installed shall pay the fixed, variable, and fire supply Water Rates set out in Schedule "A".

(2) The annual fixed rate shall apply based on the water meter size;

(3) The variable rate shall apply based on the tired consumption recorded.

84. All Land in the City, vacant or occupied, that is served by a Watermain fitted with fire hydrants, shall be subject to Fire Supply Charges based on water meter size as set in Schedule "A", except the following:
- (1) vacant Premises certified to be unfit for building purposes or prohibited from building under any Act of the Province of Ontario, the Government of Canada or any By-law of the City;
 - (2) any Premises designated as farm land and not shown on a registered plan of subdivision;
 - (3) any park Land or Premises that does not have buildings or other improvements upon it;
 - (4) any Premises designated as cemetery land; and
 - (5) any Premises lying outside a serviced Village or the Urban Area as defined by the Official Plan of the City.

ESTIMATION OF CONSUMPTION

85. (1) Where for any reason the consumption of water on Land or Premises has not been recorded or where in the opinion of the City Treasurer the consumption of water has been wrongly recorded, the City shall estimate the quantity of water consumed and the Owner shall be liable to pay the water and wastewater rates applicable to the consumption on the basis of such estimate.
- (2) When estimating the usage of water at a Premises, the City shall consider any relevant factors including, but not limited to:
- (a) any records of water use at the Premises;
 - (b) water use at Premises that could be expected to have similar usage patterns;
 - (c) whether water use may have been under-recorded before a meter stopped functioning;
 - (d) the likely use that would occur if a leak developed at the Premises;
 - (e) the length of time since use has been accurately measured; and

- (f) use of water at the Premises and water service size.
- (3) The City may estimate consumption based upon use and water service size during the provision of unmetered Temporary Water Supply and the Owner or Occupant shall be liable to pay the City Water Meter rate applicable to the consumption on the basis of such estimate.
- (4) In situations where flushing occurs pursuant to Subsection 33(9), the City may estimate consumption based on use and flow rate for the duration of the flushing and the Owner shall be liable to pay the variable water and variable wastewater rate as set out in Schedule "A".
- 86. Where because of frost penetration on the street it may be expedient to allow an Owner or Occupant to run water at a continuous low rate to prevent freezing of a Private Water Distribution System, the General Manager of Public Works and Environmental Services shall authorize such usage and shall advise the City Treasurer to adjust the billing to conform to normal consumption of the Land or Premises.

WASTEWATER SERVICE RATE

- 87. (1) The Owner or Occupant of each Premises that uses or is connected to Wastewater sewage works shall pay a variable wastewater rate and fixed wastewater rate in accordance with Schedule "A".
 - (2) The annual fixed rate shall apply based on the water meter size;
 - (3) The variable rate shall apply based on the tired consumption recorded
 - (4) The Owner or Occupant of each Premises that receives wastewater service but does not receive water supply service from the City, shall pay the fixed and variable wastewater rate in accordance with Schedule "A".
 - (5) The Owner or Occupant of each Premises that introduces water into the Plumbing of said Premises that comes from a source other than the City Water Distribution System that is subsequently disposed of and treated by Sewage Works shall:

- (a) provide the City Treasurer with notice, in a manner satisfactory to the City Treasurer, that said water is being introduced into the Plumbing of said Premises;
 - (b) ensure that said water is measured in a manner satisfactory to the City Treasurer prior to the introduction of any amount of said water into the Plumbing of said Premises; and
 - (c) pay a fixed wastewater rate and variable wastewater rate as set out in Schedule "A" on the said water.
- (6) The General Manager of Public Works and Environmental Services may request access to Premises from the Owner or Occupant to conduct an inspection to verify that public Sewage Works are not being used in a manner described in subsection (5), and if the General Manager of Public Works and Environmental Services is not provided with the requested access within ninety (90) days of the request, the Premises will be deemed to be using public wastewater services and subject to the fixed wastewater rate and variable wastewater rate set in Schedule "A".

WASTEWATER VARIABLE RATE EXEMPTION

88. (1) In this Section, the following additional definitions apply:

"Comprehensive Water Audit" means the detailed analysis of water usage within a facility and the calculation of Public Wastewater discharged to the Wastewater Sewage Works in order to determine how and where water is being used, and the City Treasurer shall establish the minimum requirements for such an audit.

"Flow Differential" means the difference between the volume of water purchased and the volume of Wastewater discharged to Public Wastewater Sewage Works, divided by the volume of water purchased

"Limited Water Audit" means the analysis of water usage within a facility and the calculation of Wastewater discharged to the Public Wastewater Sewage Works in order to determine how and where water is being used,

and the City Treasurer shall establish the minimum requirements for such an audit.

- (2) An Owner or Occupant may apply for an exemption from the payment of a portion of the City's variable wastewater rate provided the Owner or Occupant meets the conditions for exemption set out in this Section to the satisfaction of the City Treasurer and that such application is made in the form prescribed by the City Treasurer.
- (3) One application under subsection (2) shall be made for each Water Service for which the Owner or Occupant wishes an exemption.
- (4) The variable wastewater rate exemption to which an applicant under this Section may be entitled shall be the variable rate in Schedule "A" prorated by the Flow Differential approved by the City Treasurer, that is based on the wastewater discharged to a Sewage Works, as determined by the Comprehensive Water Audit or the Limited Water Audit, as the case may be.
- (5) In addition to the variable rate approved in subsection (4) the applicant shall also pay the full wastewater fixed rate listed in Schedule "A".
- (6) In order for an Owner or Occupant to qualify for the variable wastewater rate exemption, the following conditions must be satisfied:
 - (a) the Owner or Occupant must consume through the subject Water Service at least 12,000 cubic meters of water annually;
 - (b) a minimum 20 percent of the potable water consumed must be diverted from Sewage Works; and
 - (c) a Limited Water Audit, at the Owner's or Occupant's sole expense, must be performed and a report certified by a Professional Engineer submitted to the City Treasurer.
- (7) If the Owner or Occupant uses water primarily for irrigation or other outdoor uses, in lieu of a Limited Water Audit, a comprehensive Water audit, at the Owner's or Occupant's sole expense, must be completed.
- (8) An Owner or Occupant shall not be eligible for a variable wastewater rate exemption under this Section if the Premises are not connected to City Sewage Works.

- (9) A variable wastewater rate exemption, if approved, shall be effective from the date the Limited or Comprehensive Water Audit is complete and has been received to the satisfaction of the City Treasurer.
- (10) Prior to receiving a variable wastewater rate exemption, the Owner or Occupant shall at the Owner's or Occupant's sole expense, install or replace flow metering equipment of a standard Approved by the City Treasurer on all process lines designated by the City Treasurer.
- (11) The Owner or Occupant shall own metering equipment installed pursuant to this Section.
- (12) All metering equipment shall, at the Owner's or Occupant's sole expense, be properly tested and calibrated to the satisfaction of the City Treasurer and in proper working order at all times.
- (13) An exemption from the payment of a portion of the variable wastewater rate may be Approved by the City Treasurer based on the following conditions including but not limited to:
 - (a) monitoring and measuring discharges of wastewater to City sewage works;
 - (b) the intervals at which the exemption shall be applied against the variable wastewater rate;
 - (c) provision of access to the subject Premises by the City for the purpose of monitoring and measuring discharges; or
 - (d) provision of information that, in the opinion of the City Treasurer, is necessary and reasonable for the proper administration of the variable wastewater rate exemption, including, but not limited to, process operations, changes to process operations affecting water consumption or Flow Differential.
- (14) A variable wastewater rate exemption amount shall be an estimated amount and the City shall recalculate the actual amount of the exemption annually.
- (15) The actual exemption may be greater or less than the estimated amount, and if the actual amount exempt from payment is greater than the estimated amount, then the difference between the actual amount and the estimated amount shall be payable by the City to the Owner or Occupant

and, if the actual amount is less than the estimated amount, the difference shall be payable by the Owner or Occupant to the City.

- (16) A variable wastewater rate exemption is not transferable or assignable.
- (17) The City must be notified thirty (30) days prior to any change in occupancy or ownership of the subject Premises.
- (18) Where the City incurs expenses to ensure that the Owner or Occupant is in compliance with this Section or any other requirement for the exemption, the Owner or Occupant may be charged, and shall pay, the fees in accordance with Schedule "B".
- (19) The City Treasurer may refuse to grant or revoke a variable wastewater rate exemption in the event that the Owner or Occupant fails to comply with; any of the conditions to qualify for the exemption, any of the conditions of the approval of the exemption, this By-law, or any other City By-law.

PAYMENTS

- 89. All fees and charges, including water rates, wastewater rates, stormwater rates and fire supply charges which are in arrears, levied under this By-law and which are added to the water accounts, shall be subject to a penalty and monthly interest charge as set out in Schedule "A".
- 90. All fees and charges, including water rates, wastewater rates, stormwater rates, fire supply charges, frontage charges, and other charges and fees under this Bylaw shall be a priority lien and charge upon the land of the Owner.
- 91. Water, wastewater and stormwater accounts that are past due shall be deemed to be in arrears and shall be transferred to the collector's roll of the City to be collected in the same manner as municipal taxes.
- 92. Partial payments on water, wastewater and stormwater accounts that are in arrears shall be applied.
- (1) First against any late payment and interest charges owing according to the length of time they have been owing, with the oldest first;

- (2) Then against the any Revenue Services user fees or fees defined in Schedule "B" according to the length of time they have been owing, with the oldest first;
 - (3) Then against any water rates, wastewater rates, stormwater rates, fire supply charges, frontage charges owing according to the length of time they have been owing, with the oldest first.
93. In case of payment received by mail, the date the payment is received shall be taken as the date of payment.
94. In addition to any other provision of this By-law, the City may shut off or restrict the supply of water to a Private Water Distribution System for failure to make payments on water rates, wastewater rates, stormwater rates, fire supply charges, frontage charges, and other charges and fees under this By-law.

PART II - FORCED WATER SERVICE CONNECTIONS

DEFINITIONS

95. In this Part, the following additional definitions apply:

"Gross Floor Area" means, with respect to non-residential use buildings, the total area of all building floors above or below grade between the outside surfaces of exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use except those areas used exclusively for parking garages or structures.

"Non-Residential Use" means buildings or structures, or part thereof, used for other than a residential use.

"Residential Use Buildings" means buildings or structures, or part thereof, of any kind whatsoever used, designed or intended to be used as living accommodations for one or more Persons.

FORCED CONNECTION RESIDENTIAL

96. All Residential Use Buildings located within the described areas in Schedule “D” Mandatory Connection and Capping Area – Manotick, Schedule “E” Mandatory Connection and Capping Area – Vars, and Schedule “F” Mandatory Connection and Capping Area – Carp to this By-law shall connect, either directly or indirectly, to a watermain serving the areas in Schedule “D” Mandatory Connection and Capping Area – Manotick, Schedule “E” Mandatory Connection and Capping Area – Vars, and Schedule “F” – Mandatory Connection and Capping Area – Carp, as the case may be.

FORCED CONNECTION NON-RESIDENTIAL

97. With respect to the areas described in Schedule “D” Mandatory Connection and Capping Area – Manotick, Schedule “E” Mandatory Connection and Capping Area – Vars, Schedule “F” Mandatory Connection and Capping Area – Carp, to this By-law, all non-residential use buildings over 10m² in Gross Floor Area and all Non-Residential Use Buildings in which plumbing is located shall connect, either directly or indirectly, to a Watermain serving the areas in Schedule “D” Mandatory Connection and Capping Area – Manotick, Schedule “E” Mandatory Connection and Capping Area – Vars, Schedule “F” Mandatory Connection and Capping Area – Carp” to this By-law, as the case may be.

INSTALLATION BY CITY

98. If the Owner of any class of building affected by this Part fails to make a connection required by this Part within nine (9) months after the General Manager of Public Works and Environmental Services has sent notice to the Owner by registered mail to the Owner’s last known address requiring the connection to be made, the General Manager of Public Works and Environmental Services may direct that the connection be made by the City at the Owner’s sole expense, and for this purpose may authorize the entering in and upon the Land or Premises of the Owner.

CONTENTS OF NOTICE

99. A notice sent under Section 98 shall advise the Owner that if the Owner fails to make the connection as required, the City has the right to make the connection at the

Owner's sole expense and to recover the expense by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

EXTENSIONS OF TIME

100. Upon application by the Owner, the General Manager of Public Works and Environmental Services may grant an extension of not more than two (2) years from the end of the nine (9) month period provided for in Section 99 within which the connection is to be made, but not more than two (2) extensions may be granted in respect of any building of any class.

OPINION OF COUNCIL

101. (1) City Council is of the opinion that the continuance of wells within the areas described in Schedule "D" Mandatory Connection and Capping Area – Manotick, Schedule "E" Mandatory Connection and Capping Area – Vars, Schedule "F" Mandatory Connection and Capping Area – Carp to this By-law may be dangerous to health.

(2) City Council is of the opinion that the continuance of wells within the areas described in Schedule "G" Optional Connection Area – Carp to this By-law may be dangerous to health if satisfactory annual tests are not submitted.

PLUGGING OF WELL

102. Every Owner, or Occupant of Land or Premises located in the areas described in Schedule "D" Mandatory Connection and Capping Area – Manotick, Schedule "E" Mandatory Connection and Capping Area – Vars, Schedule "F" – Mandatory Connection and Capping Area – Carp to this Part and which has a connection to a piped water supply, shall forthwith after the connection has been made abandon and plug every existing well situated on the Land or Premises in accordance with Ontario Regulation 903 made under the *Ontario Water Resources Act*, as amended.

GROUND SOURCE HEAT PUMP SYSTEM

103. Notwithstanding Section 102 the Owner or Occupant of a Premises with a well which is supplying and existing ground source heat pump system, does not have to abandon and plug the well, so long as:

- (1) its use is restricted to supplying the ground source heat pump system only;
- (2) a Backflow prevention device Approved by the General Manager of Public Works and Environmental Services is installed; and
- (3) the Ministry of the Environment of Ontario has not ordered or recommended that the well be abandoned and plugged.

104. Where a residential use or non-residential use building in the land areas described in Schedule "E" Mandatory Connection and Capping Area – Vars and Schedule "F" optional Connection Area – Carp is connected, either directly or indirectly to a Watermain, Section 102 applies unless:

- (1) a Backflow prevention device Approved by the General Manager of Public Works and Environmental Services is installed; and
- (2) there is no connection of pipes from any well to the plumbing provided with water from a watermain.

PART III - GENERAL

GENERAL PROVISIONS

105. No Person shall provide false information in any report or returns required under this By-law or wilfully withhold information required under this By-law.

106. No Person shall hinder, interrupt or cause to be hindered the City, its contractors, servants, agents or workers, in the exercise of any of the powers or duties under this By-law or related to the Drinking Water System as authorized or required in this By-law.

ENFORCEMENT, OFFENCES and PENALTIES

107. This By-law shall be enforced by a By-law Officer.
- (1) In addition to any other provision of this By-law, any Person who contravenes any provision of this By-law or any schedules attached hereto is guilty of an offence and on conviction is liable to a minimum fine of \$500.00 and a maximum fine of \$100,000.00 as provided for in subsection 429(3)(1) of the *Municipal Act, 2001*.
 - (2) A Person who is convicted of an offence under this By-law is liable, for each day or part of a day that the offence continues, to a minimum fine of \$500.00 and a maximum fine of \$10,000.00 and the total of all daily fines for the offence is not limited to \$100,000.00 as provided for in subsection 429(3)(2) of the *Municipal Act, 2001*.
108. When a Person has been convicted of an offence under this By-law,
- (1) the Ontario Court of Justice; or
 - (2) any court of competent jurisdiction thereafter,
- may, in addition to any penalty imposed on the Person convicted, issue an Order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the Person convicted directed toward the continuation or repetition of the offence.

REPEAL AND TRANSITIONAL PROVISIONS

109. By-law No. 2018-167 of the City of Ottawa entitled "Water By-law", as amended, is hereby repealed.
- (1) All permits issued pursuant to said By-law 2018-167, as amended, shall be deemed to be issued under this by-law, during the period for which they have been issued.
 - (2) The repeal of said By-law 2018-167, as amended, shall not affect any offence committed against the provisions of the said By-law or any penalty incurred in respect thereof or any investigative proceedings or prosecutions thereunder.

EFFECTIVE DATE

110. This by-law shall come into force and take effect on April 1, 2019

SHORT TITLE

111. This by-law may be referred to as the “Water By-law”.

ENACTED AND PASSED this 27th day of March, 2019.

CITY CLERK

MAYOR

SCHEDULE “A”

WATER, WASTEWATER AND FIRE SUPPLY RATES AND CHARGES

The Annual Water, Wastewater, Fire Supply Charges, and Interest Charge, provided below come into force on April 1, 2019.

Fixed Fee Rates

| Meter Size | Water (Daily Rate) | Wastewater (Daily Rate) | Fire Supply (Annual Rate) |
|-------------------|---------------------------|--------------------------------|----------------------------------|
| 15 mm | 0.33 | 0.28 | 47.21 |
| 20 mm | 0.48 | 0.43 | 83.93 |
| 25 mm | 0.81 | 0.71 | 131.15 |
| 40 mm | 1.61 | 1.43 | 335.72 |
| 50 mm | 2.57 | 2.29 | 524.58 |
| 75 mm | 4.83 | 4.29 | 1,180.29 |
| 100 mm | 8.05 | 7.15 | 2,098.28 |
| 150 mm | 16.09 | 14.31 | 4,721.14 |
| 200 mm | 25.75 | 22.89 | 8,393.15 |
| 250 mm | 37.02 | 32.91 | 13,114.29 |

| | | | |
|----------------|--------|------|-----|
| 400 mm | 147.43 | N/A | N/A |
| Compound Meter | 1.50 | 1.43 | N/A |

Variable Rate (Per cubic meter water consumed)

| Tier | Water Rate (\$/m3) | Wastewater Rate (\$/m3) | Total Rate (\$/m3) |
|-----------|--------------------|-------------------------|--------------------|
| 0 - 6 m3 | 0.81 | 0.71 | 1.52 |
| 7 - 25 m3 | 1.60 | 1.42 | 3.02 |
| 26-180 m3 | 1.77 | 1.57 | 3.34 |
| >180 m3 | 1.97 | 1.76 | 3.73 |

Wastewater Rate for properties not connected to the municipal water supply.

0.084673% of property assessment.

Interest Charge

Applied after the due date, every 15 days thereafter and before each bill.

Daily rate of 0.0417%

SCHEDULE "B"**WATER SYSTEM CHARGES**

The Annual Water System Charges, provided below come into force on April 1, 2019.

| User Fees | |
|---|----------|
| Service Installation Charges | |
| 1. Water Services Connection | |
| Size of Service Pipe | |
| All sizes and all types of service connections (Cost plus 15%, hourly) | 144.00 |
| Additional visit (service connection 20 mm-50 mm) (Cost plus 15%, hourly) | 144.00 |
| Additional visit (service connection >50 mm) (Cost plus 15%, hourly) | 207.00 |
| Private service connection (Cost plus 15%, hourly) | 144.00 |
| 2. Services | |
| Thawing of Services | |
| All thawing services (Cost plus 15%, hourly) | 175.00 |
| Fire Flow Tests | 261.00 |
| 3. New Water Meters (installation cost included) | |
| <u>Size of Service Pipe</u> | |
| 15 x 20 mm Pos. Disp. | 370.00 |
| 15 x 20 mm Pos. Disp.(Carlsbad only) | 565.00 |
| 20 mm Pos. Disp. | 415.00 |
| 25 mm Pos. Disp. | 488.00 |
| 40 mm Pos. Disp. | 910.00 |
| 50 mm Pos. Disp. | 1,010.00 |

| | |
|-----------------|----------|
| 50 mm Turbine | 2,010.00 |
| 50 mm Compound | 2,890.00 |
| 75 mm Turbine | 2,485.00 |
| 75 mm Compound | 3,630.00 |
| 100 mm Turbine | 3,035.00 |
| 100 mm Compound | 4,775.00 |

| | |
|--|----------|
| 150 mm Turbine | 5,000.00 |
| 150 mm Compound | 7,700.00 |
| Fire Assembly, all sizes (Cost plus 15%, hourly) | 208.00 |

4. Replacement Water Meters (installation cost included)

| | |
|--|----------|
| <u>Size of Service Pipe</u> | |
| 15 x 20 mm Pos. Disp. | 271.00 |
| 15 x 20 mm Pos. Disp.(Carlsbad only) | 275.00 |
| 20 mm Pos. Disp. | 313.00 |
| 25 mm Pos. Disp. | 385.00 |
| 40 mm Pos. Disp. | 773.00 |
| 50 mm Pos. Disp. | 877.00 |
| 50 mm Turbine | 1,780.00 |
| 50 mm Compound | 2,620.00 |
| 75 mm Turbine | 2,350.00 |
| 75 mm Compound | 3,430.00 |
| 100 mm Turbine | 2,905.00 |
| 100 mm Compound | 4,580.00 |
| 150 mm Turbine | 4,785.00 |
| 150 mm Compound | 7,425.00 |
| Temporary removal and installation of meter | 139.00 |
| City water meter reading device (new or damaged) replacement | 212.00 |
| City water meter reading device and/or water meter reader wire re-location | 168.00 |

5. Service Charges

| | |
|---|--------|
| Permit for Flusher Hydrant Usage | 276.00 |
| Inspection for New Water Meters (less than 20mm) | 99.00 |
| Meter Maintenance Service Call | 170.00 |
| Call for Plumbing Repairs | 27.00 |
| Water Meter Accuracy Test (less than 25mm) | 140.00 |
| Water Meter Accuracy Test (> 25 mm meter) | 187.00 |
| Additional visits (25mm meter) | 66.00 |
| Additional visits (large meter greater than 25mm) | 110.00 |
| Additional visits (fire line meters) | 206.00 |

| | |
|---|-------|
| Manual Meter Reading Fee | 39.00 |
| Turn off water services for non payment or turn on following receipt of payment (per operation) | 95.00 |
| Turn off water services (per operation) | 95.00 |

6. Blanking of Water Services

| | |
|-----------|-------------------------------------|
| All sizes | Cost plus 15% \$3,000.00 deposit |
|-----------|-------------------------------------|

7. Inspection Fees (Inspection of activities connected to the water distribution system)

| | |
|---|---------------|
| All new watermains and services that don't require full disinfection | 204.00 |
| All new watermains and services up to 50m long that require full disinfection | 606.00 |
| All new watermains and services over 50m long that require full disinfection | Cost plus 15% |

| | |
|---------------------------|------------|
| 8. Frontage Charge | \$190.00/m |
|---------------------------|------------|

9. Area-Specific Water Charges (exclusive of other applicable charges in this table)

| | |
|--|--|
| <p>(a) Carlsbad Trickle-Feed System Area</p> <p>in respect of the area identified in Figure 1 of Schedule "H" (except for the locations identified in Table 1 and Figure 2 of Schedule "H") and subject to annual indexing each April 1 commencing April 1, 2016 in accordance with the increase in the Statistics Canada Non-Residential Building Construction Price Index for the preceding January 1 to December 31 period.</p> | <p>\$3,765.00 per new water service</p> |
| <p><u>10. Servicing Capacity Assessment Request for Urban and Village Boundary Expansion to City of Ottawa Fees</u></p> | |
| <p><u>(a) Assessment of existing capacity to support Urban and Village Urban Boundary Expansion</u></p> <p><u>Where the request includes lands that were added in the Official Plan by the Minster, and subsequently removed by Bill 150, a \$50,000 reduction can be applied.</u></p> | <p><u>\$250,000.00 per application</u></p> |
| <p><u>(b) Report identifying and costing of off-site works required to accommodate the expansion, to be completed where there is no existing capacity</u></p> | <p><u>\$150,000.00 per application</u></p> |

SCHEDULE “C”**FRONTAGE CHARGES**

Special cases

- (1) Large residential frontage lots – frontage charges shall be calculated and applied up to a maximum of thirty meters (30 m). The rate applicable to the frontage exceeding thirty meters (30 m) shall be collected at the prevailing rate when, and if, the lot is severed.
- (2) Unbuildable residential property – frontage charges shall be calculated, upon evidence of utilization, as directed by the General Manager Planning Infrastructure and Economic Development. Should the property subsequently be severed for the purpose of building construction, the City shall collect the remaining frontage charge at the prevailing rate when the lot is severed.
- (3) Corner residential lots – frontage charges shall be calculated on the side dimension from which the service is taken, up to a maximum of thirty meters (30 m). If the property is severed in the future, frontage charges on the credited difference shall become applicable at the prevailing rate.
- (4) Irregular residential lots – where the frontage is greater than the rear dimensions, the applicant shall pay full frontage less one-third (1/3) of the difference between front and rear dimensions up to a maximum of thirty meters (30 m).
- (5) Rural residential lands – frontage charges shall be calculated and applied up to a maximum of thirty metres (30 m) or for such distance exceeding thirty metres (30 m) based on the evidence of residential utilization as directed by the Deputy City Manager; for example, a farm house with nursery. For severed lots, frontage charges shall apply to the full frontage distance up to a maximum of thirty meters (30 m).
- (6) Block lands – for block lands including but not limited to condominiums, townhouses, industrial, commercial and institutional uses, with water supply in more than one roadway, the applicant shall pay full frontage on each roadway from which the services are taken.
- (7) Cemeteries – frontage charges shall be calculated on the full frontage from which the service is taken.

- (8) Public institutions – schools, churches, hospitals, police and fire stations and other public institutions shall pay full frontage on the roadway from which the services are taken.
- (9) Government offices and other municipal, provincial or federal lands – the applicant shall pay full frontage on each roadway from which the services are taken.

SCHEDULE "D"**Mandatory Connection and Capping Area – Manotick**

ALL THOSE LANDS in the Township of Rideau, in the Regional Municipality of OttawaCarleton, and Province of Ontario being parts of Lots 1, 2 and 3, in Concession A (Broken Front) formerly in the Township of North Gower, now in the Township of Rideau.

COMMENCING at a point in the water's edge of the west bank of the West Branch of the Rideau River where it is intersected by the production northeasterly of the southeastern limit of Eastman Avenue as shown on Registered Plan 4M-430;

THENCE southwesterly to and along the southeast limit of Eastman Avenue to the east limit of Potter Drive as shown on Registered Plan 4M-430;

THENCE southwesterly along the east and southeast limit of Potter Drive to a point opposite the western limit of Doctor Leach Drive as shown on Registered Plan 4M-430;

THENCE northerly to and along the western limit of Doctor Leach Drive to the northern limit of Clothier Drive as shown on Registered Plan 4M-430;

THENCE westerly along the northern limit of Clothier Drive and Whitewood Avenue as shown on Registered Plan 4M-495 to the southwest angle of Lot 1, Registered Plan 4M430;

THENCE northerly along the western limit of Lot 1, Registered Plan 4M-430 to the northwest angle of Lot 1;

THENCE northerly to a point in the northern limit of John Street as shown on Registered Plan 771 the said point being the southwest angle of Lot 8, Registered Plan 771;

THENCE easterly along the northern limit of John Street to the west limit of Meadow Lane Road;

THENCE northerly along the western limit of Meadow Lane Road to the southeast angle of Part 3 on Reference Plan 5R-3519;

THENCE westerly along the southern limit of Part 3 and Part 4 on Reference Plan 5R3519 to the eastern limit of Lot 8 as shown on Registered Plan 771;

THENCE northerly along the eastern limit of Lot 8, Registered Plan 771 to the southeastern limit of Lot 13 Registered Plan 771;

THENCE northeasterly along the southeastern limit of Lot 13, to the easterly angle of Lot 13;

THENCE northerly along the northeastern limit of Lot 13 to the southerly angle of Lot 14, Registered Plan 771;

THENCE easterly along the southern limit of Lot 14 to the western limit of Meadow Lane Road as shown on Registered Plan 771;

THENCE northerly along the western limit of Meadow Lane Road to its intersection with the southeastern limit of Maple Avenue as shown on Registered Plan 771;

THENCE northerly to the easterly angle of Block B, Registered Plan 771;

THENCE northwesterly along the northeastern limit of Block B to the line between Lots 1 and 2 in Concession A (B.F.), Township of North Gower;

THENCE easterly along the line between Lots 1 and 2 to the southwest angle of the land described in Instrument CT 172067;

THENCE northerly along the western limit of Instrument CT 172067 to the northwest angle of Instrument CT 172067;

THENCE easterly along the northern limit of the lands described in Instrument CT 172067 to the southeasterly angle of the lands described in Instrument NS 43713 distant 47.85 metres measured southwesterly from the southwest limit of Main Street and 60.96 metres measured southeasterly from the southeast limit of Highcroft Drive;

THENCE northwesterly parallel to the southwest limit of Main Street to the southeast limit of Highcroft Drive;

THENCE northeasterly along the southeast limit of Highcroft Drive and its production northeasterly to the northeastern limit of Main Street;

THENCE northwesterly along the northeast limit of Main Street to a point distant 6.10 metres measured northwesterly from the westerly angle of Lot 2 as shown on Registered Plan 547;

THENCE northeasterly parallel to the line between Lots 2 and 3, Registered Plan 547 to the water's edge of the west bank of the West Branch of the Rideau River;

THENCE easterly, northerly, easterly, and southeasterly, following the water's edge of the west bank of the West Branch of the Rideau River to the point of commencement.

SCHEDULE "E"**Mandatory Connection and Capping Area – Vars**

ALL THOSE LANDS in the Township of Cumberland, in the Regional Municipality of Ottawa-Carleton and Province of Ontario being parts of Lots 24, 25, and 26, in Concession 6, and parts of Lots 24, 25, and 26, in Concession 7, of the Township of Cumberland, described as follows:

COMMENCING at the intersection of the western limit of Regional Road 33, as widened, and the southern limit of Regional Road 8, as widened, in Lot 26, Concession 7, Township of Cumberland;

THENCE westerly along the southern limit of Regional Road 8 as widened to the northeast angle of Part 1 on Reference Plan 50R-2809;

THENCE southerly along the eastern limit of Part 1, Plan 50R-2809 to the southeast angle of the said Part 1;

THENCE westerly along the southern limit of the said Part 1 to the southwest angle of the said Part 1;

THENCE northerly along the western limit of the said Part 1 to the southern limit of Regional Road 8, as widened;

THENCE westerly along the southern limit of Regional Road 8, as widened to its intersection with the line between the east and west halves of Lot 26, Concession 7;

THENCE northerly along the line between the east and west halves of Lots 26 and 25, Concession 7, to a point distant 106 metres measured northerly thereon from the northwest angle of Reference Plan 50R-4520;

THENCE easterly to a point in the northwesterly production of the southwestern limit of Reference Plan 50R-910, the said point being distant 52 metres measured northwesterly thereon from the westerly angle of Part 2 on Plan 50R-910;

THENCE southeasterly along the last mentioned limit 52 metres to the westerly angle of the said Part 2, Plan 50R-910 which is also an angle in the eastern limit of Part 1 on Reference Plan 50R-4414;

THENCE northeasterly and northerly along the said eastern limit of Part 1, Plan 50R4414 to a point which is the northern angle of Part 1 on Reference Plan 50R-4241;

THENCE northerly to the southwest angle of the land described in Registered Instrument Number 56193 which is also an angle in the eastern limit of Part 1, Plan 50R-4414;

THENCE northerly, easterly, and northerly, along the limits of Part 1, Plan 50R-4414, to the southern limit of the Canadian National Railway;

THENCE westerly along the southern limit of the Canadian National Railway to the southerly production of the western limit of Lot 36 as shown on a plan of the Village of Vars dated February 20, 1888, prepared by H.O. Wood, P.L.S.;

THENCE northerly to and along the western limit of Lot 36 to the southern limit of Division Street (now known as Rue St. Marie Street);

THENCE westerly along the southern limit of Division Street to the production southerly of the western limit of Lot 69 as shown on the said plan of the Village of Vars;

THENCE northerly to and along the western limits of Lots 69 and 76 as shown on the said plan of the Village of Vars to the southern limit of Albert Street (now known as Rue St. Catherine Street);

THENCE easterly along the southern limit of Albert Street to the eastern limit of St. Joseph Street;

THENCE northerly along the eastern limit of St. Joseph Street to the northwestern limit of the said plan of the Village of Vars;

THENCE northerly to the southwest angle of Part 1 on Reference Plan 50R-4897;

THENCE northerly along the western limits of Parts 1 and 2 on Plan 50R-4897 to the northwest angle of the said Part 2;

THENCE easterly along the northern limit of the said Part 2, 57.0 metres to the southwest angle of the land described in Registered Instrument Number 27443;

THENCE northerly parallel to the western limit of Regional Road 33 to the southern limit of Part 2 on Reference Plan 50R-2430;

THENCE westerly along the southern limit of the said Part 2, Plan 50R-2430 to the southwest angle of the said Part 2;

THENCE northerly along the western limit of Parts 2 and 1 on Plan 50R-2430 to the northwest angle of the said Part 1, Plan 50R-2430;

THENCE easterly along the northern limit of the said Part 1, Plan 50R-2430 and its production easterly to a point distant 65 metres from the eastern limit of Regional Road 33;

THENCE southerly parallel to the eastern limit of Regional Road 33 to the northern limit of Registered Plan 50M-102;

THENCE easterly along the northern limit of Registered Plan 50M-102 to the northeast angle of the said Plan 50M-102;

THENCE southerly along the eastern limit of the said Plan 50M-102 to the northern limit of Registered Plan 50M-103;

THENCE easterly along the northern limit of the said Plan 50M-103 to the northeast angle of the said Plan 50M-103;

THENCE southerly along the eastern limit of the said Plan 50M-103 to an angle therein in Lot 12 as shown on the said plan 50M-103;

THENCE continuing southerly along the eastern limit of the said Plan 50M-103 to the southeast angle of the said Plan 50M-103;

THENCE westerly along the southern limit of the said Plan 50M-103 to the eastern limit of Block C as shown on Registered Plan M-26;

THENCE southerly along the eastern limit of the said Block C to the southeast angle of the said Block C;

THENCE westerly along the southern limit of the said Block C to the eastern limit of Lot 3 as shown on the said Plan M-26;

THENCE southerly along the eastern limit of the said Lot 3 to the southeast angle of the said Lot 3;

THENCE westerly along the southern limits of Lots 3, 2, and 1, as shown on the said Plan M-26 to the southwest angle of the said Lot 1 on Plan M-26;

THENCE southerly along the southerly production of the western limit of the said Lot 1 on Plan M-26 to where it is intersected by the westerly production of the northern limit of Reference Plan 50R-558;

THENCE easterly to and along the said northern limit of Plan 50R-558 and its production easterly to a point distant 55 metres measured easterly thereon from the northeast angle of the land described in Registered Instrument Number 70464 which said northeast angle is an angle in the southern limit of Reference Plan 50R-5209;

THENCE southerly to a point on a line drawn parallel to the southern limit of Devine Road distant 75 metres measured southerly therefrom and perpendicular thereto, the said point being distant 130 metres measured easterly along the above described parallel line from its intersection with the centreline of the right-of-way of the Canadian National Railway;

THENCE westerly along the above described parallel line 130 metres to the centreline of the right-of-way of the Canadian National Railway;

THENCE northwesterly along the said centreline to its intersection with the easterly production of the southern limit of Reference Plan 50R-638;

THENCE westerly to and along the southern limit of Reference Plan 50R-638 to the eastern limit of Reference Plan 50R-424;

THENCE southerly along the eastern limit of the said Plan 50R-424 to the southeast angle of the said Plan 50R-424;

THENCE westerly along the southern limit of the said Plan 50R-424 and its production westerly to the western limit of Regional Road 33 as widened;

THENCE northerly along the said western limit of Regional Road 33 as widened to the point of commencement.

SCHEDULE "F"**Mandatory Connection and Capping Area – Carp**

ALL THOSE LANDS in the Township of West Carleton, in the Regional Municipality of Ottawa-Carleton, and Province of Ontario, and being parts of Lots 17 and 18 in Concession 2, and parts of Lots 17 and 18 in Concession 3, formerly in the Township of Huntley, now in the Township of West Carleton;

COMMENCING at the intersection of the line between Lots 16 and 17 in Concession 2, formerly the Township of Huntley, and the water's edge of the northern bank of the Carp River;

THENCE easterly along the line between Lots 16 and 17 to a point distant 270 metres measured easterly from the northeastern limit of Donald B. Munro Drive;

THENCE northerly to a point in the division line between the north and south halves of Lot 17 in Concession 2, Township of Huntley, which is distant 180 metres measured easterly from the intersection of the line between the north and south halves of Lot 17 and the northeasterly production of the northeastern limit of Lot 40 as shown on Registered Plan 852;

THENCE northerly to a point in the line between Lots 17 and 18 which is distant 160 metres measured easterly from the northerly angle of Lot 31 as shown on Registered Plan 852;

THENCE westerly along the line between Lots 17 and 18 to the southwestern limit of Robertlee Drive as shown on Registered Plan 4M-466;

THENCE northwesterly along the southwestern limits of Robertlee Drive and Lot 9, Registered Plan 4M-466 to the westerly angle of Lot 9;

THENCE southwesterly along the southeastern limits of Lots 7, 5, 4, 3, 2, 1, Block 37, and Langstaff Drive to the southwestern limit of Langstaff Drive;

THENCE northwesterly along the southwestern limit of Langstaff Drive and its production northwesterly being the southwestern limit of Part 1 on plan 5R-8209 to an angle therein;

THENCE northwesterly continuing along the southwestern limit of Part 1 on plan 5R8209 to the easterly angle of Part 1 on plan 5R-5016;

THENCE southwesterly along the southeastern limit of Part 1 on plan 5R-5016 and its production southwesterly to its intersection with the southeasterly production of the northeastern limit of Lot 136 as shown on Registered Plan 218;

THENCE northwesterly to the easterly angle of Lot 136 Registered Plan 218;

THENCE southwesterly along the southeastern limit of Lot 136, Registered Plan 218, to the northeastern limit of Church Street;

THENCE northwesterly along the northeastern limit of Church Street to its intersection with the northeasterly production of the southeastern limit of the land described in Registered Instrument NS 261115;

THENCE southwesterly to and along the southeastern limit of Instrument NS 261115 to the southwestern limit of Lot 133 as shown on Registered Plan 218;

THENCE northwesterly along the southwestern limit of Lot 133, Registered Plan 218 to the line between Lots 18 and 19, in Concession 3, formerly the Township of Huntley;

THENCE southwesterly along the line between Lots 18 and 19 to the water's edge of the northern bank of the Carp River;

THENCE easterly along the water's edge of the Carp River to the point of commencement.

SCHEDULE "G"**Optional Connection Area – Carp**

ALL THOSE LANDS in the Township of West Carleton, in the Regional Municipality of Ottawa Carleton, and Province of Ontario, and being parts of Lots 17, 18, 19, and 20 in Concession 2, and parts of Lots 17, 18, and 19, in Concession 3, formerly in the Township of Huntley, now in the Township of West Carleton.

COMMENCING at the intersection of the line between the north and south halves of Lot 17 in Concession 2, formerly the Township of Huntley and the water's edge of the northeast bank of the Carp River;

THENCE easterly along the said line between the north and south halves of Lot 17 to the northeastern limit of the right of way of the Canadian National Railway;

THENCE northwesterly along the said northeastern limit of the Canadian National Railway right of way to the southwest angle of Part 3 on Reference Plan 5R 6694;

THENCE easterly along the southern limit of Reference Plan 5R 6694 and its production easterly to the southwest angle of Lot 59 as shown on Registered Plan 148;

THENCE southerly to a point in the line between the north and south halves of the said Lot 17, the said point being the most southerly angle of the land described in Registered Instrument Number HU 11864;

THENCE easterly along the line between the north and south halves of Lot 17 to its intersection with the production southeasterly of the northeastern limit of Lot 40 as shown on Registered Plan 852;

THENCE northwesterly along the northeastern limits of Lot 40, 39, and 38, Registered Plan 852 to the southeastern limit of Lot 36, Registered Plan 852;

THENCE northeasterly along the southeastern limit of Lots 36, 35, and 34, Registered Plan 852, to the easterly angle of the said Lot 34;

THENCE northwesterly along the northeastern limit of Lots 34, 33, 32, and 31, Registered Plan 852, to the northerly angle of the said Lot 31, being on the line between Lots 17 and 18, Concession 2;

THENCE northeasterly along the line between Lots 17 and 18, Concession 2, to the production southeasterly of the northeastern limit of Lot 18 as shown on Registered Plan 4M 466;

THENCE northwesterly along the northeastern limits of Lots 18 and 19 as shown on Registered Plan 4M 466, to the northerly angle of the said Lot 19, the said point being the most easterly angle of Part 5 on Reference Plan 4R 6930;

THENCE northwesterly along the northeastern limit of Reference Plan 4R 6930 to the northerly angle of Part 1 on Reference Plan 4R 6930;

THENCE southwesterly along the northwestern limit of Part 1 on Reference Plan 4R 6930 to the outer limit of Part 9, plan 4R 6930;

THENCE westerly and southerly along the outer limits of Parts 9 and 7, plan 4R 6930 to the most westerly angle of Block 35 as shown on Registered Plan 4M 466;

THENCE southeasterly along the southwestern limit of Block 35 to the northerly angle of Lot 20, Registered Plan 4M 466;

THENCE southwesterly along the northwestern limit of Lot 20 to the northeastern limit of Lot 21, Registered Plan 4M 466;

THENCE northwesterly along the northeastern limit of Lot 21 to the northerly angle of Lot 21;

THENCE southwesterly along the northwestern limits of Lots 21 and 22 to the easterly angle of Lot 23, Registered Plan 4M 466;

THENCE northwesterly along the northeastern limits of Lots 23, 24, 25, and 26, Registered Plan 4M 466 to the most northerly angle of the said Lot 26;

THENCE southwesterly along the northwestern limits of Lots 26 to 33 inclusive, Block 36, and Block 34, Registered Plan 4M 466 to the southwestern limit of Langstaff Drive;

THENCE southeasterly along the southwestern limit of Langstaff Drive to the northerly corner of Part 1 on Reference Plan 5R 825;

THENCE southwesterly along the northwestern boundary of Part 1 plan 5R 825 to the westerly angle of Part 1 plan 5R 825;

THENCE southeasterly along the southwestern limit of Part 1 plan 5R 825 and the southwestern limits of Parts 1, 2, and 3, on Reference Plan 5R 483 to the southerly angle of Part 3 plan 5R 483;

THENCE northeasterly along the southeastern limits of Parts 3, 2, and 1, plan 5R 483 to the easterly angle of Part 1 plan 5R 483;

THENCE southeasterly along the northeastern limits of Parts 4 and 5, plan 5R 483 to the most easterly angle of Part 5 plan 5R 483;

THENCE westerly along the southern limit of Part 5 plan 5R 483 to the northeast angle of Lot 43 as shown on Registered Plan 218;

THENCE southerly along the eastern limit of Lot 43, Registered Plan 218 to the southeast angle of Lot 43;

THENCE westerly along the southern limits of Lots 43 to 51 inclusive, Registered Plan 218 to the southwest angle of Lot 51;

THENCE westerly to a point in the western limit of Vida Street as shown on Registered Plan 218, the said point being the northeast angle of the land described in Registered Instrument Number 8953;

THENCE westerly along the northern limit of Instrument 8953 to the northwest angle of Instrument 8953;

THENCE westerly along the northern limit of the land described in Registered Instrument 8914 to the northwest angle of instrument 8914;

THENCE southerly along the western limit of instrument 8914 to the production easterly of the northern limit of Lots 28, 29, and 30, Registered Plan 218;

THENCE westerly to and along the northern limits of Lots 30 to 26 inclusive to the intersection of the southeastern limit of Lot 22, Registered Plan 218;

THENCE northeasterly along the southeastern limit of Lot 22 to the easterly angle of Lot 22;

THENCE northwesterly along the northeastern limits of Lots 22 and 5, Registered Plan 218, and the production northwesterly thereof to the northerly angle of the land described in Registered Instrument No. 8196;

THENCE southwesterly along the northwestern limit of Instrument 8196 to the eastern limit of Lot 144, Registered Plan 218;

THENCE northerly along the eastern limits of Lots 144 and 142, Registered Plan 218 to the division line between Lots 18 and 19 in Concession 2, Township of Huntley;

THENCE easterly along the line between Lots 18 and 19, Concession 2, to the westerly angle of Part 1 on Reference Plan 5R 5016;

THENCE southeasterly along the southwestern limit of Part 1 plan 5R 5016 to the southerly angle of Part 1 plan 5R 5016;

THENCE northeasterly along the southeastern limit of Part 1 plan 5R 5016 to the easterly angle of Part 1 plan 5R 5016;

THENCE northwesterly along the northeastern limit of Part 1 plan 5R 5016 to the production westerly of the southern limit of Part 1 on Reference Plan 4R 6257;

THENCE easterly to and along the southern limit of Part 1 on plan 4R 6257 to the southeast angle of Part 1 plan 4R 6257;

THENCE northerly along the eastern limit of Part 1 plan 4R 6257 to the line between Lots 18 and 19, Concession 2, Township of Huntley;

THENCE easterly along the line between Lots 18 and 19 to the southeast angle of Lot 17 as shown on Registered Plan 4M 410;

THENCE northerly along the eastern limit of Lot 17, plan 4M 410 to the northeast angle of Lot 17, plan 4M 410;

THENCE westerly along the northern limit of Lot 17, plan 4M 410 to the southeast angle of Lot 16, plan 4M 410;

THENCE northerly along the eastern limits of Lots 16, 15, and 14, plan 4M 410 to the southeast angle of Lot 10 as shown on Registered Plan M 299;

THENCE northwesterly, southwesterly, and southeasterly following the boundaries of Lot 10, plan M 299 to the northwestern limit of Inniskillin Drive as shown on Registered Plan M 299;

THENCE southwesterly along the northwestern limit of Inniskillin Drive to the easterly angle of Lot 9, plan M 299;

THENCE northwesterly along the northeastern limit of Lot 9 to the northerly angle of Lot 9;

THENCE southwesterly along the northwestern limits of Lots 9, 8, 7, 6, 5, 4, 3, and 1 to the southeasterly production of the northeast limit of Lot 11 as shown on Registered Plan M 245;

THENCE northwesterly to and along the northeastern limits of Lots 11, 12, 13, 14, 16, 17, 18, and Charlies Lane, on plan M 245, to the most northerly angle of Registered Plan M 245;

THENCE southwesterly along the northwestern limit of Charlies Lane to the easterly angle of Lot 19 as shown on Registered Plan 894;

THENCE northwesterly along the northeastern limits of Lots 19 to 27 inclusive, Registered Plan 894 to the northerly angle of Lot 27;

THENCE southwesterly along the northwestern limits of Lots 27, 28, and Block B, Registered Plan 894 and the production southwesterly to the southwestern limit of Regional Road 5;

THENCE southeasterly along the southwestern limit of Regional Road 5 to the line between Lots 19 and 20 in Concession 3, Township of Huntley;

THENCE southwesterly along the line between Lots 19 and 20 to the westerly angle of the lands described in Registered Instrument NS 137116;

THENCE southeasterly along the southwestern limit of Instrument NS 137116 to the northwestern limit of the lands described in Registered Instrument CT 159818;

THENCE southwesterly, southeasterly, southwesterly and southeasterly following the limits of Instrument CT 159818 to the northwestern limit of Registered Instrument N285208;

THENCE southwesterly along the northwestern limit of Instrument N285208 to the westerly angle of Instrument N285208;

THENCE southeasterly along the southwestern limit of Instrument N285208 to the westerly angle of Part 2 on Reference Plan 5R 12090;

THENCE southeasterly along the southwestern limit of Part 2 plan 5R 12090 to the southerly angle of Part 2 plan 5R 12090;

THENCE southeasterly to the westerly angle of Part 1 on Reference Plan 5R 2717;

THENCE southeasterly along the southwestern limit of Part 1 plan 5R 2717 to the southerly angle of Part 1 plan 5R 2717;

THENCE northeasterly along the southeastern limit of Part 1 plan 5R 2717 to the westerly angle of the land described in Registered Instrument N359905;

THENCE southeasterly along the southwestern limits of Instrument N359905 and Registered Instrument HU 8374 to the southerly angle of Instrument HU 8374;

THENCE northeasterly along the southeastern limit of Instrument HU 8374 to the westerly angle of the land described in Registered Instrument CT 177529;

THENCE southeasterly along the southwestern limits of Instrument CT 177529 and Registered Instrument HU 12745 to the southerly angle of Instrument HU 12745;
THENCE southeasterly to the westerly angle of Part 1 on Reference Plan 5R 13680;

THENCE southeasterly along the southwestern limit of Part 1 plan 5R 13680 to the southerly angle of Part 1, plan 5R 13680;

THENCE northeasterly along the southeastern limit of Part 1, plan 5R 13680 to the northwesterly production of the southwestern limit of Part 1, plan 5R 10910;

THENCE southeasterly to and along the southwestern limit of Part 1, plan 5R 10910 to the southerly angle of Part 1, plan 5R 10910;

THENCE southwesterly along the northwestern limit of Part 1 on Reference Plan 5R 13584 to the westerly angle of Part 1, plan 5R 13584;

THENCE southeasterly along the southwestern limit of Part 1, plan 5R 13584 and its production southeasterly to the most easterly angle of Part 1 on Reference Plan 5R 2558;

THENCE southwesterly along the southeastern limit of Part 1, plan 5R 2558 to the northeastern limit of the Canadian National Railway;

THENCE southeasterly along the northeastern limit of the Canadian National Railway to the northwestern limit of Donald B. Munro Drive (formerly Main Street);

THENCE southwesterly along the northwestern limit of Donald B. Munro Drive to the northeast angle of Reference Plan 5R 10100;

THENCE westerly along the northern limit of plan 5R 10100 to the northwest angle of plan 5R 10100;

THENCE southerly along the western limit of plan 5R 10100 to the southwest angle of plan 5R 10100;

THENCE easterly along the southern limit of plan 5R 10100 and its production easterly to the water's edge of the northerly bank of the Carp River;

THENCE easterly and southeasterly following the water's edge of the Carp River to the point of commencement

WITH THE EXCEPTION OF THOSE LANDS DESCRIBED IN SCHEDULE "F" TO THIS
BY-LAW

SCHEDULE "H"

Figure 1 – Carlsbad Trickle Feed System Extents subject to Area Specific Charge identified in Schedule "B", User Fees Table, 9 (a)

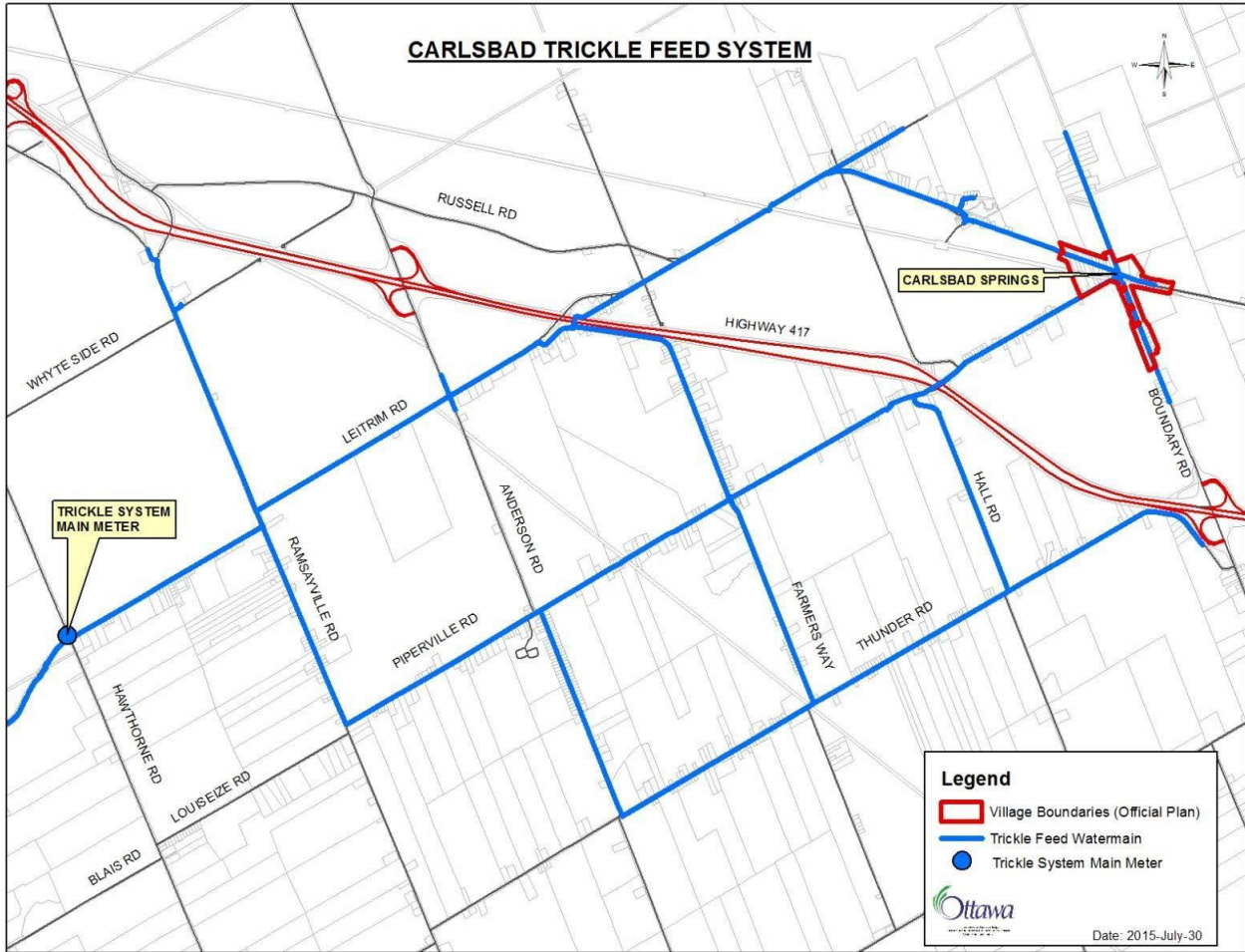


Figure 2 – Location of Exempt Carlsbad Properties (refer also to Table 1 of Schedule “H”)



Table 1 – Location Description of Carlsbad Properties Exempt from Area Specific Charge identified in Schedule “B”, User Fees Table, 9(a)

| PROPERTY ADDRESS | PIN | DESCRIPTION | EXEMPTION REASON (previously charged under) |
|-------------------------|------------|--|---|
| 4620 Farmers Way | 043250215 | PT LT 11 CON 8 OF GLOUCESTER PTS 1 & 2, 4R-10529 | Municipal Act |
| 4628 Farmers Way | 043250221 | PT LT 11 CON 8 OF GLOUCESTER PTS 6 & 7, 5R-10011, EXCEPT PTS 1 & 2, 4R-10529 | Municipal Act |
| 4670 Farmers Way | 043250222 | PT LT 11 CON 8 OF GLOUCESTER | Municipal Act |
| 4725 Farmers Way | 043240003 | PT LT 10 CON 8 OF GLOUCESTER PT 1, 4R-9361 | Municipal Act |
| 4800 Farmers Way | 043250216 | CON 8 OF S 1/2 PT LOT 11 RP 5R- 12245 PART 3 | Local Improvement Act |
| 4808 Farmers Way | 043250230 | CON 8 OF PT E PT LOT 11 N 100;S OF E 178 LOT 11 | Local Improvement Act |
| 4815 Farmers Way | 043240358 | RP 4R-26718 PART 1 | Local Improvement Act |
| 4875 Farmers Way | 043240359 | RP 5R-10467 PART 1, EXCEPT RP 4R-26718 PT 1 | Local Improvement Act |
| 4860 Farmers Way | 043250231 | CON 8 OF PT LOT 11 | Local Improvement Act |
| 4866 Farmers Way | 043250232 | CON 8 OF PT LOT 11 | Local Improvement Act |
| 4872 Farmers Way | 043250233 | CON 8 OF PT LOT 11 | Local Improvement Act |
| 4878 Farmers Way | 043250234 | CON 8 OF PT LOT 11 | Local Improvement Act |
| 4884 Farmers Way | 043250235 | CON 8 OF PT LOT 11 | Local Improvement Act |
| 4890 Farmers Way | 043250236 | CON 8 OF PT LOT 11 | Local Improvement Act |
| 4896 Farmers Way | 043250237 | CON 8 PT LOT 11 | Local Improvement Act |
| 4902 Farmers Way | 043250238 | CON 8 OF PT LOT 11 | Local Improvement Act |
| 4903 Farmers Way | 043240008 | CON 8 OF PT LOT 10 | Local Improvement Act |
| 4907 Farmers Way | 043240009 | CON 8 OF PT LOT 10 | Local Improvement Act |

| | | | |
|------------------|-----------|---|-----------------------|
| 4908 Farmers Way | 043250239 | CON 8 OF PT LOT 11 W FA N 100 S OF E150 LOT 11 | Local Improvement Act |
| 4914 Farmers Way | 043250240 | CON 8 OF PT LOT 11 | Local Improvement Act |

SCHEDULE “I” Backflow Prevention Program Requirements

DEFINITIONS

1. In this Schedule:

“Hazard” has the same meaning as in the Canadian Standards

Association Manual for the Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers, as amended and any annexes attached thereto, as amended.

“Moderate” has the same meaning as in the Canadian Standards Association Manual for the Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers, as amended and any annexes attached thereto, as amended.

“Severe” same meaning as in the Canadian Standards Association Manual for the Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers, as amended and any annexes attached thereto, as amended.

“Work” means the installation of Approved Backflow prevention device and any maintenance thereof.

BACKFLOW PREVENTION DEVICE REQUIRED

2. Where in the opinion of the General Manager or designate a Backflow prevention device is required, every Owner of an industrial, commercial, or institutional property or of any other building, structure or property that contains a Moderate or Severe Hazard, shall install, at the Owner’s sole expense, Approved Premise isolation Backflow prevention device(s) by the installation date identified by the General Manager or designate.

3. Where a Backflow prevention device is required, every Owner shall ensure:
 - (1) Approved Backflow prevention device is installed and maintained by a Qualified Person as set out in Table 1 and in accordance with the Canadian Standards Association Manual for the Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers, as amended, and any annexes attached thereto, as amended, and the Building Code Act, as amended.
 - (2) Approved Backflow prevention device is registered with the City and tested upon installation and annually thereafter by a Qualified Person as set out in Table 1.
 - (3) A site survey is completed and submitted to the City by a Qualified Person as set out in Table 1, for Premise isolation, every five (5) years from the date of the completion of the first survey; or within thirty (30) days of any Hazard level increase, unless otherwise required by the General Manager.
 - (4) All required program fees are paid in accordance with Schedule "A".

4. Every Owner shall install or cause to be installed in accordance with the Building Code Act, a Backflow prevention device on all building fire protection systems, including but not limited to systems that contain anti-freeze, foam injection, or other chemical additives, connected to a private water supply or where in the opinion of the General Manager, the Fire Protection System is a Hazard to the municipal water supply.

TESTING

5. Every Person who performs a test on a Backflow prevention device shall:
 - (1) be a Qualified Person as set out in Table 1 and shall have the following qualifications:
 - (a) Cross Connection Control Specialist as per the Ontario Water Works Association;
 - (b) Current National Calibration Certification by the National Institute for Standardization Technology;
 - (c) maintain a current tester's certificate; and

- (d) submit an annual calibration test data for testing equipment
 - (2) collect tester and administration fees and submit administration fees to the City.
 - (3) immediately notify the Owner of the premises and the City in writing upon discovering that a Backflow prevention device is malfunctioning or otherwise not maintained in proper working order.
 - (4) ensure that all reports on all tests performed on a Backflow prevention device are submitted to the City in a manner and format approved by the General Manager.
6. No Person shall submit a test report to the City that contains inaccurate or false information in regards to any Work performed or to be performed.

INSTALLATION

7. Every Person installing or repairing a Backflow prevention device shall ensure that:
- (1) such device is located in such a manner so that in the event of backflow the device prevents contamination of the municipal drinking water system; and
 - (2) the selection, installation and maintenance of devices will comply with the Canadian Standards Association Manual for the Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers, as amended, and any annexes attached thereto, as amended, and the Building Code Act, as amended.
8. No person shall remove a Backflow prevention device, or any part thereof after it has been installed and registered with the City unless such removal is:
- (1) to facilitate the repair of the device, with the device replaced immediately after the repair is carried out; or
 - (2) to replace the device with another device in accordance with the provisions of this Schedule.

GENERAL

9. Notwithstanding any provision of this Schedule or By-law, the General Manager may at any time order an Owner to conduct tests, provide reports and undertake any other measures required for the prevention of Backflow.
10. In the event of non-compliance with the provisions of this Schedule, the General Manager, at its sole discretion may:
- (1) provide notice to the Owner, requiring the Owner to comply with the provisions of this Schedule and the notice shall specify the time allowed for compliance; or
 - (2) where the General Manager has determined that an immediate Severe Hazard exists that may result in the contamination of municipal water supply, shut off the water supply to a Private Water Main or Private Water Service.

TABLE 1. BACKFLOW PREVENTION PROGRAM QUALIFIED PERSONS

| Qualifications | Conduct a Site Survey | Install or Replace a Backflow device | Test or Repair a Backflow Device |
|--------------------------|------------------------------|---|---|
| Professional Engineer | ✓ | | |
| Engineering Technologist | ✓ | | |
| Licensed Master Plumber | ✓ | ✓ | ✓ |
| Journeyman Plumber | ✓ | ✓ | ✓ |
| Apprentice Plumber | ✓ | ✓ | ✓ |
| Industrial Millwright | | | ✓ |

City Council xxxx xxx, xxxxx Agenda
Item 5 (EC Report 11)