

# **Water Wastewater Mandatory Connection By-law**

Water and Wastewater Division

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# Presentation Overview

1. History of Mandatory Connection By-law
2. Comparison of by-law with other municipalities in Ontario
3. Benefits of Mandatory Connection By-law
4. Impacts if By-law Rescinded
5. Questions

# Mandatory Connection By-law History

- CKL endorsed first mandatory connection by-law in April 2005
- Intent of by-law is to:
  - ensure connection to municipal services
  - capital and operating sustainability
  - ensures residents are receiving safe water
  - environmental protection

# Lean Six Sigma Black Belt Project

- In 2014, By-law 2005-75 was reviewed by various departments with a number of deficiencies identified
- A new by-law was created and passed in 2014 to address concerns
  - By-law 2014-255 “A By-Law to Require Owners of Buildings to Connect Such Buildings to Drinking Water Systems and/or Wastewater Collection Systems in the City of Kawartha Lakes”
- Implementation was planned on a phased-in approach with an initial pilot group

# Fenelon Falls Pilot Summary

- Pilot started with 36 properties subject to mandatory connection requirements
- 11 properties removed from pilot due to restrictions on wastewater capacity at the time
- 22 out of 25 properties received conditional exemption by Council to connect until such time as wastewater services available, but required to pay fixed rate portion of user rates
- 2 properties connected
- 1 remained out of compliance with by-law

# Subsequent By-law Amendments

## September 2017

- By-law amended to charge those properties that meet the requirements for mandatory connection the annual fixed rate costs for the service(s) available to them after 3 months notice.
- Revenue to help cover basic costs for maintenance and replacement of existing infrastructure

## December 2018

- Timing for physical connection requirements amended from 18 months after receiving Director's Notice to upon failure of existing private infrastructure (private well and/or septic system)

# Mandatory Connection Properties

Water/Wastewater System	Number of Properties
Lindsay Water/Sewer	19 – Water, 1 – Sewer, 10 – Both
Oakwood Water*	3
Birch Point Water	3
Bobcaygeon Water/Sewer	3 – Water, 2 – Sewer, 8 – Both
Canadiana Shores Water	14
Coboconk Sewer	3
Fenelon Falls Water/Sewer	21 – Water, 6 – Both
King's Bay Water/Sewer	2 - Both
Kinmount Water	10
Norland Water	2

# Mandatory Connection Properties

Water/Wastewater System	Number of Properties
Omemee Water/Sewer	21 – Sewer, 2 - Both
Sonya Water	2
Southview Water	2
<b>Total</b>	<b>134</b>



# Municipal By-law Comparison

Municipality and related by-law	Timing of Connection	Stipulated connection distance	Decommissioning/Disconnection of old systems included?	Can city enter onto private property and connect building at owners expense?
<b>CKL By-Law 2014-255</b>	Upon failure of existing private infrastructure	Side yard property line within 1 ft. of end of water or sewer main located within roadway	Yes, owner must decommission/disconnect previous services at their own expense as they connect to municipal services	Yes and added to tax roll as lien. Municipal Act S. 398 (2)
<b>Stratford By-law 28</b>	6 months	Building must be within 300 feet from property line	Not referenced	Not referenced
<b>West Grey By-law 25-2015</b>	12 months	Any house, building or occupied structure that fronts or has access to a side yard along a municipal watermain or sanitary sewer,	Yes, owner must decommission previous services at their own expense as they connect to municipal services	Yes and added to tax roll as lien. Municipal Act S. 398 (2)
<b>Township of King By-law 2010-38</b>	Only for sewage – 12 months from time of notice to connect and decommission previous system(s)	Not specific – just if sanitary main fronts property	Yes, owner must decommission previous services at their own expense as they connect to municipal services	Yes and added to tax roll as lien. Municipal Act S. 398 (2)
<b>Muskoka By-law 2017-16</b>	24 months but if resident can show system installed within 10 yrs of notification and working, granted additional 10 yrs Must connect ASAP to both services if one service fails though	A building on land abutting any street, alley, or right of way in which there is located a municipal watermain or sanitary sewer and such services are presently available	Included. 435-439 and 446 of Municipal Act	Yes and added to tax roll as lien. Municipal Act S. 398 (2)
<b>City of Cambridge By-law 6-13</b>	Given 36 months to connect	No specific distance. Any house, building or occupied structure that fronts or has access to a side yard along a municipal watermain or sanitary sewer,	Not referenced. States when connection to municipal service is made, the owner must stop using their previous system in favour of new one. No decommissioning required	Yes and added to tax roll as lien. Municipal Act S. 398 (2)

# Municipal By-law Comparison

Municipality and related by-law	Fines listed in by-law	Hardship clause	Loan program	Is resident charged Fixed rate fees?
<b>CKL By-Law 2014-255</b>	Max fine of \$100,000.00 and set out under Provincial Offences Act (POA)	Not referenced	Credit Granting Policy (CP2017-004) over 10 years if amount > \$1000	Given 3 month notice before fixed rate fee applied to account. No consumption charges until connection made
<b>Stratford By-law 28</b>	\$2000.00 per day not in compliance	Utility Board in place to review and exempt commercial operation when connecting can bankrupt them	Not referenced	Properties are not exempt from capital contribution towards extending lines
<b>West Grey By-law 25-2015</b>	Will be fined unspecified amount in accordance with POA	Not referenced	Not referenced	Water and Sewage Capital and Financing Charge Rates are applied to every building on property that has access to w/ww lines
<b>Township of King By-law 2010-38</b>	Will be fined unspecified amount in accordance with POA	Not referenced	15 year payback period put on tax roll as lien 349(3) of MA  Resident allowed to pay the \$18790.00 over a 4 equal payments within 36 months. If not fully paid, then 1.25% monthly interest and amount put on tax roll.	Not referenced
<b>Muskoka By-law 2017-16</b>	Max fine of \$50,000.00 and set out under Provincial Offences Act (POA)	Must provide >2 quotes. If cost >\$30,000 then exemption can be given to connect	10 year period to pay back. Loan amount cannot exceed cost of connection.	No reference
<b>City of Cambridge By-law 6-13</b>	Not less than \$50,000.00 but not more than \$100,000.00 and set out under Provincial Offences Act (POA)	Commissioner of Transportation and PW can decide to allow the resident the use of a septic tank system if it is determined the connection to works cannot be made available due to capacity limitations	Council can decide to grant a loan for connection cost. Max 5 years to repay plus interest rate (% not referenced) plus an additional 2% of loan added onto total amount.	After 36 months, if owner hasn't connected their property they are charged the fixed/flat rate of a connection and municipal sewage service per month regardless of water usage

# Benefits of Mandatory Connection By-law

- Ensures long term viability of water and wastewater infrastructure
- Ensures new development within serviced areas is connected to municipal infrastructure available to the property, ensuring capital investment recovered through user rates collected.
- In line with the 2014 Provincial Policy Statement under the *Planning Act, 1990* for development
- Ensures residents are provided safe drinking water
- Reinforces City's strategic priority of A Healthy Environment and Protecting Water Quality

# Benefits of being connected to Municipal Water/Wastewater Services

Properties adjacent to but not connected to existing water and/or wastewater infrastructure are still benefitting from the services being available to them with:

- Increase property values
- Properties within areas that are fire rated receive reduced insurance premiums
- Municipally serviced properties through source protection legislation are less susceptible to risk from contamination, drought, and well interference from nearby development(s)
- Reserved capacity for property to connect at any time to municipal services
- Guaranteed safe drinking water source

# Potential Impacts if By-law Rescinded

- Loss of revenue from fixed rate, increased pressures on existing users, approx. \$58,000/year
- Inability to force new development in serviced areas to connect, resulting in ineffective development
- Introduction of potential Transport Pathways in Source Water Protection vulnerable areas.
- Potential impacts to environment and health of residents
- Properties currently connected to municipal services could choose to disconnect and use private services

# Questions

