



CORPORATION OF THE COUNTY OF PRINCE EDWARD

Function/Category: Engineering, Development and Works	Policy: EV 800	Subject: Water & Wastewater Capacity Allocation
Effective Date: Sep 16 2010 (CW-327-2010)	Revisions: Sep 16 2010	Administered by: Operational Services

- 1.0 The County intends, through the adoption of this process, to adopt an environmentally and fiscally sound approach to the construction and operation of its water supply and wastewater treatment infrastructure.

The County has completed its Growth Management Study, which indicates that the County has the capacity to grow in the coming decades. Secondary Plans are long range planning land use documents which precede the design and construction of associated infrastructure. The County is confident in its ability to support anticipated development demand and will incorporate the necessary infrastructure expansion into its Long Term Capital Forecasts.

- 2.0 The process for granting water and wastewater treatment plant capacity allocation incorporates the following;
- a) recognition of responsible environmental protection measures,
 - b) responsible fiscal management,
 - c) economic opportunities for the County,
 - d) development of a responsible servicing strategy, and
 - e) matching the financial benefit of planning approvals with the financial commitments necessary to construct and expand municipal infrastructure.

The County is supportive of, and practices, the phased expansion of its water or wastewater treatment plants in a manner that provides capacity based on prudent fiscal management, future development needs and anticipated consumption demand, not on the basis of long term maximum theoretical demands.

- 3.0 Water and wastewater treatment plant capacity will be allocated only if there is, or will be, sufficient uncommitted hydraulic capacity reasonably available at the water or wastewater treatment plants, and only on the following basis;
- a) to a new service connection at the time of issuance of a building permit under the *Building Code Act* for the connection, or
 - b) by a separate resolution passed by Council, or
 - c) at the time of registration of a Plan of Subdivision or Plan of Condominium, or
 - d) at the time of granting of a consent for a new lot under the *Planning Act*, or
 - e) at the time of approving a site plan Control agreement under the *Planning Act*, or
 - f) at the time of payment of the Connection Charge(s), and
 - g) provided there are no outstanding accounts to the County.
- 4.0 Applications that are incomplete, under the terms of the Planning Act, or are incomplete based upon studies required by the County as listed in the application review, will not be considered for allocation.
- 5.0 Developer/Owners may request that capacity allocations assigned to a property be "transferred" to another property; however the discretion to provide for any such transfer shall rest with Council.
- 6.0 Council may reserve a portion of plant capacity unto the County to ensure important projects for the County can proceed.
- 7.0 Council may stipulate conditions with any allocated capacity, including a timeframe to utilize any allocation, failing which Council may amend or revoke the allocation at its sole discretion.
- 8.0 Notwithstanding the above, connection requests may be considered by Council if such request is in the interest of the County, provided that all relevant *Planning Act* controls are in place to prohibit actual development of the lands until there is or will be adequate water or wastewater treatment plant capacity reasonably available.
- 9.0 The County's approach to the provision of water or wastewater treatment plant capacity is based on the principle of matching the benefits of municipal planning approvals with the financial obligations to provide plant capacity. As future plant expansions are dependent on the availability of adequate funding, the County will require the following to be included as conditions of planning approvals:

For Draft Approval of Plans of Subdivision:

"The Developer/Owner is advised that draft approval does not in itself constitute a commitment to providing access to the County's water or wastewater treatment plants. Subdivision plans may proceed to registration provided there is sufficient residual capacity to service the development. Plant capacity will be allocated for new development on a priority basis at the time of payment of Connection Charges.

At all times the granting of service allocation and the acceptance of a Connection Charge payment is conditional on the continued availability of service capacity and the ability to provide same. Should service capacity no longer be available to commit to the development, in whole or in part, through whatever circumstances, the County may remove or adjust the quantity of service allocation to this development, up to the time of registration of the Plan, by advising the Developer/Owner and refunding the applicable Connection Charges."

For Lands which have already received Draft Approval of a Plan Of Subdivision by any governing body prior to the adoption of this Policy:

"The County reaffirms, and the Developer/Owner is advised, that draft approval does not in itself constitute a commitment to providing servicing access to the water or wastewater treatment plants. Plans may proceed to registration provided that there is sufficient residual capacity and capability to service the development. Plant capacity will be allocated for new development on a priority basis at the time of payment of Connection Charges.

At all times the granting of service allocation and the acceptance of a Connection Charge payment is conditional on the continued availability of service capacity and the ability to provide same. Should service capacity no longer be available to commit to the development, in whole or in part, through whatever circumstances, the County may remove or adjust the quantity of service allocation to this development, up to the time of registration of the Plan, by advising the Developer/Owner and refunding the applicable Connection Charges."

For Rezoning Applications including those associated with the Draft Approval of Plans of Subdivision:

"Lands subject to Rezoning may, at the discretion of Council, be subject to a By-law passed under Section 34(5) the *Planning Act* prohibiting the use of lands or the erection or use of buildings or structures unless confirmation is provided that there is sufficient capacity and capability, in the opinion of the County to service the lands, buildings or structures.

Lands subject to Rezoning may incorporate an "H"- Holding Provision as provided under the *Planning Act* and the County's Official Plan. For the purposes of water or wastewater treatment plant capacity the "H"- Holding Provision will be lifted subject to the confirmation that there is sufficient residual capacity and capability to service the development by a resolution of Council.

At all times the granting of planning approval is conditional on the continued availability of service capacity and the ability to provide same. Should service capacity no longer be available to commit to the development, in whole or in part, through whatever circumstances, the County may withhold releasing the "H" - Holding Provision to this development until the capacity becomes available."