

**THE CORPORATION OF THE TOWN OF GEORGINA**

**REPORT NO. DS-2022-0058**

**FOR THE CONSIDERATION OF  
COUNCIL**

**August 10, 2022**

**SUBJECT: CATERING ROAD MANDATORY WATER AND SEWER CONNECTION,  
RELATING TO BY-LAW NO. 2002-0106 (PWO-3)**

---

**1. RECOMMENDATION:**

- 1. That Council receive Report No. DS-2022-0058 prepared by the Development Engineering Division, Development Services Department dated August 10, 2022, respecting Catering Road mandatory water and sewer connection.**
- 2. That Council provide relief for the properties fronting Catering Road of Section 1 of the mandatory water and sewer connection By-law No. 2002-0106 (PWO-3), which requires buildings to connect to water and sewer within one year of notice by the Municipality, and instead require that connections to water and sewer be made within two years of notice by the Municipality.**

**2. PURPOSE:**

The purpose of this report is to advise Council of the status of the Ainslie Hill I subdivision water and sewer works on Catering Road, and to request relief from the mandatory water and sewer connection by-law with respect to the existing homes on the Northwest side of Catering Road.

**3. BACKGROUND:**

The Ainslie Hill I residential subdivision, is being developed by Ainslie Hill I Inc. and Ainslie Hill II Inc. and is located in Sutton, bordered by Catering Road to the west, the Black River to the east, existing residential to the north, and farmland to the south. The Draft Plan of Subdivision is included as Attachment 1 to this report.

In August 2018, Council considered Report No. DS-2021-0092 and passed Resolution No. C-2018-0429, approving Draft Plan of Subdivision 19T-15G03. The approved Draft Plan of Subdivision consists of 185 single detached dwellings. Council partially amended the Draft Plan Conditions on July 15, 2020, through Resolution No. C-2020-0206. On August 15, 2018, Council approved the street names for the subdivision through Resolution No. C-2018-0410. An Earthworks Agreement for the subdivision was granted through Resolution No. C-2019-0545 on October 16, 2019. The earthworks involve cut/fill earthworks and rough grading of

the lands prior to servicing. A Pre-Servicing Agreement was granted through Resolution No. C-2020-0047 on July 14, 2020. The scope of work within the Pre-Servicing Agreement includes the external servicing and construction of a sanitary pumping station and the realignment of Catering Road. The Pre-Servicing Agreement permitted the underground infrastructure installation such as municipal services and road base, including curbs. On April 6, 2022 Council considered Report No. DS-2022-0019 and passed Resolution No. C-2022-0116, to execute a Subdivision Agreement with respect to Ainslie Hill I and authorize a full road closure to complete the external servicing work on Catering Road.

The following provides a high-level summary of the current construction status:

- The internal underground servicing within the Ainslie Hill I subdivision was completed up to base course asphalt, including the installation of watermains, sanitary sewers, storm sewers, utilities, and a sanitary pumping station. The building program of the 185 single detached homes is expected to commence in 2022.
- Certain infrastructure works external to the subdivision were completed during the full road closure of Catering Road in 2021. These works include the watermains, sanitary sewers, storm sewers from Baseline Road to the Rail Trail, an interim bend realignment on Catering Road, and the relocation of the hydro poles on Catering Road.
- With the current road closure, the developer will complete the remaining underground servicing, base course asphalt, and top works, including boulevard grading from the Rail Trail to the southerly limit of construction on Catering Road. The works are on schedule, and expected to be completed by end of Q3 2022 and Catering Road to be reopened on September 30, 2022.

#### **4. ANALYSIS:**

The Ainslie Hill I subdivision was approved with a condition that municipal water and sanitary servicing was to be extended to the subdivision and that the new lots would be on municipal services. To service the subdivision lands the water and sanitary sewers would have to be extended south on Catering Road from Dalton Road. In addition to providing municipal services to the subdivision, the previous approval for these lands, referred to as the Shouldice Development, included the provision of water and sanitary sewage to the 25 existing lots fronting on Catering Road throughout the limits of the required improvement. This condition remained in place and was a requirement for the Ainslie Hill I developer. The construction of the sewer main, watermain and road improvements was to be at the cost of the Developer and not the existing landowners.

The Developer has completed the design and obtained all approvals for the municipal infrastructure works associated with the Ainslie Hill I subdivision and Catering Road servicing and is now on schedule to complete all the works by end of Q3 2022. The Catering Road servicing works include the installation of a watermain, sanitary sewer, storm sewer and forcemain. The watermain and sanitary sewer is

sized to accommodate the flows not only from the subdivision, but also the flows from the existing homes fronting Catering Road south of Dalton Road to the bend of Catering Road. Furthermore, the existing homes fronting Catering Road are being provided a water and sanitary lateral up to the property line at the sole expense of the Developer. This includes properties from 1 Catering Road to 135 Catering Road.

The Town has had various versions of a Mandatory Water and Sewer Connection By-law, with the latest version being By-law No. 2002-0106 (PWO-3), included as Attachment 2. Section 1 of the By-law states that, buildings in areas that are within the service boundary are required to connect to the water and sewage works of the Municipality when available within one (1) year after the Municipality has sent notice to the owner(s) by registered mail to the owner's last known address requiring that connection be made. Section 2 of the By-law states that failing to connect to the water and sanitary services within the one year notice will trigger the non-user fee.

By-law No. 2005-0090 (PWO-3), included as Attachment 3 provides the water and sewer non-user fee. The non-user rate for sewage is \$50.71 per quarter and the non-user rate for water is \$63.95 per quarter. The Town has a non-user rate for water and sewer because there is still a benefit for the property owners who do not connect but where servicing is available. Owners of lands where sewage works have been constructed, but who decide not to connect to the sewage works, receive the benefit of being able to connect to the sewage works in the event their own system malfunctions, and receive the benefit of the reduced risk of contamination from neighboring properties. Owners of lands where water works have been constructed, but who decide not to connect to the water works, receive the benefit of increased fire protection from the availability of water through fire hydrants, and the immediate availability of water, should a well become contaminated. The additional infrastructure also places greater operation and maintenance costs on the Town.

Recognizing that the property owners may not have anticipated their responsibility to connect and timelines, Staff are recommending extending the mandatory water and sewer connection time period from one year to two years from notice by the Municipality. Staff anticipate that the infrastructure works will be completed by end of Q3 of 2022 and that all testing and inspections will be completed by Q4 of 2022, at which point the Notice to Connect would be mailed to the property owners. A draft Notice is included as Attachment 4.

Figure 1 in Attachment 4 sets out the responsibility of the home owner with respect to the laterals. The Developer has installed the public portion of the water and sanitary laterals up to the property line. This component of the lateral is part of the Town's municipal infrastructure, and is subject to standards that are more stringent and is more expensive to install due to the deeper depths and road restoration. The homeowner will be responsible for the private side of the lateral connections to their house. To do this, they will be required to apply for a plumbing permit through the Towns Building Division (for a fee of approximately \$200) and a water meter (fee of approximately \$450). The homeowner may obtain any contractor to make the connection from their house to the property limits at their cost.

**5. RELATIONSHIP TO STRATEGIC PLAN:**

This report addresses the follow strategic strategy:

GOAL 2: “Promote a High Quality of Life”

**6. FINANCIAL AND BUDGETARY IMPACT:**

The development of any subdivision and extending of services on Catering Road has the financial impact expected of additional municipal infrastructure to maintain. Initially, these are the responsibility of the developer, but will ultimately become the responsibility of the Town to operate and maintain.

The water and sewer lateral connections has financial and budgetary impacts with respect to the costs of the lateral installation and connections. The property owners fronting Catering Road were provided with water and sewer laterals on the Town right of way free of charge. The average cost from the Town contractor over the past two years to install a single water and sewer lateral on the Town right of way component has been approximately \$25,000. The cost for the public portion of the laterals is typically greater than the private portion of the laterals due to required restoration of the right of way, deeper elevations and the tapping at the watermain and sewer. The lateral portion on the private property is subject to the requirements of the Ontario Building Code and requires a plumbing permit. This component of the lateral is not part of the Town’s water and wastewater system. Property owners will be required to retain a contractor to complete this part of the lateral and connect to their existing home. The cost to complete this work is approximately \$10,000, but will vary depending on the length of the laterals and location of the house. Homeowners, who wish to do so, may retain their existing well provided there is no connection between the well and municipal water system. The purpose of restricting connection of the municipal water supply and a well is to prevent cross contamination from the well into the municipal system. In relation to the cost of the connection on the private side, By-law No. 2002-0106 (PWO-3) Section 2, Clause C, it states that the Treasurer of the Municipality may make a loan to the owners of buildings to whom a notice has been sent requiring water and sewer connection in accordance with this by-law. The loan amount shall be added to the owner’s rolls, be a lien or charge upon the land in respect of which the loan has been made and collected in like manner as Municipal taxes over a period, not exceeding five years. The loan amount shall also include interest at the current debenture rate charged by the Municipality.

Should a homeowner not make the water and sewer connection beyond two years (should Council approve this extended time period) after notice by the Municipality, then a quarterly non-user fee will be charged at a non-user rate for sewage \$50.71 per quarter and non-user rate for water \$63.95 per quarter.

**7. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:**

A) Legislated

The Town is not required to give public notice or hold a statutory public meeting in relation to this report.

**B) Non-Legislated**

Although the Planning Act or other legislation does not require a statutory public meeting or any sort of formal notice, the Town recognizes the high level of interest with respect to this report and the directly affected properties. As such, notice of this report has been hand delivered to the properties that will have the new laterals as well as information on how to obtain a copy of the report and participate in the Council meeting. Details on upcoming workshops will also be communicated to the impacted properties.

Town staff have also tentatively scheduled two virtual sessions for the pertinent residents to provide them with more detailed information and to answer any questions. One will be on August 17<sup>th</sup> at 9 a.m. and one on September 7<sup>th</sup> at 2 p.m. And if necessary, staff could also set up such a session in an evening time slot.

**CONCLUSION:**

The works at Catering Road are on schedule and expected to be completed by end of Q3 2022. Water and sanitary municipal servicing is being provided to the homes fronting on the west side of Catering Road south of the Dalton Road to the bend of Catering Road. The property owners have been provided those services free of charge and it is anticipated that they will be permitted to connect in Q4 of 2022. Subject to Council adopting the recommendations of this report, upon receiving formal written notice from the municipality, property owners would have two years to install the sewer and water lateral connections on the private side. Should they not connect to the services after two years, a non-user rate will be charged to the subject properties.

**APPROVALS**

Prepared By: Zaidun Alganabi

Recommended By: Harold Lenters

Recommended By: Rob Wheeler

Approved By: Ryan Cronsberry

***Attachments:***

*Attachment 1 - Draft Plan of Subdivision 19T-15G03*

*Attachment 2 – Mandatory Water and Sewer Connection By-law 2002-0106 (PWO3)*

*Attachment 3 – Non-User Rate By-law 2005-0090 (PWO-3)*

*Attachment 4 – Notice to Residents of Mandatory Water and Sewer Connection*