

Town of Grand Valley

Wastewater Treatment Capacity Allocation Policy

Adopted by Council Resolution 2016-12-3

WHEREAS the Town of Grand Valley (“**Town**”) has constructed a Waste Water Treatment Plant (“**WWTP**”) to provide wastewater servicing to existing and future development in the Town;

AND WHEREAS the WWTP has a finite servicing capacity (“**Capacity**”), which may be increased from time to time by means of expansions and/or other modifications to the WWTP;

AND WHEREAS, as new development occurs in the Town and as such development is serviced by means of the WWTP, Capacity will be taken up;

AND WHEREAS the Council of the Town wishes to establish a policy for the allocation of Capacity to new development in a prudent and sustainable manner;

AND WHEREAS the Council of the Town encourages water conservation and;

AND WHEREAS Section 6.1 of the Town’s Official Plan states that “Draft plan approval of subdivision/condominium or lot creation by consent will only be permitted within the Settlement Area if there is sufficient reserve capacity in the municipal water and wastewater systems for the proposed use.

NOW THEREFORE, the Council of the Town establishes the following policy to govern the allocation of Capacity:

Applicability of this Policy

1. Any development which meets all of the following criteria shall require an allocation of Capacity pursuant to this policy:
 - a. the development is proposed to be located in the Settlement Area of the Town, as defined in the Town’s Official Plan;
 - b. the development is proposed to be serviced by means of connection to the WWTP;
 - c. the development requires approval(s) under the *Planning Act* or *Condominium Act, 1998* other than a minor variance and/or removal of a Holding provision ; and
 - d. the development requires more than 5 Single Detached Equivalents (“**SDE**”) of Capacity, as determined by the Town Engineer in his or her sole discretion.

Administration of the Allocation Program

2. For the purposes of this policy, Capacity shall be measured in Single Detached Equivalents (“**SDEs**”). One SDE shall be equivalent to the average Capacity required to service a detached single-family home, as determined by the Town Engineer from time to time. Generally, one SDE shall be required to service each detached single-family home in a proposed development.

3. Council may direct staff and the Town Engineer to maintain a ledger of Capacity that has been allocated and to prepare estimates from time to time of the remaining unallocated Capacity available at the WWTP whenever allocation is taken up as well as following any improvement, re-rating of capacity or modification to the WWTP.
4. Capacity shall not be allocated automatically to any development approved under the *Planning Act* or *Condominium Act, 1998*, however a requirement to obtain allocation of a sufficient amount of Capacity, as determined by the Town Engineer, may be imposed as a condition of draft plan approval or other development approval. The proponent of any development requiring an allocation of Capacity shall be required to apply for and obtain an allocation of Capacity through a separate process under this policy.
5. Every proponent of a development requiring an allocation of Capacity is encouraged to consult with Town staff as early as possible in the development approval process regarding the need for and availability of Capacity. Every proponent of a development project is strongly encouraged to utilize flow reducing technology and conservation efforts in their development project, and such a requirement may be imposed as a condition of development approval.
6. Where development of residential units other than detached single family homes is proposed staff will determine the number of SDEs of Capacity per unit that are required by dividing the number of residents per unit of the type proposed by the number of residents per detached single family home, using the number of residents per unit type that are set out in the Town's most recently approved development charges study. Where non-residential development is proposed, staff in consultation with the Town Engineer, may in their sole discretion, determine that the number of SDEs that is required to service all or part of the proposed development.
 - a. Capacity shall initially be allocated to each development on a provisional basis. No allocation of Capacity shall be final until the development in question has received either:
 - i. in the case of plan of subdivision, final approval under the *Planning Act*; or
 - ii. in all other cases, issuance of building permits.

Requests for Allocation

7. A proponent of development wishing to obtain a provisional allocation of Capacity pursuant to this policy shall follow the following application procedure:
 - a. The proponent shall file a request for provisional allocation, in writing, for consideration by Council;
 - b. The request shall be accompanied by supporting documentation. In addition to any other information that staff or Council may require, the supporting documentation shall include the following minimum information:
 - i. the number and type of units in the proposed development or phase of development; and
 - ii. the status of the development, or phase of development in terms of planning and engineering review;

- c. Each request shall be evaluated by staff and presented to Council in a report for consideration;
 - d. Council shall approve, deny or defer any request for provisional allocation, in whole or in part, and in its sole discretion, but shall have regard for the criteria provided in Section 9;
 - e. Where a request is approved by Council, the provisional allocation of Capacity shall only be effective once the proponent has entered into an Allocation Agreement.
8. Each Allocation Agreement shall be drafted on a case by case basis to the satisfaction of the Town Engineer, the Town Solicitor, staff and Council. Subject to any special considerations, an Allocation Agreement shall deal with the following matters, among others, as required:
- a. The number of SDEs provisionally allocated to the proposed development;
 - b. The period of time for which Capacity has been provisionally allocated;
 - c. Provisions for the expiry of the provisional allocation of Capacity;
 - d. Provisions for the extension of provisional allocation of Capacity;
 - e. Any payments or works required by the Town in respect of the provisional allocation of Capacity; and
 - f. Any other matters conditions, or limitations that staff, Council or the Town's professional advisors deem necessary.
9. Where there are multiple requests for the provisional allocation of Capacity before Council, and insufficient Capacity to grant all such requests, Council shall assess the competing requests and approve, deny or defer each of the competing requests, either in whole or in part, in accordance with such criteria as Council may deem appropriate, in its sole discretion, which may include but shall not be limited to the following criteria (which are listed in no particular order of priority):
- a. the stage of the proposed development in the planning and engineering approval process;
 - b. infilling or minor extension of existing built-up area may be preferred over development that is not contiguous with the existing built up area;
 - c. achieving the residential intensification/infilling targets of the Official Plan and/or applicable Provincial policy;
 - d. provision of minor or major road(s) or the completion of existing local streets;
 - e. provision of lands for a public park, trailway, recreational facility or other key elements of public infrastructure;
 - f. provision of serviced employment lands;
 - g. contribution towards diversification or variety of unit types, tenures, lot sizes, etc.;
 - h. prior investment in public infrastructure improvements by the proponent or related parties;
 - i. financial contributions towards infrastructure improvements;
 - j. neutral or positive financial impact on the Town;
 - k. prepayment of development charges to fund ongoing public growth-related initiatives, such as towards work required to expand the WWTP;
 - l. sustainability;
 - m. housing needs;
 - n. employment and economic development; and
 - o. any other public benefits or factors as determined by Council.

Expiry of Provisional Allocation

10. Subject to the provisions of any Allocation Agreement, unless the provisional allocation of Capacity has become final in accordance with part 7 of this policy, it shall expire 3 years from the date on which Council approved the request for provisional allocation, unless otherwise specified by Council.

Extension

11. In cases where a provisional allocation of Capacity is set to expire, the proponent may make a request in writing at least 30 days before the last Council meeting prior to the expiry of that provisional allocation. Council may, in its sole discretion, approve or deny any such request in whole or in part, in its sole discretion. At the time of an extension, Council will re-evaluate the development with respect to the criteria in section 9, as well as other project awaiting capacity. Any extension in whole or in part may be subject to such conditions as Council deems appropriate, including amendments to any Allocation Agreement.

Transfer of Allocation

12. Subject to the provisions of any Allocation Agreement, the transfer of Capacity shall not be permitted without the written consent of the Town. This restriction shall apply equally to Capacity that has been provisionally allocated as Capacity that has been allocated finally.

**STANDARD ALLOCATION
REQUEST APPLICATION FORM**

Wastewater Allocation Request

Complete all appropriate items and return to Town of Grand Valley

1) Person requesting Allocation

Name: _____
Address: _____
Phone: _____
Email: _____
Company: _____

2) Developer Information:

Name: _____
Address: _____
Phone: _____
Email: _____

3) Project Information:

Name of project: _____
Roll #: _____
Street: _____
Legal Description: _____

4) Brief description of project: _____

Development	SDE (single detached equivalent)	Number of Units Proposed	Requested Capacity
Single Detached Units	1		
Townhouses, Multiples (3+ bedrooms)	0.79		
Apartments (2 bedrooms)	0.53		
1-bedroom apartments or bachelor apt.	0.33		
Non-Residential	SDE* =		
	# Employees =		
Total Estimated Discharge (GPD)**			

Notes: * As estimated by Applicant's Engineer and to be peer reviewed by Town Engineer
** Provide breakdown of discharge if more than one non-residential use is proposed

Return completed application and a \$200.00 non-refundable check payable to Town of Grand Valley. The Town reserves the right, in its sole and absolute discretion, to approve or decline all allocation approval requests.

Name: _____ Date: _____

Signed _____