

APPENDIX 1

INTERIM POLICY FOR ALLOCATING SANITARY SEWER CAPACITY

1. All development that will have the effect of creating new or additional residential dwelling units within the Town of Richmond Hill and is subject to the provisions of By-law 195-04 shall be governed by this policy.
2. No residential development will be given final approval pursuant to the provisions of the *Planning Act* except in accordance with this policy.
3. Non-residential development shall not require the specific allocation of sanitary sewer capacity, but shall in all other respects be subject to the Town's policies, by-laws, and conditions of approval pursuant to the provisions of the *Planning Act* with respect to servicing availability. For the purposes of this policy, hospitals, nursing homes, schools, special care facilities, and other similar institutional uses shall be treated as non-residential development.
4. Residential development that will be serviced by an approved private sewage disposal system, all existing lots of record as of April 15, 2004 not under site plan control and eligible for a building permit, all existing lots of record as of April 15, 2004 under site plan control and subject to a registered site plan agreement and eligible for a building permit, and all lots created pursuant to a valid consent on or before July 8, 2004 pursuant to the *Planning Act* which has not lapsed and which are not subject to site plan control, shall be deemed to be in compliance with the provisions of By-law 195-04.
5. The availability of sanitary sewer services and capacity results from municipal investment in key infrastructure. To ensure that allocation of limited sanitary sewer services and capacity will achieve the desired goals of orderly community growth the following policies will be implemented in allocating sanitary sewer capacity to residential development:
 - a) The status of the development approvals in effect on April 15, 2004 shall determine the following priorities in allocating capacity.
 - b) In any servicing areas where the Commissioner of Engineering and Public Works has confirmed that there are no constraints to the availability of sanitary sewer services and capacity, allocation shall be assigned by Council.
 - c) In any servicing areas where there are constraints to the availability of sanitary sewer services and capacity, allocation shall be assigned by Council in the following priorities:
 - i. Firstly, all draft plan approved subdivisions with less than 50 lots that are pre-serviced and properties that are zoned and pre-serviced with conditional site plan approval for less than 50 units.

- ii. Secondly, the following draft plan approved pre-serviced plans of subdivision: 19T-99019 and 19T99013 (Bond Crescent); 19T-89092 (Duke of Richmond - Phase 4); D02-03074 (Pede).
 - iii. Thirdly, all draft plan approved subdivisions with 50 or more lots that are pre-serviced and properties that are zoned and pre-serviced with conditional site plan approval for 50 or more units. ("Pre-serviced" for subdivision purposes shall mean: engineering drawings approved; letter of undertaking, insurance certificate and letter of credit in place; MOEE Certificate of Approval obtained, but services not necessarily constructed or completed. "Pre-serviced" for site plan purposes shall mean all municipal services available at the property line.)
 - iv. Fourthly, all draft plan approved subdivisions that are not pre-serviced and properties that are zoned and pre-serviced but have not received conditional site plan approval.
 - v. Fifthly, all other residential development requiring any approvals pursuant to the Planning Act.
- d) An owner may apply for and Council may grant an exemption from the priorities referred to above, if Council is satisfied that the owner has entered into an agreement and/or made a financial contribution sufficient to alleviate the demand on sanitary sewer capacity generated by the proposed development.
- e) Up to 5% of available capacity may be reserved by Council for specific development projects considered to be in the broader interests of the overall community. Notwithstanding this allowance, Council may at any time allocate uncommitted capacity to a specific development to address desirable community objectives, including:
- i. infill of a modest scale in an existing neighbourhood;
 - ii. a development that includes infrastructure that improves or advances road, water, sanitary and/or storm sewer improvements that is in the public interest;
 - iii. a development that advances ownership of lands for municipal purposes;
 - iv. provides housing for physically or otherwise challenged groups;
 - v. preserves a designated heritage use;

6. Developers shall not be permitted to pre-service a draft approved plan of subdivision unless the Town has confirmed that sanitary sewer services are available and Council has allocated sanitary sewer capacity.
7. Conditional Site Plan Approval shall not be granted unless the Town has confirmed that sanitary sewer services are available and Council has allocated sanitary sewer capacity.
8. If allocation is granted for a subdivision or property in accordance with these policies and building permits have not been issued that have the effect of utilizing all of the assigned capacity within two years of the date of allocation, the allocation of the unused capacity may be revoked by Council, and the remaining lands for which no building permits have been issued shall be treated as not having capacity within the meaning of By-law 195-04.