



SCHEDULE A TO BY-LAW No. 2022-025, as amended
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD

TOWN OF COLLINGWOOD WATER AND WASTEWATER CAPACITY ALLOCATION POLICY

January 30, 2023



A1 INTRODUCTION

The Corporation of the Town of Collingwood (the “Town”) is responsible for the provision of municipal water supply and wastewater collection services. Collingwood is designated as a primary settlement area and growth is forecasted to remain strong in the coming decades for both residential and employment-related uses. Appropriately planning for growth requires an alignment between land use and infrastructure decisions to ensure that hard services are available to support construction.

As servicing capacity constraints identified in 2021 are expected to continue for at least the next decade while growth pressures continue and both water and wastewater plants are upgraded, the development of a robust system for the **allocation** of municipal servicing capacity that would remain in place at minimum during the prolonged period of water and/or wastewater capacity limitations was paramount.

This Water and Wastewater Capacity Allocation Policy (the “**Allocation Policy**”) has been developed to ensure that the remaining and future **uncommitted hydraulic reserve** capacity in the Raymond A. Barker Water Treatment Plant and Collingwood Wastewater Treatment Plant is planned for and **allocated** in a sustainable and transparent manner to those projects that provide the greatest benefit to the community and that are most likely to proceed in the immediate future.

The **Allocation Policy** is also intended to provide fairness and predictability to the process of capacity estimation and **allocation**. It clarifies for the development community and the public, how a finite resource will be managed to ensure maximum benefit to the community. This policy relies on the statutory authority set out in s. 86(1) of the *Municipal Act, 2001*, which requires the supply of water and wastewater if “there is sufficient supply” available. In Collingwood, proposed development exceeds supply and therefore this policy framework is required to manage the limited supply for at least the next decade.

A2 DEFINITIONS

A number of terms in this policy are defined if they are shown in **bold** and these definitions are below:

Additional residential units or ADU: means an accessory residential unit:

- a) Within an existing primary detached, semi-detached or row dwelling or commercial/institutional building; or



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- b) within a building or structure that is detached and accessory to a primary detached, semi-detached or row dwelling or commercial/institutional building.

Affordable housing: means residential housing products that meet the definition of “affordable” as delineated in the Provincial Policy Statement (PPS), by the Canadian Mortgage and Housing Corporation (CMHC), County of Simcoe, and/or as approved or endorsed by the Town.

Allocated/allocation: means the action of apportioning **uncommitted hydraulic reserve capacity** in the Raymond A. Barker Water Treatment Plant and Collingwood Wastewater Treatment Plant.

Allocation Policy: means the policy adopted by Town Council to provide guidance, direction and procedures to allocate water and wastewater capacity.

Commitment to allocate: means conditionally apportioning **allocation** so that a further Council decision is required to determine the timing when the allocation may be activated.

Design capacity:

The total amount of flows that the water and wastewater plants are designed to treat per the Drinking Water Works Permit (“DWWP”) or Environmental Compliance Approval, respectively.

Hydraulic reserve capacity:

For sewage, means the **design capacity** of the Collingwood Wastewater Treatment plant minus the actual existing recorded annual average day wastewater flow.

For water, means the **design capacity** of the Raymond A. Barker Water Treatment Plant minus (i) the actual existing recorded maximum day demand and (ii) any capacity reserved to service municipalities outside the Town of Collingwood.

Limited capacity: means where the actual recorded annual maximum day flow exceeds 80% of the design capacity of the Raymond A. Barker Water Treatment Plant or where the actual recorded annual average day flow exceeds 80% of the design capacity of the Collingwood Wastewater Treatment Plant and/or where the municipality is actively undertaking an expansion of either plant.

Single dwelling unit equivalent (“SDU equivalent” or “SDU”): means the conversion of uncommitted hydraulic reserve capacity into a unit of measurement for the purposes of the allocation of **uncommitted hydraulic reserve capacity**.



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Town ESD: means the Town of Collingwood's Environmental Services Division.

Uncommitted hydraulic reserve capacity: The uncommitted hydraulic reserve capacity is obtained by subtracting (i) any apportioned water and wastewater **allocation** (ii) a safety factor (which is determined by Town ESD), (iii) any capacity reserved for government projects or purposes (e.g., ADUs), (iv) projects that do not require a *Planning Act* application or the treatment of hauled sewage if applicable, from the existing **hydraulic reserve capacity**.

Note: Where this policy refers to legislation, such references shall include amendments or successors thereto.

A3 WHERE THE ALLOCATION POLICY APPLIES

The **Allocation Policy** applies to all geographic areas within the Town of Collingwood, except properties within the Rural and Rural Residential Designations as identified in the Town's Official Plan where municipal services are neither available nor planned in the foreseeable future.

A4 MEASURING WATER AND WASTEWATER CAPACITY ALLOCATION

- a) **Town ESD** is responsible for identifying the **uncommitted hydraulic reserve capacity** available for possible **allocation** in the Raymond A. Barker Water Treatment Plant and Collingwood Wastewater Treatment Plant.
- b) The Town ESD is also responsible for converting the amount of **uncommitted hydraulic reserve capacity** to **SDU equivalents** for the purposes of administering the **Allocation Policy**.
- c) The Town ESD shall establish the amount of **uncommitted hydraulic reserve capacity** and uncommitted **SDU equivalents** on a semi-annual basis for the purposes of administering and implementing the **Allocation Policy**.
- d) The Town may request a report from a professional engineer confirming the maximum day water demand, average day sewage flows and extraneous sewage flows for major developments and/or amendment proposals in accordance with any Town-endorsed methodology as determined by Town ESD at their sole discretion. Town ESD shall confirm and approve the final SDU equivalent.



A5 DEVELOPMENT SUBJECT TO THE ALLOCATION POLICY

The **Allocation Policy** applies to the following growth and development in the Town, unless exempted in accordance with Section A6 of this Policy:

- a) Any development where an extension and/or the provision of new water and/or wastewater infrastructure is required;
- b) The creation of any number of new lots or units through the Plan of Subdivision, Vacant Land Condominium Description, consent to sever or part lot control processes;
- c) Any development requiring site plan approval; and
- d) Development where a *Planning Act* application is not required.

A6 DEVELOPMENT NOT SUBJECT TO THE ALLOCATION POLICY

The **Allocation Policy** does not apply to the following:

- a) The addition of up to two (2) additional residential units on a lot, provided the additional residential unit(s) comply(ies) with all applicable zoning requirements;
- b) All consent applications pursuant to Section 53 of the *Planning Act* that do not require site plan control applications.
- c) A change on a property from one permitted use to another permitted use in accordance with the Town's Zoning By-law that does not require a Zoning By-law Amendment. For additional clarity, permitted uses are listed in the Town's Zoning By-law, as may be amended under Sections 34 or 39 of the *Planning Act*;
- d) The construction of a deck, patio, fence, porch, accessory building or structure, temporary building or structure, or interior or exterior renovation to an existing building;
- e) The repair, re-build or restoration of a legally existing building or structure, or part thereof, provided that the building or structure continues to be used for the same purpose;
- f) Minor adjustments to site plan agreements and subdivision/condominium/site plan amendments that do not meet the criteria of Section A8(c);



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- g) The development of existing vacant lots where no approval under the *Planning Act* is required; and
- h) Any project previously exempted from the Interim Control By-law No. 2021-024, as amended, which has not yet been issued a building permit, for the period of one (1) year from the date the exemption was granted or the expiry of the ICBL, whichever is greater.

A7 TIMING AND EXPIRY OF WATER AND WASTEWATER CAPACITY ALLOCATION

A7.1 APPLICABILITY OF THIS SECTION

This section applies to decisions on applications for Draft Plan of Subdivision/Vacant Land Condominium Description Approval (Section 51 of the *Planning Act*), Provisional Consent (Section 53 of the *Planning Act*), and Site Plan Approval (Section 41 of the *Planning Act*) that are made after the **Allocation Policy** comes into effect. To reduce uncertainty, merit-based scores derived from the **Allocation Policy** in effect at the time of development approval under the *Planning Act* will remain valid unless the proposal is amended/extended as outlined in Section A8 c) of this Policy. When an amendment/extension applicable to Section A8 c) is proposed, the development will be re-evaluated in accordance with the version of the **Allocation Policy** in effect at the time the amendment is requested.

A7.2 PLANS OF SUBDIVISION AND VACANT LAND CONDOMINIUMS

- a) If **uncommitted hydraulic reserve capacity** exists within both the Raymond A. Barker Water Treatment and Collingwood Wastewater Treatment Plants, a **commitment to allocate** water and wastewater capacity can be provided by Council or its designate at the time of Draft Plan Approval subject to Section A10 of this Policy. The timing of the **allocation**, as well as allocation in phases or stages to facilitate the orderly build-out of the proposal (if applicable), shall be further articulated in a development, servicing or front-ending or other agreement (i.e., agreements under the *Planning or Development Charges Act*). **Allocation** timing decisions are at the Town's discretion, taking into account the availability of uncommitted hydraulic reserve capacity available at the registration stage and the merit-based score the proposal received at draft approval and/or through subsequent amendment. Notwithstanding this subsection, Council retains discretion to award **allocation** at draft plan approval.
- b) If capacity is committed or **allocated** in accordance with sub-section a), all or part of the Draft Plan must be registered within thirty-six (36) months from the date Draft Plan



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Approval, and if this does not occur, the **commitment to allocate** or **allocation as applicable**, shall be deemed withdrawn.

- c) Notwithstanding Subsection b), in the case of an application for extension of draft approval under Section 51(33) of the Planning Act, an additional one (1) year may be considered by Council, or its designate, provided the owner demonstrates that they have taken the appropriate steps to register all or part of the Draft Plan. Such steps may include the finalization and acceptance of servicing and stormwater plans and drawings and/or the clearing of the majority of conditions of Draft Plan Approval.
- d) In order to ensure that development proceeds expeditiously and does not hold **commitment to allocate** or **allocation** without performance, it is the intent of Council to update the Town's Official Plan policies to align approval of draft plans of subdivision and condominium descriptions with the initial three (3) years commitment plus one (1) year maximum for any extension of capacity commitment and/or **allocation** as per this Policy, unless extenuating circumstances (e.g. change of ownership, significant amendments to the proposal, unforeseen economic conditions, etc.) are demonstrated. Until such time as the Official Plan is updated, the **Allocation Policy** shall serve as Council's direction respecting new approvals or requests to extend existing draft approvals.
- e) As a condition of Draft Plan Approval pursuant to subsection 51(25) of the *Planning Act*, or through a concurrent Zoning By-law Amendment application, the Town's Zoning By-law shall generally be amended to ensure that a Holding provision is applied to all lands subject to the Draft Plan Approval, with the Holding provision only lifted by Council when the development is ready for the building permit stage.
- f) If the Plan of Subdivision or Vacant Land Plan of Condominium constitutes more than 200 **SDUs**, draft approval, registration and the **allocation** of capacity shall proceed in phases and each phase shall not generally constitute more than 100 **SDUs**, except where a single building includes greater than 100 **SDUs**. The registration of and/or lifting of any Holding Symbol on any additional phase cannot occur unless building permits for no less than seventy-five percent (75%) of the lots or units in the previous phase have been issued. The Holding Symbol shall be used to facilitate phasing of Vacant Land Plans of Condominium until such time as phased registration is permitted by legislation.
- g) At the time of registration of a Draft Plan of Subdivision or Vacant Land Condominium Description in accordance with Sub-sections b) or c) of the Policy, the Subdivision Agreement entered into between the owner and the Town shall specify that building



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permits for seventy-five percent (75%) of the lots or units subject to the agreement (i.e. may cover the entire draft plan or, in the case where phasing is required, an approved phase) have to be issued within three (3) years of the execution and registration of a subdivision agreement, or the **allocation** shall be deemed withdrawn for the remaining unbuilt lots/units.

A7.3 SITE PLAN APPROVAL

- a) If **uncommitted hydraulic reserve capacity** exists within both the Raymond A. Barker Water Treatment and Collingwood Wastewater Treatment Plants, water and wastewater capacity can be **allocated** by Council or its designate at the time of the execution and registration of a Site Plan Agreement subject to Section A10 of this Policy. The availability of the committed capacity **allocation** in phases or stages to facilitate the orderly build-out of the proposal may be further articulated in the Agreement.
- b) If capacity is **allocated** in accordance with sub-section a) and building permits are not obtained within twenty-four (24) months of the date of the execution and registration of a Site Plan Agreement then **allocation** shall be deemed withdrawn.
- c) Notwithstanding Subsection b), an additional twenty-four (24) months may be considered by the appropriate designated staff , provided the owner demonstrates that they have taken the appropriate steps to commence development on the lands. Such steps may include the finalization and submission of architectural, servicing and stormwater plans and drawings. If building permits are not obtained before the expiry of the extension period contemplated in this paragraph, then the allocation shall be deemed withdrawn and the Agreement may be terminated.
- d) Where site plan approval facilitates the development of a phased condominium, each phase shall not generally constitute more than 100 **SDUs**, except where a single building includes greater than 100 **SDUs**.

A8 EXISTING APPROVALS

- a) If lands are subject to Draft Approved Plans of Subdivision or Vacant Land Condominium Description before this **Allocation Policy** comes into effect, the Town will seek to amend the conditions of Draft Plan Approval for all existing files, pursuant to subsection 51(44) of the *Planning Act*, so that there is no capacity **allocation** for the subdivision or vacant land condominium.



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- b) If **uncommitted hydraulic reserve capacity** exists within both the Raymond A. Barker Water Treatment and Collingwood Wastewater Treatment Plants, the developments would be evaluated against the **Allocation Policy** in effect at the time of final approval/registration. At that time, the allocation of capacity and availability of the committed capacity allocation in phases or stages to facilitate the orderly build-out of the proposal, if applicable, would be articulated in a development, servicing or front ending or other agreement (i.e., agreements under the *Planning Act* or *Development Charges Act*).
- c) When the cumulative effect of amendments and/or extensions to draft plans of subdivisions, condominium descriptions or site plans have the effect of increasing the servicing capacity requirements beyond 10 SDUs of the originally approved servicing capacity as verified by a professional engineer's report and/or confirmation from Town Administration, a revised merit-based analysis under A10 of this Policy is required.

A9 EXISTING SITE PLAN AGREEMENTS

- a) To ensure that capacity allocation is not held without performance, where a Site Plan Agreement was registered on title prior to the effective date of this Allocation Policy and construction has not commenced within twenty-four (24) to forty-eight (48) months of the date of agreement execution, the **allocation** may be deemed withdrawn and the Agreement may be terminated.

A10 CAPACITY ALLOCATION CRITERIA

- a) All decisions requiring a merit-based evaluation in accordance with this Policy will be made based on a proposed development achieving at least 50% of the available points as per the table below. Developments that score less than 50% of the available points can be considered for capacity allocation by Council at their discretion.
- b) Notwithstanding the above, proposed developments that achieve a higher score, particularly more than 75% of the available points to assist in achieving a complete community, are more likely to receive **allocation** or a **commitment to allocate** than those with lower scores.
- c) Mixed use projects will be evaluated in the category (i.e. residential or non- residential) based on the dominant use that represents the majority of gross floor area of the proposal.
- d) Each proposal will be evaluated by Council concurrently or after a decision has been made



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on its relevant planning application. Staff will then provide a recommendation based on the point scores achieved under this policy. The decision made by Council is in its discretion, unless approval is delegated to an appointed officer identified in a by-law by name or position occupied.

- e) Proponents are required to consider the merit-based criteria and to provide a servicing capacity allocation score with rationale as part of a complete application and/or when preparing planning applications and supporting reports, including a self-evaluation and justification of the proposal within the context of the merit-based criteria.
- f) The Town, at its sole discretion, may retain an independent third-party consultant to review proposals against the merit-based criteria, may develop an evaluation panel, or may consult periodically with the development community on implementation.
- g) Applications that score over the minimum 50% but do not receive allocation capacity are encouraged to improve their design for consideration at a future date. With **limited capacity** annually, Council has the challenging task of using its best judgment and discretion to provide allocation capacity to those projects that are most likely to benefit the whole community.

Category	Criteria	Measure	Res - Max	Non Res - Max
A. Efficient Use of Land and Orderly Development	A1 - Lands are within built boundary and/or within an existing built-up neighbourhood	no or yes	5	5
	A2 - Development represents an orderly and sequential greenfield expansion of the community outward from the existing built-up area	no or yes	2.5	2.5
	(Note criteria A1 and A2/A3 in this category are mutually exclusive and points could be attained in A1 or A2/A3, but not all three)	A3 - Greenfield development meets or exceeds the density targets in the Town	no or yes	2.5



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	Official Plan			
	A4 - Development includes a mix of land uses (e.g. residential, open space, commercial, industrial, etc.)	no or yes	5	5
	A5 - Development represents transit supportive development based on density and proximity (i.e. 400-800 meters measured by radius from the property boundary unless there are physical or topographic barriers preventing access) to existing or planned transit routes	no or yes	2.5	2.5
	A6 - Development facilitates the re-development of a contaminated site	no or yes	2.5	2.5
	Total Points Available		15	15
B. Conservation and Sustainable Development	B1 - Development incorporates low impact / sustainable development, as it relates to water efficiency and reduced wastewater flow from development projects	Degree of compliance	5	5
	B2 - Development which will achieve LEED, Energy Star or other similar certification or equivalent, as determined by the	Degree of compliance	5	5



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	Town			
	B3 - Developments that incorporate green development standards or methods that contribute to the sustainability of the development such as passive solar design, climate change resilient buildings/infrastructure, and naturalized stormwater management features	Degree of compliance	5	5
	B4 - Development protects, restores, conveys into public ownership, and/or enhances a natural heritage feature, including maintenance or enhancement of the tree canopy	Degree of compliance	5	5
	Total Points Available		20	20
C. Infrastructure and Public Facilities	C1 - Development includes the completion, upgrade or reconstruction of required key infrastructure, such as road connections between development areas, transit facilities and/or water and sewage infrastructure	Degree of compliance	10	10



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	<p>C2 - Development includes the completion, upgrade or reconstruction of active transportation infrastructure (e.g. trails, bicycle lanes or separated corridors, sidewalks, bike storage areas, etc.) in the public or private realms or both</p>	Degree of compliance	5	5
	<p>C3 - Developments that enable the provision of public facilities and/or community benefits beyond those facilities which are required to be provided by the developer by legislation including, but not limited to park improvements, new park construction, development of public active transportation systems, and streetscape improvements or other key elements of public infrastructure</p>	Degree of compliance	5	5
	Total Points Available		20	20
D. Economic Development	<p>D1 - Development that adds a significant number of new jobs to the local economy</p>	1 point for each 5 jobs up to 5	0	5



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	D2 - Development supports the goals and objectives of applicable economic development master plan	Degree of compliance	5	5
	D3 - Development enhances the Downtown or a main street as a focal point of activity and commerce	Degree of compliance	5	5
	Total Points Available		10	15
E. Housing Affordability	E1 - Developments that include affordable housing units	1 point for each 5% of units up to 5 points	5	0
	E2 - Developments that propose innovative housing solutions that contribute to affordability	Degree of compliance	5	0
	E3 - Developments that include rental housing units	0.5 points for each 5% of units up to 2.5 points	2.5	0
	E4 - Developments that include seniors, community or special needs housing	no or yes	2.5	0
	E5 - Developments that include a mix of housing types with one housing type comprising no less than 10% of total units	no or yes	5	0
	Total Points Available		20	0



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F. Community Impacts/Benefits	F1 - The application preserves sites/buildings of historical interest and/or complies with the requirements of any applicable heritage district plan	no or yes	2	2
	F2 - Development will facilitate the removal or improvement of a land use conflict	Degree of compliance	2	2
	F3 - Includes urban design or architectural control and implementation in accordance with or exceeding any applicable master plan or guideline	Degree of compliance	6	6
	Total Points Available		10	10
		Maximum Available Points	95	80
		Minimum Points Required	47.5	40

A11 CAPACITY ALLOCATION RESERVE

Nothing in this Policy precludes the Town from reserving **uncommitted hydraulic reserve capacity** for government-led projects deemed to be in the interests of the public including, but not limited to, facilities affecting public health and safety, educational and recreational facilities, and provision of affordable community housing. Further, **uncommitted hydraulic reserve capacity** shall be established for the treatment for hauled sewage, if applicable.



A12 MONITORING, TRACKING AND REPORTING

Town staff shall establish development tracking tables to monitor the capacity that has been **allocated** and prepare an update report to Council every six (6) months, inclusive of documenting and/or updating the numerical values to be determined by Town **ESD**. Such monitoring and review may also determine if any minor changes to this Allocation Policy would be needed in the best interest of the Town. Should Council consider amendments to the **Allocation Policy** beyond clerical or technical matters as a result of monitoring, tracking and reporting, any such amendments shall be processed in a transparent manner, including consultation with the development community and the public. To increase certainty and stability within the system, a comprehensive review of the **Allocation Policy** will occur no earlier than 24 months after the previous comprehensive review.

A13 IMPLEMENTATION

- a) In order to protect the Town's interests, at no time will the total allocated capacity, exceed the uncommitted hydraulic reserve capacity of the Raymond A. Barker Water Treatment and/or Collingwood Wastewater Treatments Plants.
- b) At times of **limited capacity**, an annual cumulative maximum servicing capacity **allocation** threshold will be established by Collingwood Administration and the total annual **allocated** capacity shall not exceed that cap. Additionally, there is also a **commitment to allocate** cap set by Town ESD that ensures that the total **design** is not exceeded within the plant expansion and upgrade timelines.
- c) Areas of the Town where servicing is not imminent or feasible may be subject to a Holding provision pursuant to Section 36 of the Planning Act, with the Holding provision only being lifted by Council when services are available.
- d) Nothing in this Policy precludes the Town from applying a Holding provision to properties where municipal services are available prior to land or ownership division applications, with the Holding provision only being lifted by Council when **uncommitted hydraulic reserve capacity** is confirmed as available or otherwise **allocated** through land/ownership division and/or site plan approvals. For greater clarity, capacity would not be allocated at the time of an official plan or zoning by-law amendment.
- e) To minimize the fiscal risk to the Town, where upfront financing is required to extend or provide new water and/or wastewater infrastructure to facilitate development on more than one parcel of land, a front ending agreement under the *Development Charges Act* or similar approach shall be used, including the identification of the benefiting area, if applicable.