



Mississippi
Mills

**COW
MEETING**

Allocation By-law and Policy

Tuesday, September 24

Meeting held virtually via Zoom / in Council Chambers

History of Allocation Policies and By-laws

- Section 70.3 of the Planning Act allowed municipalities to pass allocation by-laws/policies related to the management of sewage and water services for Plans of Subdivision, Condominiums and Consents (severances)
- Included criteria such as Official Plan policies
- Developments with draft approval already in place are exempt from the allocation by-law
- A municipality would typically implement a policy when infrastructure capacity is around 80%

Bill 185 – Municipal and Planning Act changes (June 2024)

- Removed Section 70.3 from the Planning Act
- Added Section 86.1 to the Municipal Act which does not require policies in the Official Plan
- Broadened applicability to “approved development”
“approved development” means a development application which has been given approval under the Planning Act.
- Now can allocate capacity through Site Plan, Zoning, Committee of Adjustment along with subdivisions, condos and severances

Bill 185 – Municipal Act changes (June 2024)

1. *A system for tracking the water supply and sewage capacity available to support approved developments.*
2. *The criteria used to determine,*
 - i. *the circumstances for when allocation of water supply and sewage capacity is assigned to an approved development,*
 - ii. *the circumstances for when the allocation of water supply and sewage capacity is withdrawn, and*
 - iii. *the circumstances for when an approved development, after having its allocation of water supply and sewage capacity withdrawn, may be reallocated water supply and sewage capacity.*

Bill 185 – Municipal Act changes (June 2024)

Geographic specific

(2) A by-law described in subsection (1) may provide that the policy set out in the by-law applies to the entire municipality or applies differently to different geographic areas within the municipality.

Mandatory delegation to staff

*(3) If a municipality has passed a by-law described in subsection (1), **the administration of the policy must be assigned to an officer, employee or agent of the municipality, and any decision made by that person under the policy must be final.***

Need for an Allocation Policy and By-law – Water

- No issues identified with the quantity of water in the aquifer
- Upgrades to Well 7 and 8 to increase capacity are required in the short term (next 5 years)
- New well needed in the short term (next 5 years) to support development not yet approved

Need for an Allocation Policy and By-law – Wastewater

- Master Plan identified the remaining capacity for wastewater treatment plant is ~ **20%**
- Since that time, two subdivisions have received draft approval

Weavers Way

- Approved by Mississippi Mills April 2024
- Draft approved by County in June 2024

Hilan Village

- Approved by Mississippi Mills August 2024
- Anticipated to be approved by County on October 8

Allocation Policy and By-law – Committed Capacity

Committed Capacity is development that has been approved (draft approval for subdivisions, conditional approval of severance, registered agreements for site plans)

- Draft approvals represents approximately 700 units or 1680 people
 - Weavers Way, Hilan Village, Bakers Quarry and White Tail Ridge
- Infill units* ~ 9 units per year (based on 2022-2024 data)
- Non-residential development – Business Park
- The above noted developments can proceed

Allocation Policy and By-law – Wastewater Capacity

Uncommitted Capacity is capacity that is still available for development where planning approval **has not** yet been granted

- Preliminary calculations of remaining sewage treatment capacity **is very limited (less than 10%)** - active and future development will need to be managed via an Allocation Policy and By-law
- The Municipality **cannot draft approve subdivisions beyond the approved sewage treatment capacity** (based on ECA approval from the Ministry for sewage treatment plant)
- Staff currently working directly with the Ministry on the detailed wastewater plant capacity calculations and other tools to manage capacity

Allocation Policy and By-law

Allocation Policy

- Opportunity to prioritize certain types of development
- Manage the allocation on an annual basis to provide consistent growth year over year within the allowed capacity under the ECA
- Manage the pace of development while recommended EAs and projects from Master Plan are proceeding in a parallel process to accommodate new development
- Requires staff to provide Council with an annual allocation report
- Use it or Lose it clause
- Priority waitlist

Allocation Policy and By-law

Allocation By-law

- Implements the Allocation Policy
- Delegated to staff (mandatory)
- Provides the legislative authority for Municipal staff to allocate capacity, withdraw capacity (use it or lose it) and reinstate capacity
- Provides the minimum requirements for application submission, timelines for application review
- Reporting requirement by the Municipality to Council

Recommendation

THAT Committee of the Whole accept the report as information and direct staff to prepare a Capacity Allocation Policy and By-law for consideration along with the final Water Wastewater Master Plan