

VILLAGE OF MERRICKVILLE-WOLFORD

WASTEWATER TREATMENT CAPACITY ALLOCATION POLICY

1. POLICY PURPOSE

The purpose of this Wastewater Treatment Capacity Allocation Policy (Policy) is to allocate, track and manage wastewater servicing capacity under the authority of the Council of the Village of Merrickville-Wolford, in a manner that provides for continued growth in an open and transparent manner for all proponent projects on fully serviced land use categories. It is intended to establish an element of equity and fairness to the process of capacity allocation based on merits expressed in the “wastewater treatment capacity allocation application” submitted by a proponent. It clarifies for the development community and public at large how this important, finite public resource will be allocated, monitored and managed to ensure maximum benefits to the Village and to aid in ensuring that development approvals do not exceed the Villages’ wastewater treatment capacity.

Allocation of wastewater servicing capacity will be at the sole and absolute discretion of Village Council. All allocation of wastewater capacity will be evidenced by an agreement between the developer and the Village of Merrickville-Wolford, approved by by-law of the Council of the Corporation of the Village of Merrickville-Wolford.

2. TERMINOLOGY

In this Policy, capacity is referred to in terms of “equivalent residential units” (ERUs), which is a calculation of the capacity that is required for a single detached residential unit. The Village shall comply with the Ministry of Environment, Conservation and Parks (MECP) D-5-1 Guidelines for Calculating and Reporting Uncommitted Reserve Capacity at Sewage and Water Treatment Plants to determine the capacity of its Wastewater Treatment Plant (WWTP). Committed reserve capacity calculations will be based on industry standards for population and sewage flow unit rates in determining the flow from an ERU.

3. DEVELOPMENT REQUIRING WASTEWATER SERVICING CAPACITY ALLOCATION

This Policy shall apply to the lands within the Merrickville Village Urban Area, south of the Canal, as identified in Village Official Plan. This policy shall apply to Planning Act applications for:

- Plans of Subdivision
- Plans of Condominium for new development or a condominium conversion where an expansion of existing development is required
- Consents for the creation of new lots
- Site Plan Applications for existing lots of record (as per Planning Act – commercial, industrial, institutional, residential >9 units)
- Rezoning where additional capacity is required.

4. EXEMPTIONS

This policy shall not apply to the following:

- a. New or expanded accessory building where new wastewater servicing capacity is not required;
- b. Any change of use, addition, renovation or alteration to a building provided that there is no increase in demand for wastewater servicing capacity based on current use;

- c. Where the property is serviced by private well and/or a septic system and will not be connected to municipal services; and,
- d. All infill residential projects containing two or less additional residential dwelling units (within Village full serviced area, south of river).

5. TIMING OF ALLOCATION

The Village will publish, annually by the end of January, the Village of Merrickville Uncommitted Reserve Capacity Calculations on which determination of additional wastewater treatment allocation will be based over the next 12-month period. Applications for allocation requests will be received in accordance with the schedule set out in Appendix A (i.e. quarterly reviews). Consideration of the applications will be on a first-come, first-served basis. Applications not considered will be brought forward for consideration in the following quarter.

Wastewater Treatment Capacity Allocation will be in the form of a two-step process. For development requiring a *Planning Act* application (Plans of Subdivision, Plans of Condominium, Consents, Site Plan Control, Zoning Amendments) the first step shall involve the applicant submitting a “Reserved Capacity Allocation Application” (Appendix A) to be considered by the Village prior to the consideration of the *Planning Act* application. Such conditional allocation approvals shall be subject to conditions relating to phasing of development, duration of “reserved capacity allocation” provided by the Village, necessary improvements to capital works or any other condition deemed appropriate by the Village, and as reflected in a “Servicing Capacity Allocation Agreement”.

Such preliminary allocation approvals shall contain the terms and conditions of the allocation and indicating that the Village is not obligated to provide wastewater servicing capacity allocation within the term of a Planning Act application and that the final allocation of water and wastewater servicing capacity will only occur following confirmation of such capacity by the Village and the entering into of an agreement between the owner and Village.

The second step is “Final Capacity Allocation” which shall be considered by the Village once the applicant has demonstrated that the conditions established for reserving allocation in the conditional approval have been met. Final Capacity Allocation will be in the form of a resolution of Council and upon confirmation of the:

- i) execution and registration of a subdivision or condominium agreement, including all financial requirements;
- ii) execution of a consent agreement (if necessary) for the creation of a new lot, including all financial requirements;
- iii) execution of a site plan agreement; or,
- iv) Notice of Decision of a zoning by-law amendment or execution of a site plan agreement.

Generally, the Village will consider subdivision phases of 20 to 40 equivalent residential units (ERUs). Subsequent phase(s) will not be considered for “final capacity allocation” until the preceding phase has been registered, it has been serviced by municipal water and sewer, and the proponent has satisfactorily demonstrated to the Village that construction is proceeding and building permits have been/are being issued.



6. COMPETING APPLICATION FOR ALLOCATION

Where there are multiple requests for “reserved allocation capacity application” before Council, and there is 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. Council may, at its sole discretion, consider any criteria it deems appropriate when assessing competing requests. One of the considerations will be merit, based on the criteria and scoring noted as follows:

Reserve Allocation Application Merit Assessment/Points

- a) Servicing Availability: 2 points – No New Offsite Municipal Infrastructure Required
1 point – Only water or wastewater Infrastructure Required
0 points – Both water and wastewater Infrastructure Required

No new infrastructure shall mean the ability for the project to be serviced immediately with minimal or no offsite municipal infrastructure required to support the development.

- b) Affordable Housing: 2 points – Comprised of 25% + affordable housing units.
1 point – Comprised of 10% to 24% of affordable housing units.
0 points – Comprised of 9% or less affordable housing units.

Priority among residential projects will be given to affordable housing projects (As defined in the PPS 2024) which contribute towards a diversification or a variety of unity types, tenures, lot sizes, etc.;

- c) Intensification/Infill: 2 points – demonstrates intensification and/or infill.
0 points – does not demonstrate intensification and/or infill.

Priority for residential intensification and infilling projects within the Village.

- d) Advanced Approvals: 2 points – Development has complete planning and engineering applications ready for submission.
 1 point – Development has complete planning or engineering applications ready for submission.
 0 points – Development does not have complete planning and engineering applications ready for submission.

Priority will be given to projects which are farther advanced through the development approval process in terms of complete planning and engineering applications

- e) Extra Public Facilities: 2 points – Extra Public Facility with no municipal investment.
1 point – Extra Public Facility with municipal investment.
0 points – No extra public facilities.

Priority will be given to the provision of public facilities, by the proponent, beyond those facilities which are required to be provided by the developer by legislation (i.e. roads, right of ways, stormwater infrastructure, servicing, parkland). Municipal Investment can be in-kind or financial.

- f) Prior Investment: 2 points – Prior investment is demonstrated.
0 points – No prior investment is demonstrated.

Priority will be given when prior investment in offsite public infrastructure improvements have been made.

- g) Positive Spinoff: 2 points – Positive Economic Spin Off
0 points – No Economic Spin Off

Priority will be given when the development provides employment and economic development spin off opportunities above and beyond typical construction related jobs.

Assessment Ranking Matrix:

Evaluation Criteria	Score
Servicing Available	
Affordable Housing	
Intensification or Infill	
Advanced Approvals	
Extra Public Facilities	
Prior Investment	
Positive Spinoff	
Other Criteria at the discretion of the Village	

7. ALLOCATION TIED TO LAND

For the purpose of this Policy, any allocation granted shall be tied to the land itself, and any timing of allocation contemplated shall not be affected by ownership changes, assignments of obligations by an owner, or agreements of purchase and sale. The owner of land cannot transfer sanitary allocation from one site to another site without prior consent from the Village Council.

8. RESCINDING AND REALLOCATION OF SERVICING

Where “reserved allocation capacity” has been allocated to a draft plan of subdivision or condominium and the applicant has not entered into the required subdivision/condominium agreement within **3 years** from the date that servicing capacity was first allocated to such land, such allocation may be rescinded, and the Village may re-allocate such capacity to other development(s). Where a subdivision or condominium agreement is entered, the agreement may establish a further lapsing date for completing the development, failing which the allocation shall be deemed to be rescinded, the final approval revoked, and the Village may re-allocate such capacity to other development(s).

Where “reserved allocation capacity” has been allocated to a conditional consent and the applicant has not fulfilled the conditions or consent within **2 years** from the date that servicing capacity was first allocated to such land, such allocation may be deemed to be rescinded, and the Village may re-allocate such capacity to other development(s).

Where “reserved allocation capacity” has been allocated to an approved site plan and the applicant has not entered into the required site plan agreement within **1 year** from the date that servicing capacity was first allocated to such land, such allocation may be deemed to be rescinded, and the Village may re-allocate such capacity to other development(s). Where a site plan agreement is entered, the agreement may establish a further lapsing date for completing the development, failing which the allocation may be deemed to be rescinded, the site plan approval revoked, and the Village may re-allocate such capacity to other development(s).

Where “final allocation capacity” has been granted for a development in accordance with this policy, Council may consider withdrawal of allocated capacity only if the developer is in default of the terms and conditions of the registered agreement or it is determined by Council that no additional capacity exists.

9. EXTENSION OF ALLOCATED SERVICING

An owner of land to which “reserved allocation capacity” has been approved by Council and who wishes to retain its reserved allocation shall make application to the Village at least 90 days prior to expiry, for an extension request. Such requests shall indicate reasons for the development not proceeding in a timely manner, commitments to proceed expeditiously if the extension is granted or other relevant matters.

Consideration of extending the time for the reserved allocation capacity will be at the sole and absolute discretion of Council and will be evidenced by a resolution of the Council.

Appendix A: Allocation Application
Conditional Capacity Allocation Request Form

Section 1: Property Information

Project/Business Name: _____

Project Address: _____

Section 2: Applicant Requesting Allocation

Name: _____

Company: _____

Full Address: _____

Email: _____ Phone: _____

Section 3: Property Owner Information

☐ Same as Section 2

Name: _____

Company: _____

Full Address: _____

Email: _____ Phone: _____

Section 4: Scope of Project

Type of Project: ☐ New ☐ Existing ☐ Change of Use

☐ Residential ☐ Non-Residential

Brief Description of Project: _____



Complete the following Average Daily Flow (ADF) for the Project:

Residential:

Number of Units: _____ Requested Allocation (L/s) _____ (m3/day) _____

Non-Residential

Commercial: Requested Allocation (L/s) _____ (m3/day) _____

Institutional: Requested Allocation (L/s) _____ (m3/day) _____

Industrial: Requested Allocation (L/s) _____ (m3/day) _____

Note: All non-residential allocation requests must be based on actual anticipated flow (i.e. number of employees, number of beds, etc.) as presented within supporting documentation

Change from Existing Use:

Proposed Use: _____ Existing Flow (L/s) _____ (m3/day) _____

Existing Use: _____ Existing Flow (L/s) _____ (m3/day) _____

Total Allocation Request: (L/s) _____ (m3/day) _____

Supporting Documentation

- I. Plan showing property requesting allocation
- II. Servicing plan showing proposed infrastructure including connection point(s) to Municipal infrastructure
- III. Supporting documentation/justification for requested allocation and evaluation criteria

Completed Capacity Allocation Request forms and all supporting documentation are to be submitted to Chad Kean, Manager of Public Works at 317 Brock St. in Merrickville or via email at publicworks@merrickville-wolford.ca. Applications must be received with the timeline identified in the following table to be considered for the applicable quarterly review.

Quarterly Capacity Review	Submission Timeline
First Quarter	January 1 st to March 31 st
Second Quarter	April 1 st to June 30 th
Third Quarter	July 1 st to September 30 th
Fourth Quarter	October 1 st to December 31 st

Competing Applications for Allocation (Check which applies)

- a) Servicing Available – No New Infrastructure shall mean the ability for the project to be serviced immediately with minimal or no offsite municipal infrastructure required to support the development.
- ☐ 2 points – No new municipal infrastructure required
 - ☐ 1 Point – Only water or wastewater infrastructure required
 - ☐ 0 Points – New water and wastewater municipal infrastructure required
- b) Affordable Housing – Variety of Units shall mean the priority among residential projects will be given to affordable housing projects which contribute towards a diversification or a variety of unit types, tenures, lot sizes, etc.,
- ☐ 2 Points – Development is comprised of 25% or more of affordable housing units
 - ☐ 1 Point – Development is comprised of 10% to 24% of affordable housing units
 - ☐ 0 Points – Development is comprised of 9% or less of affordable housing units
- c) Intensification or Infill shall mean priority for intensification and infilling projects,
- ☐ 2 Point - Development demonstrates intensification and/or infill
 - ☐ 0 Points – Development does not demonstrate intensification or infill
- d) Further Advanced in Approval process shall mean priority will be given to projects which are farther advanced through the development approval process, in terms of complete planning and engineering applications,
- ☐ 2 Points – Development has complete planning and engineering applications ready for submission
 - ☐ 1 Point – Development has complete planning or engineering applications ready for submission
 - ☐ 0 Points – Development does not have complete planning and engineering applications ready for submission
- Provision of Extra Public Facilities shall mean the provision of public facilities, by the proponent, beyond those facilities which are required to be provided by the developer by legislation (i.e. roads, right of ways, stormwater infrastructure, servicing, parkland). Municipal Investment can be in-kind or financial.
- e) ure will be given priority,
- ☐ 2 Points – Extra public facility with no municipal investment
 - ☐ 1 Point – Extra public facility with municipal investment

☐ 0 Points – No extra public facilities

f) Prior Investment in Infrastructure shall mean that prior investment in offsite public infrastructure improvements will be given priority;

☐ 2 Points – Prior investment is demonstrated

☐ 0 Points – No prior investment demonstrated

g) Positive Spinoff shall mean that the development provides employment and economic spin off opportunities above and beyond typical construction related jobs.

☐ 2 Points – Prior investment is demonstrated

☐ 0 Points – No prior investment demonstrated

Total Points: _____

Applicant Affidavit

I/We, The Undersigned, do hereby make application and petition to the Village of Merrickville-Wolford to approve the subject conditional capacity allocation. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand that this application, related material and all attachments become official records of the Village and will not be returned.

Print Name

Signature

Date