

Committee of the Whole

Tuesday, December 7, 2021

Safe Water Drinking Act – Written Consent

PART OF LOT 12, CON. 12

4676 Dark's Side Road

Subject lands



Safe Water Drinking Act, 2002

Non-municipal drinking water system

- Under authority of the Ministry of the Environment, Conservation and Parks (MECP)
- Outside of the authority of Section 41 of the Planning Act (Site Plan Control) for any approvals, conditions or securities
- Advised by the MECP that “written consent” may be required as per Section 53 of the Safe Water Drinking Act

Safe Water Drinking Act, 2002

Written Consent

- As per Section 53 of the Safe Water Drinking Act, municipality permitted to provide written consent, subject to “...such conditions and limits as it considers necessary to prevent a deficiency in connection with the system
- Two situations whereby the MECP may require a municipality to take over the system
 - The owner of the system abandons the system
 - As it relates to a deficiency in the system

Recommendation

THAT, Committee of the Whole recommend that Council pass the following resolution:

WHEREAS, as per Section 53 of the Safe Water Drinking Act, 2002 requires written consent by a Municipality for a non municipal drinking water system.

AND WHEREAS, staff are recommending approval of the Site Plan Control application (D11-DIL-12) for the proposed development which includes a non-municipal drinking water system.

BE IT RESOLVED;

Recommendation

THAT, the approval of Site Plan Control file D11-DIL-12 and subsequent building permit issuance for the subject lands at 4676 Dark's Side Road, are not deemed to be Municipal written consent as per Section 53 of the Safe Water Drinking Act, 2002;

AND THAT, if written consent is requested by the owner so that it can be provided to the Ministry of the Environment, Conservation and Parks, the municipality will consider this request separately and the ability to impose conditions and securities as per Section 53 of the Safe Water Drinking Act, prior to providing written consent;

AND THAT, the Clerk provide a copy of the resolution to the Director of the Ministry of the Environment, Conservation and Parks.

Recommendation

THAT, Committee of the Whole recommends that staff report back with a draft written consent along with recommended conditions and securities if/when requested for the subject property.