

THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

BY-LAW NUMBER 06 of 2023

BEING A BY-LAW TO IMPOSE WATER AND SANITARY SEWER CONNECTION FEES ON NEW CONNECTIONS TO THE EXISTING WATER AND SEWER SYSTEMS TO ENSURE THAT NEW USERS OF THESE SYSTEMS PAY THEIR FAIR SHARE OF THE COSTS OF THE EXISTING CAPACITIES OF THE WATER AND SEWER SYSTEMS

WHEREAS the Municipality of Lambton Shores (the "Municipality") has constructed certain water and sewage works to ensure sufficient capacity to service and benefit users connected to the systems, pursuant to its powers under Part 12 of the Municipal Act, 2001, as amended (the "Municipal Act");

AND WHEREAS the Council of the Municipality is authorized by Part 12 of the Municipal Act to impose a water and/or sewer connection fees upon owners or occupants of land who derive or will or may derive a benefit from gaining access to the existing water and sewer capacity sufficient to pay all or such portion of the capital costs of providing capacity as Council deems appropriate;

AND WHEREAS the lands to be benefited and charged with the water and sewer connection fees are the water and sewer servicing areas as amended from time to time;

AND WHEREAS the Municipality has determined that the capital costs for such water and sewage system capacities shall be charged against the water and sewer servicing areas and shall be borne by the new users connecting to the systems from time to time of said lands;

THEREFORE the Council of the Municipality of Lambton Shores enacts as follows:

1. For the purpose hereof, the following words, when used in this By-law, shall have the following meanings:
 - a) "Development Charge" means the charge imposed by the Municipality in accordance with the Development Charges Act, 1997 and latest updates;
 - b) "Existing Property" means an existing building that is not yet connected to the water and/ or sewer system but will now be connected;
 - c) "Municipality" means the Municipality of Lambton Shores;
 - d) "New Property" means a building that is not yet built but will be connected to the water and/ or sewer system;
 - e) "Sewer Connection" means giving an existing or new property access to the existing capacity of the sewer system;
 - f) "Sewer Connection Fee" means the charge imposed by the Municipality on new users of the sewer system to cover their fair share of the existing sewer system capacity but does not include the physical pipe connection and related costs;

- g) "System Capacity" means the ability of the water and sewer systems to handle user demand as determined through engineering calculations and regulatory approvals'
 - h) "Water Connection" means giving an existing or new property access to the existing capacity of the water system;
 - i) "Water Connection Fee" means the charge imposed by the Municipality on new users of the sewer system to cover their fair share of the existing water system capacity but does not include the physical pipe connection and related costs;
2. The water connection fees set forth in Schedule "A" shall:
- a) apply to all areas within the Municipality that are serviced by a water system, as amended from time to time. These areas are deemed as the benefiting areas.
 - b) be imposed on all new water connections by existing and new properties to the water system
3. The sewer connection fees set forth in Schedule "A" shall:
- a) apply to all areas within the Municipality that are serviced by a sewer system, as amended from time to time. These areas are deemed as the benefiting areas.
 - b) be imposed on all new sewer connections by existing and new properties to the water system.
4. Notwithstanding Sections 2 and 3, the water and sewer connection fees under this by-law shall not apply if:
- a) a development charge for water and/or sewer applies to the area within the Municipality that is serviced by a water and/or sewer system, as amended from time to time; or
 - b) a development charge for water and/or sewer has been paid.
5. The water and sewer connection fees set forth in Schedule "A" shall be payable:
- a) upon the municipality's approval of the connection for existing properties; and
 - b) upon issuance of the building permit for new properties
6. The water and sewer connection fees set forth in Schedule "A" pursuant to this by-law may be adjusted annually, without amendment to this by-law, commencing on the first anniversary date of this by-law and each anniversary date thereafter, in accordance with the Statistics Canada Quarterly, Construction Price Statistics.

7. The following schedules to this by-law form an integral part thereof:

Schedule "A"

8. This by-law comes into force and effect upon passage of this by-law.

READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED this 10th day of January, 2023.

Mayor

Clerk

SCHEDULE "A"
BY-LAW NO 06 of 2023
SCHEDULE OF **WATER AND SEWER CONNECTION FEES**

Water Meter Size	Water Connection Fee	Sewer Connection Fee
0.75"	\$ 3,457.44	\$ 4,108.40
1"	\$ 11,210.96	\$ 7,770.45
1.5'	\$ 20,308.20	\$ 14,077.59
2"	\$ 33,207.86	\$ 23,024.77
2.5"	\$ 38,205.34	\$ 26,486.47
3"	\$ 63,821.68	\$ 44,238.79
4"	\$ 105,257.65	\$ 72,972.20
6"	\$ 206,548.96	\$ 140,240.83