

TOWN OF BRIDGEWATER
CHAPTER 206
WASTEWATER BETTERMENT CHARGE BY-LAW

BE IT ENACTED by the Council of the Town of Bridgewater, pursuant to Section 81 (1), (3) and (7) of the *Municipal Government Act, 1998, c. 18, s. 1, s. 2*, as amended, as follows:

Short Title

1. This By-law shall be known as the “Wastewater Betterment Charge By-law.”

Purpose

2. The purpose of this By-law is to offset the cost to the Town of reducing combined and sanitary sewer overflows that are attributable to new development. The Wastewater Betterment Charges may be used to pay capital costs, planning, studies, engineering, surveying, legal and financing incurred with respect to said infrastructure. Nothing contained in this By-law shall be construed as requiring the Town to extend Municipal services to a property or upsize infrastructure to accommodate capacity above as of right development. Where such services do not exist, it is the responsibility of the property owner to install and pay for such extensions or upgrades in accordance with the latest addition of the Town of Bridgewater Design and Construction Standards pursuant to Subdivision Bylaw and Chapter 24 Public Sewers By-law.

Definitions

3. In this By-law:
 - a. “Building” means a structure, whether permanent or temporary, which is roofed and which is used for the shelter or accommodation of persons, animals, materials, or equipment and includes all additions, porches and decks attached thereto.
 - b. “Car Wash Facility” means an establishment primarily dedicated to the washing and waxing of automobiles or a facility that provides washing vehicles on a regular basis.
 - c. “Commercial” means where goods, wares, merchandise, substances, articles and services are offered or kept for sale and/or where business may be transacted, a personal service performed or consultation given and shall include but not be limited to grocery stores, service stations, auto part stores, building supply stores, office buildings, doctors’ offices, dentist offices and commercial lodging.
 - d. “Development” means any erection, construction, alteration, replacement, or relocation of or addition to any structure and any change or alteration in the use made of land, buildings, or structures.
 - e. “Floor Area” means the aggregate of the floor areas of a building above or below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building; and for the purposes of this clause, the walls of an inner court shall be deemed to be exterior walls.

- f. "High Intensity Use" means a commercial development which has the potential to contribute significantly to the sanitary sewer system and may include but not be limited to shopping centres, micro-breweries, laundromats, and car washing facilities.
- g. "Industrial" means the manufacturing, processing, fabricating or assembly of raw material goods, the bulk storage or raw materials or goods and related accessory uses.
- h. "Institutional" means any building or part of a building used by an incorporated body or society for promoting a particular purpose or for providing a service, including but not limited to hospitals, schools, food banks, nursing homes, residential care facilities, treatment and rehabilitation centres, homes for special care, group homes, shelters, detoxification centres, community living arrangements for persons with legal, emotional or mental problems, community centres and private non-profit clubs.
- i. "Laundromat" means an establishment where dry cleaning, dyeing, cleaning, or pressing of articles or goods made of fabric or leather is carried on.
- j. "Lot" means any parcel of land as described by its boundaries.
- k. "Micro-Brewery" means a small-scale brewery which typically produces limited quantity of specialty beers and may sell beverages and food made on site to the public.
- l. "Residential Dwelling Unit" means a self-contained collection of one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or individuals, with a private entrance from outside the building or from a common hallway or stairway inside the building.
- m. "Sanitary Sewer" means a sewer system receiving and carrying liquid and water carried wastes and to which storm, surface or ground waters are not intentionally admitted;
- n. "Serviced Lot" means a lot that has a Town-approved wastewater lateral.
- o. "Shopping Centre" means a building or building complex on a lot designed, developed, and managed as a unit by a single owner or tenant, or a group of owners or tenants, containing a variety of commercial uses and distinguished from a business area comprising unrelated individual uses and characterized by the sharing of common parking areas and driveways.
- p. "Un-serviced Lot" means a lot that does not have a Town approved wastewater lateral.

Charge Imposed

- 4. Wastewater Betterment Charges shall be due and payable to the Town as follows:
 - a. Where new residential dwelling units or new commercial floor area is approved by development permit issuance; or if no development permit at the building permit issuance.
 - b. Where services are requested for an un-serviced lot.
- 5. Wastewater Betterment Charges shall be calculated as follows:
 - a. A per dwelling unit basis for residential developments; and
 - b. Floor area for commercial developments, and such shall be limited to 900 square metres for the purposes of calculating the charge provided the developer can show that the space in question will not be releasing excessive wastewater to the sanitary sewer to the satisfaction of the Town Engineer.
- 6. The rates for the Wastewater Betterment Charge are based on one or more of the following categories and are set as part of Town of Bridgewater Policy 89- Fees:
 - a. Residential dwelling(s);

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- b. Commercial development;
 - c. Industrial, Institutional and High Intensity Use, and in such cases shall be charged a fee as determined by the Town Engineer on an individual basis from projected wastewater discharge.
7. The following shall be exempt from the Wastewater Betterment Charge:
- a. Lots which are unserved or where services are not connected to the Town of Bridgewater's sanitary sewer system until such a time that the lot is connected to the Town of Bridgewater's sanitary sewer system.
 - b. Applications for Development Agreements or Land Use By-law Map Amendments following current process requiring a Wastewater Offsetting Study and / or offsetting measures received prior to the enactment of this by-law.
 - c. Development Permits received and deemed complete prior to the enactment of this by-law.
 - d. Under exceptional circumstances the Town Engineer may approve an exemption to the By-law (Ex. Rebuilding Residence following Fire at location, Land lease community structure building replacement on the same lot)
 - e. Approved Development Agreements without wastewater offset study or mitigation in place (Hemlock Document #109996463, Olde Town Hills Document #103446184, and Shannex Document #90324303 properties) when the bylaw comes into effect will be provided a reduced rate of charge of:
 - i. 1/3 of cost if development occurs in year one
 - ii. 2/3 of cost if development occurs in year two