

AMENDED BY
BY-LAW NO. 2018-071

AMENDED BY
BY-LAW NO. 2011-131

BY-LAW NUMBER 2010-085

OF

AMENDED BY
BY-LAW NO. 2017-128

THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE

BEING A BYLAW TO ADOPT A MUNICIPAL SERVICING
ALLOCATION POLICY FOR THE UXBRIDGE URBAN AREA

WHEREAS new development in the Uxbridge Urban Area is conditional on the availability of municipal sewage and water services in accordance with the requirements of the Township of Uxbridge Official Plan;

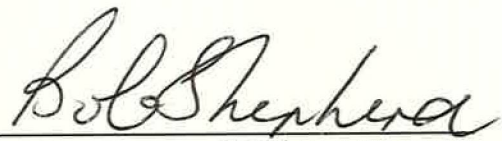
AND WHEREAS the capacity of these services is limited and must be regularly monitored to ensure that development approvals do not exceed capacity;

AND WHEREAS Council for the Township of Uxbridge acknowledges that, in order to ensure the remaining sewage and water system capacity is allocated in a manner which reflects current Provincial policy, as well as the best interest of the Township, it is important that a Servicing Allocation Policy be established for the Urban Area, as a whole.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE HEREBY ENACTS A BY-LAW AS FOLLOWS:

1. **THAT** the Council of the Corporation of the Township of Uxbridge hereby adopts the Uxbridge Urban Area Servicing Allocation Policy attached hereto as Schedule "A".

READ a FIRST, SECOND and THIRD TIME and finally passed this 16th day of August, 2010.


BOB SHEPHERD
MAYOR


DEBBIE LEROUX
CLERK



Schedule A

TOWNSHIP OF UXBRIDGE

UXBRIDGE URBAN AREA SERVICING ALLOCATION POLICY

1. Introduction

New development in the Uxbridge Urban Area is conditional on the availability of municipal sewage and water services in accordance with the requirements of the Township Official Plan. The capacity of these services is limited and must be regularly monitored to ensure that development approvals do not exceed capacity.

This Servicing Allocation Policy has been developed to ensure that servicing capacity is allocated to best meet the objectives of the Township, as determined by the Township, and to implement Provincial and Regional policy to manage development in a manner which efficiently uses land, and existing resources, infrastructure and public service facilities.

2. Applicability of Allocation Policy

All development needing any development approval under the Planning Act, including the removal of a holding zone and any amendments to existing approvals, will require an allocation of water and wastewater servicing. Allocation of water and wastewater servicing capacity will be at the sole and absolute discretion of Township Council. All allocation of water and wastewater capacity will be evidenced by a resolution of Uxbridge Council, in accordance with this policy.

3. Timing of Allocation

3.1 Reservation of Allocation for Plans of Subdivision and Condominium and Consents

System capacity will be 'reserved' by the Township as part of the draft plan approval process for a plan of subdivision or plan of condominium, and as a condition of granting a consent, subject to conditions which will ensure the final approved form of development at the agreement stage meets the criteria of this Allocation Policy. This will process will also apply where amendments are being sought to such approvals. Prior to "reserving" capacity,

- i) The Township will evaluate the application with respect to the criteria established in the Township's Allocation Policy, as well as its other policies and regulations. This will

include consideration as to the length of time granted for fulfillment of the conditions of draft plan approval to ensure that if the development does not proceed in a timely manner, the allocation can be withdrawn.

- ii) A standard condition of draft plan approval, or for approval of a consent, established by the Township, in consultation with the Region of Durham, will require development to meet the specific criteria determined by the Township as a condition of granting allocation.
- iii) Prior to Council granting final allocation, the conditions established for reserving allocation in the draft approval must be demonstrated to have been met.

3.2 Final Allocation

In accordance with the servicing allocation policy of the Regional Municipality of Durham, system capacity will be finally allocated by the Township for development by a resolution of Council and confirmed upon:

- i) execution and registration of a subdivision or condominium agreement; or,
- ii) approval of a service connection application in the event of a consent, site plan approval or for an existing lot of record.

Conditions of draft plan of subdivision or condominium approval or provisional consent for development will contain a clause indicating that the Township is not obligated to provide water or wastewater servicing capacity allocation within the term of the draft approval or provisional consent and that the final allocation of water and wastewater servicing capacity will only occur following confirmation of such capacity by the Regional Municipality of Durham and a Resolution of Uxbridge Council allocating such capacity in accordance with this policy.

A holding zone will be applied where a rezoning is required which holding zone will require, as a condition of the lifting of the holding zone:

- i) confirmation by the Regional Municipality of Durham that adequate water and wastewater servicing capacity is available;
- ii) the Township of Uxbridge Council has passed a resolution allocating such servicing capacity to the development; and,
- iii) site plan approval has been granted by the Township, where applicable.

All site plan agreements will require that if the development does not proceed in a timely manner, the allocation can be withdrawn and a holding symbol re-imposed on the site.

4. Competing Applications for Allocation

All applications for development must conform to the policies of the Official Plan, including any amendments to the Plan, and address Township and agency comments in a manner satisfactory to the Township, with priority being given to development in Phase 1 (as defined in the Official Plan) and the Built Boundary (as defined in the Official Plan) in accordance with policies of the Official Plan. Where these criteria are satisfied, and there are competing applications for the allocation of water and wastewater servicing capacity within Phase 1 (as defined in the Official Plan) whether or not the Phase 1 development is in the Built Boundary, applications will be evaluated by Council based on achievement of one or more of the following criteria (not listed in priority) and a determination of priority shall be made by Council in its sole and absolute discretion:

- Assists in the achievement of the objectives of the Downtown Vision and Action Plan and/or Community Improvement Plan;
- Mixed use development;
- Affordable housing as defined by the Provincial Policy Statement;
- Provision of public facilities beyond those facilities which are required to be provided by the developer by legislation including development of a public park, trails, recreational facility or other key elements of public infrastructure;
- Development which will achieve LEED, Energy Star or other similar certification or equivalent, as determined by the Township, with a priority on development which addresses water and wastewater capacity issues, in particular development which contributes to the reduction of phosphorous in stormwater and/or wastewater (e.g. reuse of grey water);
- Developments that can be serviced immediately with minimal or no municipal investment in infrastructure;
- Significant new employment opportunities other than construction or “spin off” jobs; and/or,
- Other significant public benefits as determined by the Township.