

# The Corporation of the Town of The Blue Mountains

## By-Law No. 2013-49

### Being a By-law to amend By-law 2013-6, to Impose Water Charges and Sewer Charges

**Whereas** the Water By-law (2008-02) as amended, provides for the operation of the water system, the requirements for the supply of water to properties, the installation of water meters on properties, the imposition of rates and charges for the supply of water to properties and other water related matters;

**And Whereas** By-law 2013-6 imposed water and sewer charges on the owners;

**And Whereas** the Council deems it necessary to impose a charge upon the owners of unconnected vacant lots fronting on the water system for the associated costs to replace water infrastructure;

**And Whereas** the Council deems it necessary to impose a charge upon the owners of unconnected vacant lots fronting on the sewage system for the associated costs to replace sewer infrastructure;

**And Whereas** the Town has held a public meeting before passing this By-law and has provided notice of the public meeting and its intention to pass this By-law and made available to members of the public information with respect to the unconnected vacant lot water charges and unconnected vacant lot sewer charges.

**Now Therefore** the Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows

1. THAT Section 1, Definitions, of By-law 2013-6, being a By-law to impose water charges and sewer charges be amended as follows:

(a) by deleting the definition of “owner or property owner” and replacing it with the following:

“owner or property owner” means the person who is the registered owner of an estate in fee simple of a property and includes the registered owner in fee simple of an unconnected vacant lot;

(b) adding the following definition of “assumed”:

“assumed” means the earlier of when the Town has assumed ownership of underground works which will form part of the water system or sewage system, or both, or three years after the Town has issued a Certificate of Preliminary Acceptance in accordance with a subdivision agreement for underground works which will form a part of the water system or the sewage system or both;

(c) adding the following definition of “development potential”:

“development potential” means vacant land that is located wholly or partially within an area that is zoned pursuant to the applicable Zoning By-law that would permit the construction of a building or structure greater than 50 square metres. For greater certainty, vacant land wholly located within the Public Open Space (OS1) Zone, Private Open Space (OS2) Zone, Hazard (H) Zone, Development (D) Zone and Deferred Development (DD) Zone as set out in Zoning By-law Number 83-40 as amended, and vacant land wholly located within the Hazard H Zone as set out in Zoning By-law Number 10-77, as amended, are deemed to not have development potential;

(d) adding the following definition of “unconnected vacant lot”:

“unconnected vacant lot” means a separately assessed parcel of land with no buildings or structures erected thereon fronting on but not connected to an assumed part of the water system or the sewage system, or both, and which has “development potential”;

2. THAT Schedule "A" of By-law 2013-6, being a By-law to impose water charges and sewer charges be amended to include an Unconnected Vacant Lot Water Rate, as follows:

**Unconnected Vacant Lot Water Rate            \$15.00 per month**

3. THAT Schedule "B" of By-law 2013-6, being a By-law to impose water charges and sewer charges be amended to include an Unconnected Vacant Lot Sewer Rate, as follows:

**Unconnected Vacant Lot Sewer Rate            \$13.25 per month**

4. This By-law shall come into force and take effect on the 1<sup>st</sup> day of September, 2013.

**Enacted and passed** this 25 day of November, 2013

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Ellen Anderson, Mayor

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Corrina Giles, Clerk