



WATER ALLOCATION POLICY

Original Prepared By: Director of Planning & Development & Director of Corporate Services	Approved: Motion #: RES-249-2022
Date: July 6, 2022	Date: July 18, 2022
Revision Prepared By: Director of Planning & Development	Approved: Motion #: RES-113-2024 Motion #: RES-115-2024
Date: September 24, 2024	Date: October 1, 2024

PURPOSE

The Town of Torbay has a maximum of 60 water allocations for infill development only based upon the water study by Wood Environmental & Infrastructure Solutions. The Town will not consider applications for service extensions to municipal water to facilitate the provision of a water allocation.

In addition, this policy addresses how the water allocations will be taxed and issued to taxpayers of the Town of Torbay. Water Allocation numbers may change, based on ongoing study as new engineering information is received by the Town.

Water Allocations Currently being Taxed

1. Any taxpayer currently paying the water fee (except for those subject to an Approval in Principle as outlined below) for a water allocation will be considered the owner of that water allocation. At the request of the taxpayer, payment of the water fee can be discontinued. The discontinuation of the payment of the water fee will result in the water allocation being forfeited and returned to the Town's inventory of unissued water allocations.
2. A water fee will not be applicable to any land parcel not issued a water allocation or not issued an Approval in Principle.

Issuance of Water Allocations

3. Water allocations will be issued to land parcels at the time of approval by Council of an Approval in Principle. If substantial completion of the development fails to be completed within the time frame outlined in the Approval in Principle or Development Permit the water allocation is forfeited, and the levying of the water fee will cease. The Town's Planning & Development Department will issue a letter to the developer, upon closure of file and cancellation of the water allocation, which will be copied to the Town's Corporate Services Department.
4. All water allocations issued under an Approval in Principle, or a Development Permit will be invoiced at ½ of the regular fee in the year of issuance and at the full rate thereafter.
5. The issuance of water allocations will be based upon the number of water allocations available and the date upon which Council issues an Approval in Principle. The Town will not be maintaining a wait list.
6. No water allocation will be issued prior to the issuance of an Approval in Principle by Council.
7. Delays in the development application review or permit approval process due to missing or incomplete information on the part of the Developer can result in development applications not being considered in the order in which they were submitted.
8. Ensuring that all required information to support a development application is provided to the Town when requested is the responsibility of the Developer.
9. The Planning & Development Department is maintaining a list of water allocations issued under an Approval in Principle and a list of allocations remaining available.
10. *Council may, from time to time, as necessary, put a freeze in effect on the issuance of new water allocations. A Water Allocation Freeze may be lifted by Council, as new information becomes available.*
11. *The Planning & Development Department is maintaining a record of all applications for water allocations received since September 2020 that since have been refused, changed to a semi-serviced lot (private well) or that have expired, so the Town may contact property owners in the future to determine interest in re-submitting an application for an allocation when additional allocations become available.*

Policy Review

This policy shall be reviewed annually or sooner by the CAO and the Mayor as may be necessary.

RES-114-2024

Council Meeting of October 1, 2024

RESOLVED THAT the Town of Torbay in accordance with the Town's Water Allocation Policy, Council is putting a temporary freeze in effect on the issuance of any new water allocations. This freeze is in effect as of Tuesday October 1st, 2024 and shall be in effect until further notice. The freeze does not apply to properties that, at the time of the coming into effect of this resolution, have an allocation in place as outlined in the Water Allocation Policy. When an active Approval in Principle, Footing or Building Permit expires subsequent to October 1, 2024 with no possibility of extension said expiry shall constitute the forfeiture of the associated water allocation for the subject property.

RES-154-2024

Council Meeting of November 25, 2024

RESOLVED THAT the Town of Torbay clarify the existing water allocation freeze in effect, in that: there are a small number of existing infill lots on existing serviced streets in town, where a private developer (versus the Town) constructed water mains at their own expense, and where those public works were subsequently conveyed to the Town as part of a residential development; and whereas the Town will consider applications for single dwellings on these types of lots on a case by case basis, up to the maximum recommended number of allocations as per existing water allocation policy.