

# THE CORPORATION OF THE CITY OF VAUGHAN

## CORPORATE POLICY

**POLICY TITLE:** Dewatering and Discharge Activity Policy

**POLICY NO.:** 08.C.04

<b>Section:</b>	Council & Committees		
<b>Effective Date:</b>	Click or tap to enter a date.	<b>Date of Last Review:</b>	Click or tap to enter a date.
<b>Approval Authority:</b>	<b>Policy Owner:</b>		
Council	DCM, Infrastructure Development		

### POLICY STATEMENT

It is the policy of the City of Vaughan (the City) to evaluate and approve Development Applications that propose directing dewatering-related Private Water discharge to the City sewer system. This policy establishes the framework for evaluating and approving responsible and controlled Dewatering and Discharge Activity in accordance with the City's Sewer Use By-law.

### PURPOSE

This policy establishes a framework to govern the approval, management, transfer and enforcement of temporary (short-term) and permanent (long-term) Private Water Discharge Approvals into the City sewer system. The intent of this policy is to promote transparency, awareness and accountability in the process of reviewing Discharge Approval applications, with an emphasis on risk mitigation, infrastructure capacity, and environmental responsibility.

The objectives of this policy are to:

1. Establish a framework that evaluates the suitability of discharge to the City sewer system in accordance with the Sewer Use By-law.
2. Implement a procedure to assess the compliance of Dewatering and Discharge Activities in terms of water quality and quantity.
3. Ensure an effective transition of Discharge Approvals from the Developer to the subsequent Owner of the Dewatering System.

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## SCOPE

This policy applies to internal and external stakeholders involved in new or existing developments that require Private Water Discharge to City infrastructure. Internal stakeholders include City of Vaughan staff who oversee the review and approval of Private Water discharge to the City's sewer system. External parties, including Developers and their consultants, may also refer to the policy when preparing Discharge Approval applications.

## LEGISLATIVE REQUIREMENTS

1. Conservation Authorities Act, R.S.O. 1990, c. C.27, as amended.
2. Clean Water Act, 2006, S.O. 2006, c. 22, as amended.
3. Environmental Protection Act, R.S.O. 1990, c. E.19, as amended.
4. Municipal Act, 2001, S.O. 2001, c. 25, as amended.
5. Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended.
6. Planning Act, R.S.O. 1990, c P.13, as amended.
7. Professional Engineers Act, R.S.O. 1990, c. P.28, as amended.
8. Professional Geoscientists Act, 2000, S.O. 2000, C. 13, as amended.

## DEFINITIONS

1. **Accredited Laboratory:** Laboratory accredited by an authorized accreditation body in accordance with a standard based on "ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories" established by the International Organization For Standardization, as amended.
2. **Allowable Release Rate:** Maximum flow rate of water permitted to exit a developed site into the sewer system.
3. **Amendments:** A formal change to existing Discharge Approvals to add, remove, or update existing information.
4. **Authorized Representative:** A person, group, or organization that has been granted permission by an Owner to act on their behalf.
5. **Certificate of Conformance:** A technical memo attesting that all dewatering and discharge activities comply with the requirements of the City's Sewer Use By-law and the Discharge Approval.
6. **Citizens Portal:** Digital permitting portal that allows applicants or Authorized Representatives to apply, track, and pay for permits and approvals.

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7. **City:** The Corporation of the City of Vaughan, including all departments, employees, and administrative divisions.
8. **Council:** Council of the Corporation of the City of Vaughan.
9. **Developer:** Owner who applies to the City to change land use or construct new buildings and infrastructure.
10. **Development Application:** Proposal put forward by a Developer to the City for review and decision, pertaining to a change of land use, construction of a new building or the making of an addition or alteration to a building, or the creation of a parcel of land, as governed under the *Planning Act*.
11. **DE:** Development Engineering Department at the City of Vaughan
12. **Dewatering and Discharge Activities:** Removal and controlled release of Private Water from a site to the City's sewer system.
13. **Dewatering System:** A network of sumps, foundation drains, pumps, piping and associated dewatering and water conveyance infrastructure necessary to control the quantity and quality of groundwater and excess rainwater discharged to the City sewer system.
14. **Discharge Approval:** Approval granted by the City to discharge water to the municipal sewer system.
15. **Discharge Rate:** The approved rate of water flow from the Dewatering System to the City sewer system.
16. **Financial Security:** Cash Security, Letter of Credit and/or a Development Agreement Pay on Demand Surety Bond, as defined and in accordance with the City's Letter of Credit Policy (No.12.C.04) and Development Agreement Pay on Demand Surety Bond (No.12.C.21), as amended.
17. **Flow Meter:** A device used to measure the flow rate or quantity of water moving through a pipe.
18. **GQQMP:** Groundwater Quality and Quantity Management Program. A technical document outlining water quality sampling frequency, water quantity data collection and non-compliance management actions.
19. **Owner:** Person or entity with a legal title to property, possessing rights of possession, control, occupancy, and disposal over it.

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**20. Permanent Discharge:** Discharge that will continue indefinitely.

**21. Private Water:** Groundwater or excess stormwater accumulating or collected on private lands.

**22. Qualified Person:** the person holds a certificate of registration under the *Professional Geoscientists Act, 2000* and is a practicing member, temporary member, or limited member, in good standing, of the Association of Professional Geoscientists of Ontario; or, the person hold a license, limited license or temporary license under the *Professional Engineers Act*.

**23. Sampling Port:** A designated access point, such as a valve, tap, or opening, that allows for the collection of a representative water sample from a fluid stream or system.

**24. Sanitary Sewer System:** A network of municipal pipes and structures that collect and transport wastewater to a treatment facility.

**25. Sealed:** Documents that have been stamped using the rubber stamp/impression issued by Professional Engineers Ontario or Professional Geoscientist Ontario to all license holders. The seal (or stamp) identifies the engineer or geoscientist taking personal and professional responsibility for the content of the documents. The seal must be signed and dated by the license holder.

**26. Site Plan Agreement:** A legal contract between the City and a Developer that requires the Developer to construct a project according to the approved site plans and conditions

**27. Storm Sewer System:** A network of municipal pipes and water conveyance structures that collect and transport stormwater from urban surfaces to an end-of-pipe Stormwater Management Facility or natural waterway.

**28. Stormwater Management Facility:** A municipal end-of-pipe facility providing water quality, water quantity and erosion controls of runoff from urban areas.

**29. Temporary Discharge:** Discharge related to short term or construction related works.

## **POLICY**

### **1. General Considerations for Dewatering and Discharge Activity**

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- 1.1** Private Water can be considered for discharge to the City sewer system if sufficient design information is provided through a Discharge Approval application to be reviewed by DE and accepted by the City.
- 1.2** The Owner will pay the applicable fee in accordance with the City's Fees and Charges By-law, to facilitate a technical review of the Discharge Approval application.
- 1.3** Any Development Application that proposes discharge into the City's sewer system shall do so via an on-site Dewatering System. Discharge shall be limited to the Allowable Release Rate and approved Discharge Rate as approved by DE. Any unanticipated condition requiring modification to the Dewatering System will be subject to further technical review and approval by DE.
- 1.4** The Owner shall install all infrastructure to carry out the Dewatering and Discharge Activities in accordance with the terms and conditions of the applicable Development Agreements, Discharge Approval, and Sewer Use By-law, at the Owner's sole expense, all to the satisfaction of the City.

  - (a) The Owner is required to install and maintain a Flow Meter for the collection of water quantity data. Flow Meters shall be selected, constructed, calibrated, and maintained by the Owner to the satisfaction of the City.
  - (b) The Owner is required to install a Sampling Port(s) for the collection of water quality samples by the Owner, their Authorized Representatives, or the City. Sampling Port(s) will be installed and maintained by the Owner to the satisfaction of the City.
- 1.5** All water quality analyses associated with Dewatering and Discharge Activities will be completed by an Accredited Laboratory and compared to the parameters outlined in Schedule "A" – Limits for Sewer Discharge of the City's Sewer Use By-law. Water quality samples must be unfiltered, field or laboratory filtered samples will not be accepted.
- 1.6** No Owner shall cause or permit discharge to the City sewer system where water has been added to the discharge for the purposes of dilution to meet the parameters outlined in Schedule "A" – Limits for Sewer Discharge of the City's Sewer Use By-law.
- 1.7** One (1) Discharge Approval is required per approved connection to the City sewer system through the Development Application process.

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- 1.8 Upon renewal of the Discharge Approval, the Owner will submit a Certificate of Conformance, prepared and Sealed by a Qualified Person, attesting that all Dewatering and Discharge Activities have complied with the requirements of the Discharge Approval.

## **2. Specific Considerations for Discharge Approval**

### **2.1 Temporary (Short-Term) Discharge Approval**

- 2.1.1 Following approval of the Development Application but prior to any temporary Dewatering and Discharge Activities, the Owner shall obtain a Temporary Discharge Approval.
- 2.1.2 All Temporary Discharge will be directed to the Storm Sewer System. Temporary Discharge to the City's Sanitary Sewer System will be granted on an exception basis under the Sewer Use By-law, when no alternative options are feasible, as determined by the City.
- 2.1.3 Water quality sampling and quantity reporting is required for the duration of the Temporary Discharge Approval.

### **2.2 Permanent (Long-Term) Discharge Approval**

- 2.2.1 Following approval of the Development Application but prior to any permanent Dewatering and Discharge Activities, the Owner shall obtain a Permanent Discharge Approval.
- 2.2.2 All Permanent Discharge will be directed to the Storm Sewer System. Permanent Discharge to the City's Sanitary Sewer System is prohibited.
- 2.2.3 The Owner is required to submit a Groundwater Quality and Quantity Management Program (GQQMP), prepared and Sealed by a Qualified Person, detailing non-compliance management actions and the proposed water quality and quantity sampling frequency, as determined by the Qualified Person retained by the Owner, and accepted by the City.

### **2.3 Transfers of Discharge Approvals to New Owners**

- 2.3.1 Conditions associated with Permanent Discharge Approvals must be conveyed with any transfer of ownership or assignment to a successor by the Owner.

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- 2.3.2 Prior to transfer of ownership, the current Owner shall submit an application, in accordance with City requirements, such that the subsequent Owner shall assume and become responsible for the Discharge Approval and the Dewatering System.
- 2.3.3 Any required modifications to the Dewatering System, as determined by the City, shall be completed by the Owner, at the Owner's expense, prior to transfer of the Discharge Approval. The City reserves the right to withhold release of the Financial Security associated with the Site Plan Agreement until such modifications have been completed, to the satisfaction of the City.
- 2.3.4 When a transfer of a Discharge Approval is required, the current Owner shall prepare and submit the following documents to DE.
- (a) A Letter of Understanding prepared by the new Owner stating they are aware of the undertaking involved with the transfer of the Dewatering System, its condition, and compliance requirements of the Discharge Approval and the GQQMP;
  - (b) A new Certificate of Conformance prepared and Sealed by a Qualified Person attesting that all Dewatering and Discharge Activities comply with the requirements of the Permanent Discharge Approval; and

### **3. Non-Compliance**

#### **3.1 Non-Compliance Management Actions**

- 3.1.1 Any deviations or non-conformances from the Discharge Approval must be reported to the City by the Owner. Information on mitigative measures taken to rectify the deviation or non-conformance must be included, to the satisfaction of the City.
- 3.1.2 The City must be advised of all amendments, renewals, or revocations of any associated permits, approvals, or clearances granted from Federal, Provincial, and Regional governing bodies.
- 3.1.3 Discharge Approvals may be revoked or suspended immediately, at the sole discretion of the City, in any of the following circumstances:

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- (a) When the City has reason to believe that any condition of the Discharge Approval or Sewer Use By-law, are not in compliance;
- (b) Where the City determines that an emergency exists in which the continued Dewatering and Discharge Activity may pose an immediate threat, danger or hazard to any person, property, plant, animal or aquatic life; or may in any way or manner and notwithstanding whether it may be minimal or not, impair the City's ability to address the threat, danger or hazard or contribute to the threat, danger or hazard;
- (c) In the case of any actual or potential operational issues that would cause the Dewatering and Discharge Activities to negatively impact the local sewer system, as determined by the City and/or York Region;
- (d) A Federal, Provincial, or Regional governing body has revoked their associated permit, clearance or approval for the Dewatering and Discharge Activity; or
- (e) Where the City determines that continued Dewatering and Discharge Activity is no longer in the public interest, it poses a risk to municipal operations or infrastructure, or conflicts with broader City priorities or policy objectives.

3.1.4 Notice of suspension or revocation of a Discharge Approval may be provided either verbally or in writing. Upon receipt of notice of suspension or revocation, the applicant shall immediately cease all discharge to the City sewer system. The Dewatering and Discharge Activities may only resume after the City re-issues the Discharge Approval.

### **3.2 Legal Non-Conforming Status**

3.2.1 Any Dewatering and Discharge Activity that was approved and in operation prior to this Policy coming into effect, but which does not comply with the Policy, may be recognized as a legal non-conforming activity and be permitted to continue, subject to the following conditions.

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- (a) The Dewatering System is not replaced, expanded, intensified, or altered in a manner that changes the quality or quantity of discharge;
- (b) The discharge does not pose an unacceptable risk to the public, municipal infrastructure, or the natural environment, as determined by the City and Sewer Use By-law; and
- (c) Any associated Federal, Provincial or Regional approvals, permits, or clearances are maintained in good standing.

#### **4. Financial Implications**

- 4.1.1 If a Discharge Approval is required, the Owner shall pay an application review fee pursuant to the City's Fees and Charges By-law.
- 4.1.2 Upon renewal of a Discharge Approval, the Owner shall pay a renewal fee pursuant to the City's Fees and Charges By-law.
- 4.1.3 If a Temporary Discharge Approval to the Sanitary Sewer System is granted the Owner is required to pay a volumetric discharge fee pursuant to the City's Fees and Charges By-law. Funds from collected fees will be allocated toward operation and maintenance of the City's Sanitary Sewer System.
- 4.1.4 If water quality exceedances of the City's Sewer Use By-law are confirmed by the City's By-law Enforcement Officers, the Owner may be required to pay for the total cost of sampling pursuant to the City's Fees and Charges By-law. Funds collected will be allocated to the enforcement of the City's Sewer Use By-law in accordance with the City's Fees and Charges By-law.
- 4.1.5 If contraventions of the Discharge Approval or the City's Sewer Use By-law are confirmed, the Owner may be subject to financial penalties. Funds collected will be allocated to the enforcement of the City's Sewer Use By-law.

#### **ADMINISTRATION**

*Administered by the Office of the City Clerk.*

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<b>Review Schedule:</b>	3 Years If other, specify here	<b>Next Review Date:</b>	Click or tap to enter a date.
<b>Related Policy(ies):</b>			
<b>Related By-Law(s):</b>	025-2024, 224-2023		
<b>Procedural Document:</b>			
<b>Revision History</b>			
<b>Date:</b>	<b>Description:</b>		
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