



MISSISSAUGA

THE CORPORATION OF THE CITY OF MISSISSAUGA STORMWATER FEES AND CHARGES BY-LAW 0135-2015

(amended by 292-15, 296-16, 219-17, 12-19, 15-20)

WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, authorize a municipality to pass by-laws necessary or desirable for municipal purposes, and in particular paragraph 3 of subsection 11(2) authorizes by-laws respecting the financial management of the municipality;

AND WHEREAS subsection 107(1) of the *Municipal Act, 2001* provides that a municipality may make grants, on such terms as to security and otherwise as the council considers appropriate, to any person, group or body, including a fund, within or outside the boundaries of the municipality for any purpose that council considers to be in the interests of the municipality;

AND WHEREAS subsection 391(1) of the *Municipal Act, 2001* provides that sections 9 and 11 of that Act authorize a municipality to impose fees or charges on any class of persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS subsection 391(2) of the *Municipal Act, 2001* provides that a fee or charge imposed for capital costs related to services or activities may be imposed on persons not receiving an immediate benefit from the services or activities but who will receive a benefit at some later point in time;

AND WHEREAS subsection 391(3) of the *Municipal Act, 2001* provides that the costs included in a fee or charge may include costs incurred by the municipality or local board related to administration, enforcement and the establishment, acquisition and replacement of capital assets;

AND WHEREAS subsection 391(4) of the *Municipal Act, 2001* provides that a fee or charge may be imposed whether or not it is mandatory for the municipality or local board imposing the fee or charge to provide or do the service or activity, pay the costs or allow the use of its property;

AND WHEREAS subsection 391(5) of the *Municipal Act, 2001* provides that, in the event of a conflict between a fee or charge by-law and the *Municipal Act, 2001*, or any other act or regulation made under any other act, the by-law prevails;

AND WHEREAS The Corporation of the City of Mississauga (the "City") has constructed, and is operating and maintaining a stormwater drainage system for the benefit of residents and business property owners in the City;

AND WHEREAS it is deemed just that the cost of operating, maintaining and upgrading the stormwater drainage system is paid for by those who benefit from this system;

AND WHEREAS fees and charges can only be imposed for capital costs that are not precluded by section 2 of Ontario Regulation 584/06, which provides that a fee or charge cannot be used to obtain revenue to pay capital costs, if as a result of development charges by-laws or front-ending agreements under the *Development Charges Act, 1997* or a predecessor of that Act that was passed or entered into before the imposition of the fees or charges, payments have been, will be or could be made to the municipality to pay those costs;

AND WHEREAS the City desires to maintain a dedicated funding option for the long-term enhancement and operation of its existing stormwater drainage system through effective and efficient capital construction, operation and maintenance programs;

AND WHEREAS the Council desires to implement a credit program as an incentive for certain property owners to provide on-site stormwater management measures and to recognize existing properties with stormwater management measures already in place;

AND WHEREAS section 436 of the *Municipal Act, 2001* provides that a municipality may pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out inspections to determine compliance with its by-laws, directions, orders and conditions of licences;

AND WHEREAS the creation of a separate stormwater charge to fund such stormwater management program will bring transparency to the actual costs of providing and maintaining the stormwater drainage system within the City;

AND WHEREAS effective January 1, 2016, the Council desires to impose a stormwater charge on property owners;

AND WHEREAS in establishing the stormwater charge rate tiers set out in this by-law, Council has had regard to the amount of impervious area and property sizes and types;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

PURPOSE

The City is responsible for providing stormwater drainage services to its residents and businesses. It is responsible for constructing/operating, maintaining and improving its existing stormwater drainage system. The City has deemed it appropriate and necessary to fund the costs related to these services by way of fees and charges directly from those residents and businesses that benefit or will benefit in the future, from these services. This By-law is enacted pursuant to the authority of the *Municipal Act, 2001* to impose fees and charges for services provided by the City in order to pay for the costs of its stormwater drainage system services, including the costs of operating, administering, and improving the current stormwater drainage system and any future upgrades. The fees and charges imposed under this by-law, once collected will be allocated expressly to the costs related to operating, maintaining and improving the City's stormwater drainage system. (292-15)

DEFINITIONS

1. In this By-law,

“Adjustment” means a process by which changes are made to information associated with a given Stormwater Account.

“Appeal” means a process by which a person challenges information that has been associated to their Stormwater Account.

“Applicant” means a Multi-Residential and Non-Residential property owner that submits a Stormwater Charge credit application on the City approved form.

“Billing Error” means an undercharge or overcharge caused by a gross or manifest error in the preparation of the Water Bill that is clerical or factual in nature, including the transposition of figures, a typographical error or similar errors.

“By-law” means this Fee and Charge for Stormwater Capital and Operating Services By-law;

“CFO Commissioner” means the City's Commissioner of Corporate Services and Chief Financial Officer or his/her designate.

“City” means The Corporation of the City of Mississauga or where the context requires the geographical jurisdiction of The Corporation of the City of Mississauga.

“Credit Program” means the City's credit program as an incentive to reduce Stormwater Charges for certain property owners to provide on-site stormwater management measures and to recognize existing properties with stormwater management measures already in place.

“Council” means the elected council of the City.

“Environmental Services Section” means the City's Environmental Services Section in the Transportation and Infrastructure Planning Division of the Transportation and Works Department.

“HST” means harmonized sales tax.

“Material Change” means something that was not either expressly addressed by the parties in the credit application process or that cannot be taken as having been in their contemplation; and results in a property no longer being in substantial compliance with the objectives of the Credit Program, or the level of Stormwater Charge credit approved.

“Multi-Residential and/or Non-Residential property” means a property that contains more than one residential unit and/or contains industrial, commercial, or institutional uses.

“person” includes an individual, sole proprietorship, partnership, corporation, municipal corporation, unincorporated association or organization, trust, and a natural person in his or her capacity as trustee, executor, administrator, or other legal representative;

“Place of Worship” means a property recognized as such by the Municipal Property Assessment Corporation (MPAC) by the designation of an MPAC property code of 700 or 701 (Place of Worship With/Without a Clergy Residence), with the property tax/class qualifier “EN,” meaning exempt.

“property” means any real property within the City, including buildings, structures and erections of any nature and kind in or upon such lands, but excludes vacant real property owned by the Federal or Provincial Crown and real property occupied by the Federal or Provincial Crown, and by any other entity excluded from municipal fees and charges by law;

“property owner” means the registered owner of property or any person, firm or corporation having control over or possession of the property or any portion thereof, including a property manager, mortgagee in possession, receiver and manager, trustee and trustee in bankruptcy, and any occupant, lessee, tenant or any other persons which is served by the municipal stormwater drainage system.

“Region of Peel” means The Regional Municipality of Peel.

“Stormwater Account” means the Region of Peel’s water and wastewater service customer account to which Water Bills are invoiced.

“Stormwater Billing Unit” means the number of billing units assigned to a property as a result of a stormwater charge assessment. A single “Stormwater Billing Unit” is equivalent to the average total impervious area (267 m²) found on detached single residential properties in the City.

“Stormwater Charge” means the City’s stormwater fees and charges listed in Schedule “A” to this By-law imposed pursuant to ss. 9 and 11 and Part XII of the *Municipal Act, 2001*.

“Stormwater Charge Program Coordinator” means the City’s Stormwater Charge Program Coordinator in the Environmental Services Section or his/her designate.

“Stormwater Charge Subsidy” means the City grant provided to reduce or eliminate the amount of Stormwater Charge payable by a person.

“stormwater drainage system” means the physical infrastructure that is designed as a system to manage stormwater flow.

“stormwater management system” means the infrastructure used, controlled, maintained or operated by the City to manage stormwater flow and drainage and all appurtenances thereto owned, and includes, but is not limited to, storm sewers, catchbasins, storm service connections, drains, pipes, overland conveyance systems including road corridors, culverts, channels, ditches, rivers, streams, creeks, ravines and watercourses, stormwater management facilities including landscaping features, storage ponds or tanks, and oil and grease interceptors that control quantity or quality of stormwater runoff, pumping stations, outfalls, swales and all equipment laid within any highway or road allowance, City right-of-way or easement or City property used for the collection, transmission, detention and treatment of stormwater or uncontaminated water. (292-15)

“T&W Commissioner” means the City’s Commissioner of Transportation and Works or his/her designate.

“Veterans’ Organization Property” means properties recognized by the City as being used and occupied by the three Mississauga Legion Clubs and the Army, Navy & Air Force Veteran’s Club, specifically: 1) Army, Navy & Air Force Veterans Club (765 Third Street, Port Credit); 2) Royal Canadian Legion, Branch 82 (35 Front Street N., Port Credit); 3) Royal Canadian Legion, Branch 139 (101 Church St., Streetsville); and 4) Royal Canadian Legion, Branch 582 (456 Hensall Circle, Cooksville).

“Water Bill” means the City’s Stormwater Charge as invoiced by the Region of Peel in the same manner as the Region of Peel’s water and wastewater utility charges, and itemized on the same monthly or quarterly invoice.

SCOPE

2. A Stormwater Charge shall be imposed upon all property owners in the City in accordance with Schedule “A”, which is based on the amount of impervious area and property sizes and types.
3. The TW Commissioner shall be responsible for the administration of this By-law, and shall prescribe all forms necessary to implement this By-law, and may amend such forms from time to time as the TW Commissioner deems necessary.
4. Council hereby establishes the Stormwater Charges as set out in Schedule “A” and the Credit Program as set out in Schedule “B” to this By-law. Stormwater Charges will be subject to the HST where applicable.

CREDITS

5. The Credit Program provides property owners of Multi-Residential and/or Non-Residential property with the opportunity to receive a reduction to their Stormwater Charge for implementing and maintaining stormwater management practices or measures on their property.
6. Property owners of Multi-Residential and Non-Residential property may qualify for Stormwater Charge credits where such property owners can clearly demonstrate to the City that their stormwater management practices or measures provide the City with cost savings that the City would otherwise incur as part of its efforts to manage stormwater. Qualifying criteria of the Credit Program are outlined in Schedule “B” hereto.
7. Participation in the Credit Program is by application only. Property owners of Multi-Residential and Non-Residential property must submit a Stormwater Charge credit application in a form approved by the City for qualification and consideration of a Stormwater Charge credit. Stormwater Charge credit applications will be reviewed by, and approved credit amounts will be determined by the Environmental Services Section.
8. Reductions to Stormwater Charges made as a result of the approval of a Stormwater Charge credit application shall take effect in accordance with the following schedule:
 - (1) Credit applications received within the first year of Credit Program (2016): Reductions that result from applications which were received on or before December 31, 2016 will be retroactive up to date of first billing (i.e. January 1st, 2016) or the date on which the qualified stormwater management practices or measures were implemented into service, as determined by the Environmental Service Section, whichever is later; and
 - (2) Credit applications from January 1, 2017 onward: Reductions that result from applications which were received on or after January 1, 2017 will be retroactive up to the date of receipt of the application by the Stormwater Charge Program Coordinator or the date on which the qualified stormwater management practices or measures were implemented into service, as determined by the Environmental Service Section, whichever is later.
9. Stormwater Charge credits do not apply to any property, or any portions of a property, that receives a Stormwater Charge Subsidy or is exempt from the imposition of Stormwater Charges.

10. Stormwater Charge credits shall be in effect for a period of up to five (5) years or as otherwise specified at the time of credit approval. Credits will expire if not renewed prior to the expiration date of the credit approval.
11. A credit update application must be submitted to the City no later than three (3) months after any Material Change to the approved credit application. Any late submission of the application may result in a discontinuance of the current credit amount. The City may adjust (increase or decrease) the current credit amount.
12. A credit renewal application must be submitted to the City no later than six (6) months prior to the expiration date of the credit approval. Any late submission of the application may result in a discontinuance of the current credit amount. The City may adjust (increase or decrease) the current credit amount.

SUBSIDIES

13. The City is entitled to provide a Stormwater Charge Subsidy by way of a grant made pursuant to s. 107 of the *Municipal Act, 2001* to reduce or eliminate the amount of Stormwater Charge payable by the following persons:
 - (1) Place of Worship; and
 - (2) Veteran's Organization Property.

ADMINISTRATION AND ENFORCEMENT

14. The Region of Peel is hereby authorized to invoice and collect the City's Stormwater Charges pursuant to this By-law, together with any interest and fees related to such collection.
15. The Region of Peel shall deliver a Water Bill, on behalf of the City, to each property owner upon whom a Stormwater Charge is imposed under this By-law in the same manner as the Region of Peel's water and wastewater utility charges and shall be itemized on the same monthly or quarterly invoice.
16. Payment of all Stormwater Charges imposed by the City under this By-law is due and payable upon receipt of a Water Bill. Stormwater Charge credits under the Credit Program will be processed and reflected on the Water Bill.
17. No person shall be entitled to any discounts for the early payment of any Stormwater Charge under this By-law.
18. Interest on any outstanding accounts shall be applied and calculated at the then current Region of Peel interest charge for late payment, and shall be added after the due date for each subsequent Water Bill that is issued, with unpaid and carried-forward Stormwater Charges.
19. If Stormwater Charges are not paid when due and remain outstanding, the Region of Peel may enforce collection of the Stormwater Charges under this By-law in the same manner as Region of Peel water and wastewater charges.
20. A Stormwater Charge imposed upon a property owner under this By-law, which shall be deemed to include any interest charges, penalties and all costs of collection, constitutes a debt of the person to the City and to the Region of Peel.
21. Notwithstanding Section 18 of this By-law, all costs, including any interest on such costs, recoverable by the City and the Region of Peel pursuant to this By-law or otherwise pursuant to the *Municipal Act, 2001*, may be recovered by any lawful means available to the City and Region of Peel, and such recovery methods may include pursuant to subsection 398(2) of the *Municipal Act, 2001* and any outstanding monies owed with respect to Stormwater Charges may be added to the tax roll of the property in respect of the money owed and any other any real property in the City registered in the name of the property owner, and shall be collected in the same manner as municipal taxes.

22. The TW Commissioner shall have delegated authority and is authorized to:
- (1) approve or reject any application submitted for Stormwater Charge credit or update or renewal of said credit;
 - (2) impose such terms and conditions to any application under this By-law as the TW Commissioner considers appropriate;
 - (3) determine and decide any Appeal under the By-law;
- and that the decision of the TW Commissioner shall be final and binding.
23. The CFO Commissioner shall have delegated authority and is authorized to adjust the Stormwater Charge on any property, to the extent it is deemed appropriate due to a Billing Error, and the account may be retroactively recalculated for a period not exceeding one (1) year from the date of detection with resulting credits or charges being applied to the property owner's Stormwater Account, and the decision of the CFO Commissioner shall be final and binding.
24. Notwithstanding any other section of this By-law, the City reserves the right to conduct site inspections and may, at any reasonable time, enter and inspect any property, to review eligibility and may suspend, reduce or cancel credits if the approved stormwater management practices or measures on the property no longer meet the performance criteria as documented in the Stormwater Charge credit application or the credit update or renewal application and/or its supporting documentation and/or the terms and conditions for the Stormwater Charge credit approval, update or renewal.
25. A Stormwater Charge credit may be suspended, reduced or cancelled by the City under the following circumstances:
- (1) failure of an applicable property owner to make Stormwater Charge payments as invoiced by the Region of Peel;
 - (2) failure of an applicable property owner to meet the terms and conditions of the credit approval;
 - (3) submission of inaccurate or false information by the Applicant;
 - (4) failure of the Applicant to maintain a stormwater management practice or measure as required by the terms and conditions of the credit approval;
 - (5) failure of a stormwater management practice or measure to operate or meet the performance criteria as documented in the Applicant's Stormwater Charge credit application or credit update or renewal application and/or its supporting documentation and/or the terms and conditions for the Stormwater Charge credit approval, update or renewal; or,
 - (6) failure to submit a complete Stormwater Charge credit renewal application.
26. A reduction or cancellation of a Stormwater Charge credit may be appealed by the Applicant in writing to the TW Commissioner. The decision of the TW Commissioner shall be considered final and binding.
27. Where the City determines that a stormwater management practice or measure is in a state of disrepair or no longer functions as approved, the Applicant shall reimburse to the City the entire amount of the credit received in respect of the property since the date that the application was approved, updated or renewed or since the last inspection by the City, whichever is later. If the credit has been cancelled, the Applicant may not re-apply for a credit for a period of twelve (12) months.

APPEALS

28. An Applicant will not be required to pay a service fee for any of the following Appeals:

APPEAL	CATEGORY	EXPLANATION
Not Subject to Stormwater Charge	A. Legal exemption	The entity occupying the subject property area is or is not legally subject to municipal fees and charges
	B. Technical exemption	The property is or is not serviced by the City's stormwater drainage system (in whole or in part)
Inaccurate Stormwater Charge Assessment	A. Incorrect category	The property has been incorrectly identified as "single residential" or "multi-residential and/or non-residential"
	B. Incorrect tier	A single residential property is or is not in the correct size tier, based on its roofprint area assessment
	C. Inaccurate impervious area assessment	For multi-residential and/or non-residential property only: the total impervious area assessment is or is not accurate. For single residential property only: the roofprint area assessment is or is not accurate
Incorrect Stormwater Reductions	A. Eligibility for Stormwater Charge Subsidy	A property is or is not entitled to a subsidy
	B. Amount of Subsidy	The portion of a property that qualifies for a stormwater subsidy is or is not correct
	C. Eligibility for Credit	A property may or may not apply for credits
	D. Amount of Credit	The amount of credit approved for an applicant's property is or is not appropriate

29. The filing of a request does not stay the requirement for payment of a Stormwater Charge. Any Stormwater Charge billed during the course of the Appeal will be due and payable upon receipt and remain subject to the Region of Peel's standard collection processes.

30. Adjustments made as a result of an Appeal shall take effect in accordance with to the following schedule:

- (1) Appeals within first year of Credit Program (2016): Adjustments that result from Appeals which were received on or before December 31, 2016 will be retroactive up to date of first billing (i.e. January 1st, 2016).
- (2) Appeals from January 1, 2017 onward: Adjustments that result from Appeals which were received on or after January 1, 2017 will be retroactive up to the date of receipt of the Appeal by the Stormwater Charge Program Coordinator.

- (3) Notwithstanding subsections (1) and (2) above, any Adjustment as a result of a credit update application under section 11 will be retroactive up to the date of the subject material change as determined by the City. Where the change results in an increased credit, the additional amount will be retroactive up to a maximum period of six (6) months.
31. An Applicant will be contacted within ten (10) business days of submitting a request, subject to the volume of requests received by the City. The Stormwater Charge Program Coordinator may require further information from the Applicant in order to complete the review.
32. Stormwater Charge assessments may be revised in either of the following instances: (i) an external adjustment arising from an update to the assessment from an Appeal (including Requests for Review of Stormwater Charge Assessment), or (ii) an internal adjustment whereby the City may revise, modify or amend a Stormwater Charge assessment, subsidy amount, legal exemption, technical exemption or credit. These include:
 - (1) Routine Geomatics data maintenance resulting from annual update to aerial imagery;
 - (2) Targeted review and update of assessments of properties which are undertaking a redevelopment process through City's Planning & Building Department;
 - (3) Routine updates to Municipal Property Assessment Corporation's assessment data; and
 - (4) Audits/inspections of properties receiving credit for on-site best management practices.
33. Appeals will follow the appeal process as determined by the TW Commissioner as set out in Schedule "C" to this By-law.

GENERAL

34. Schedules "A" and "B" and "C" shall form and be an integral part of this By-law. (12-19, 15-20)
35. Should any part of this By-law, including any part of Schedule "A" or Schedule "B" or Schedule "C", be determined by a court of competent jurisdiction to be invalid or of no force and effect, it is the stated intention of Council that such invalid part of the By-law shall be severable and that the remainder of this By-law, including the remainder of Schedules "A" and "B" and "C", as applicable, shall continue to operate and to be in force and effect.
36. Words importing the singular number shall include the plural, and words importing the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the By-law otherwise requires.
37. Any decision or determination required to be made by the City or any official of the City under this By-law shall be made in the sole and absolute discretion of the City or the City official.
38. This By-law shall be known as the "Stormwater Fees and Charges By-Law".
39. This By-law shall come into force and effect on January 1, 2016.

ENACTED and PASSED this 27th day of May, 2015.

Signed by: Bonnie Crombie, Mayor and Crystal Greer, City Clerk

**SCHEDULE “A”
FEE AND CHARGE RATE**

Annual Stormwater Fee and Charge Rate per Stormwater Billing Unit = \$108.20

Category	Tier Code	Tier	Properties included	Examples	Impervious Area Range (m ²)	Roofprint Range (m ²)	Stormwater Billing Units	Charge Basis	Charge (# billing units x rate)
Single Residential (SFH)	XSM	Smallest	Smallest 10% of all single-unit homes	Typically town/rowhouses	26.7 to 147.0	26.7 to 99.0	0.5	To be assigned based on roofprint or total impervious area if available, to the satisfaction of the Stormwater Charge Program Coordinator	\$54.10
	SML	Small	Next largest 40% (10th to 50th percentile)	Typically semis, linked homes and small single detached homes	147.1 to 227.0	99.1 to 151.0	0.7		\$75.74
	MED	Medium	Next largest 30% (50th to 80th percentile)	Typically medium single detached homes	227.1 to 286.0	151.1 to 194.0	1.0		\$108.20
	LRG	Large	Next largest 15% (80th to 95th percentile)	Typically large single detached homes	286.1 to 400.0	194.1 to 242.0	1.2		\$129.84
	XLG	Largest	Largest 5% of all single-unit, separately owned homes	Typically very large single detached homes	400.1 and above	242.1 and above	1.7		\$183.94
	GRN	Green	Single residential properties with impervious area less than 26.7 m ² or roofprint area less than 26.7 m ²	Typically a residential parcel without a house or any significant impervious area	0.0 to 26.6	0.0 to 26.6	0.0	\$0.00	
Other (OTH)	(blank)	no tier	Multi-residential, non-residential and mixed use properties with at least 26.7 m ² of impervious area	Full range of properties other than single residential. Includes institutional, industrial and commercial properties and multi-residential properties with apartment/condo buildings	26.7 and above	Not Applicable	Total Impervious Area (m ²) divided by 267 m ² per billing unit)	Individually Measured Impervious Area	Total Stormwater Billing Units x Current Stormwater Fee and Charge Rate per Billing Unit
	GRN	Green	Multi-residential, non-residential and mixed use properties with less than 26.7 m ² of impervious area	Typically an institutional, industrial, commercial or multi-residential property without a building or any significant impervious area	0.0 to 26.6	Not Applicable	0.0		\$0.00

SCHEDULE “B” CREDIT PROGRAM

The Credit Program has been designed to provide a Stormwater Charge reduction to owners of Multi-Residential and/or Non-Residential property whose stormwater management practices or measures provide a direct benefit to the City’s Stormwater Management Program.

A Stormwater Credit Schedule has been developed with four categories and credit amounts that represent the objectives and relative expenditures of the portion of the City’s Stormwater Management Program, which is funded by the Stormwater Charge as set out in Table 1 to this Schedule “B”.

The following are descriptions and examples of the services in the City’s Stormwater Management Program in each of the four categories in Table 1 of the Stormwater Credit Schedule that may be beneficially impacted by credit-eligible practices.

Peak Flow Reduction	Peak flow reduction includes the planning, design, construction, operation, maintenance and renewal of infrastructure to manage stormwater runoff rates and lessen the potential and severity of potential flooding impacts on downstream lands. Examples of related infrastructure include stormwater detention basins, stormwater quantity control ponds and underground chamber systems.
Water Quality Treatment	Water quality treatment includes the planning, design, construction, operation, maintenance and renewal of infrastructure to actively or passively remove suspended solids and other contaminants from urban stormwater runoff. Examples of related infrastructure include stormwater quality control ponds and low impact development works (“green infrastructure”).
Runoff Volume Reduction	Runoff volume reduction includes the planning, design, construction, operation, maintenance and renewal of infrastructure to promote the reduction of urban stormwater runoff volumes conveyed to the City’s stormwater system. Examples of related infrastructure include low impact development works (“green infrastructure”) and rainwater harvesting systems.
Pollution Prevention	Pollution prevention includes response to spills, both ongoing and incidental, that can occur on roads and commercial and industrial lands in particular.

CREDIT AMOUNT

Table 1 illustrates the maximum credit amounts for each category. The maximum credit available is 50%. (292-15)

Table 1: Stormwater Credit Schedule			
Category	Evaluation Criteria	Total Credit (50% Maximum)	
Peak Flow Reduction	Percent reduction of the 100-year post-development flow to pre-development conditions of the site.	Up to 40%	To a total not exceeding 50%
Water Quality Treatment	Consistent with Provincial criteria for enhanced treatment.	Up to 10%	
Runoff Volume Reduction	Percent capture of first 15 mm of rainfall during a single rainfall event.	Up to 15%	
Pollution Prevention	Develop and implement a pollution prevention plan.	Up to 5%	

**SCHEDULE “C”
APPEAL OUTLINE**

Challenge Types		Appeal Mechanism	Decision Making Authority	
			Level 1 Appeal	Level 2 Appeal
1. Not Subject to Stormwater Charge	A. Legal exemption	An appellant must file a Request for Review of Stormwater Charge Assessment	The outcome of all appeals will first be decided by the Stormwater Charges Program Coordinator. Decision may require further information from the appellant and/or consultation with staff in other sections. Appellants who are unsatisfied may appeal the decision, where applicable, as indicted in the next column	Commissioner of Transportation and Works and/or City Solicitor, or designate(s)
	B. Technical exemption			Commissioner of Transportation and Works and/or any designate(s)
2. Inaccurate Stormwater Charge Assessment	A. Incorrect category			An appellant must call 311 for more information about the program and may be referred to the Stormwater Charge Program Coordinator
	B. Incorrect tier			
	C. Inaccurate impervious area assessment			
3. Incorrect Stormwater Reductions	A. Eligibility for Stormwater Charge Subsidy	An appellant must call 311 for more information about the program and may be referred to the Stormwater Charge Program Coordinator	Not applicable	Commissioner of Transportation and Works and/or any designate(s).
	B. Amount of Subsidy			
	C. Eligibility for Credit			
	D. Amount of Credit			