

Authority: Public Works and Infrastructure Committee Item 22.1,  
as adopted by City of Toronto Council on February 23, 24 and 25, 2009  
Enacted by Council: March 31, 2009

**CITY OF TORONTO**

**BY-LAW No. 359-2009**

**To amend City of Toronto Municipal Code Chapter 849, Water and Sewage Services and Utility Bill.**

WHEREAS Council has the authority to pass this by-law pursuant to subsections 8(1), (2) and (3) of the *City of Toronto Act, 2006*, S.O. 2006, Chapter 11, Schedule A (the "*City of Toronto Act, 2006*"); and

WHEREAS Council may pass by-laws with respect to any service or thing provided or done by or on behalf of the City pursuant to section 8 of the *City of Toronto Act, 2006*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 849, Water and Sewage Services and Utility Bill, of The City of Toronto Municipal Code is amended as follows:

A. By deleting § 849-3 in its entirety and substituting it with the following:

**“§ 849-3. Rebate on portion of surcharge on water rates for sewage service.**

The City shall, where an industrial or commercial consumer has made a successful application under this article, rebate to the consumer that portion of the surcharge on water rates for sewage service purposes paid by an industrial or commercial consumer to the City in relation to the portion of the water that is directly consumed or used on-site at the industrial or commercial consumer's premises for their industrial or commercial processes; and is not:

- (1) discharged by that consumer to the sanitary or combined sewer system;
- (2) used, consumed or released outdoors, whether for irrigation purposes or otherwise, or
- (3) used, consumed or released off-site of the industrial or commercial consumer's premises.”

B. By deleting from § 849-5 the following:

“Applications shall be granted only if the amount of reduction in sewage discharged in relation to water supplied is in conformance with the following:”

and replacing it with the following:

“A rebate to an industrial or commercial consumer under § 849-3 shall be granted only if the water purchased is used for the industrial or commercial consumer's

on-site operations and if the amount of reduction in sewage discharged in relation to water purchased is in conformance with the following:”

- C. By deleting § 849-8 in its entirety and substituting it with the following:

**“§ 849-8. No rebate to any consumer in relation to:**

- A. Cooling water discharged into storm sewers; and
- B. Water used or consumed outdoors or off-site of the consumer’s premises by the customer or any other person including but not limited to use or consumption for irrigation, construction or cleaning purposes.”

- D. By deleting from § 849-15. Definitions:

“As used in this article and Appendix A, Schedule 2, Water – Revenue Services, to The City of Toronto Municipal Code Chapter 441, Fees and Charges, the following shall have the meanings indicated:”

and substituting it with the following:

“As used in this article and Appendix A, Schedule 2, Water – Revenue Services, and Schedule 4 Wastewater, to The City of Toronto Municipal Code Chapter 441, Fees and Charges, the following shall have the meanings indicated:”

- E. By deleting § 849-25 in its entirety and substituting it with the following:

**“§ 849-25. Sanitary discharge agreement rate.**

The sanitary discharge agreement rate, payable to the City of Toronto for the discharge of water obtained from a private waterworks system into the City of Toronto’s sanitary or combined sanitary sewer system as permitted under an agreement with the City of Toronto or the Municipality of Metropolitan Toronto or any former area municipality, shall be equal to, and vary with, the sewer service rate, as established by § 849-23 of Municipal Code or any successor provision, calculated at the Block 1 Rate.”

2. This by-law comes into force upon enactment.

ENACTED AND PASSED this 31st day of March, A.D. 2009.

SANDRA BUSSIN,  
Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)