

Authority: Executive Committee Item 36.24, adopted as amended, by City of Toronto Council on November 30, December 1, 2, 4 and 7, 2009, Executive Committee Item 30.1, adopted as amended, by City of Toronto Council on March 31, 2009 and Section 169-26B of City of Toronto Municipal Code Chapter 169, Officials, City  
Enacted by Council: December 4, 2009

**CITY OF TORONTO**

**BY-LAW No. 1206-2009**

**To amend City of Toronto Municipal Code Chapter 441, Fees and Charges, and Chapter 849, Water and Sewage Services and Utility Bill to reflect the 2010 water and wastewater rates to be charged to metered and flat rate consumers, to make amendments regarding the water rebate for low-income seniors and low-income disabled persons and to make technical amendments to City of Toronto Municipal Code Chapters 849, 851 and 681.**

WHEREAS section 259 of the *City of Toronto Act, 2006* provides that the City may pass by-laws imposing fees or charges on persons for services or activities provided or done by or on behalf of it; and

WHEREAS City Council has the authority to pass this by-law pursuant to subsections 8 (1) and (2) and section 259 of the *City of Toronto Act, 2006*; and

WHEREAS City Council has approved the new water and wastewater rates to be charged to metered and flat rate consumers effective January 1, 2010, public notice having been given, and approved the 2010 rebate for eligible low-income seniors and disabled persons, extended the related deadline for the submission/obtaining of an actual meter reading and amended the water consumption eligibility criterion for the rebate; and

WHEREAS at its meeting of March 31, 2009 City Council increased various fees and charges through its annual budget process which resulted in an update and reorganization of the appendices and schedules of City of Toronto Municipal Code Chapter 441, Fees and Charges; and

WHEREAS § 169-26B of City of Toronto Municipal Code Chapter 169, Officials, City, provides that the City Solicitor, in consultation with the City Clerk, may submit bills directly to City Council to make technical amendments to the Municipal Code and other by-laws to correct technical errors; and

WHEREAS Chapter 441 of The City of Toronto Municipal Code is the codified consolidated user fee by-law for the City of Toronto (“Municipal Code Chapter 441”); and

WHEREAS Chapter 849 of The City of Toronto Municipal Code is the Water and Sewage Services and Utility Bill by-law for the City of Toronto (“Municipal Code Chapter 849”); and

WHEREAS Chapter 851 of The City of Toronto Municipal Code is the Water Supply by-law for the City of Toronto (“Municipal Code Chapter 851”); and

WHEREAS Chapter 681 of The City of Toronto Municipal Code is the Sewers by-law for the City of Toronto (“Municipal Code Chapter 681”); and

WHEREAS it is necessary to amend Municipal Code Chapters 441 and 849 to reflect the new water and wastewater rates authorized by City Council, and to further amend Municipal Code Chapter 849 to reflect the 2010 rebate for eligible low-income seniors and disabled persons, the extended related deadline for the submission/obtaining of an actual meter reading, the water consumption eligibility criterion for the rebate and to make technical amendments to Municipal Code Chapters 849, 851 and 861 necessitated by City Council’s decision at its meeting on March 31, 2009;

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

1. Appendix D – Schedule 1, Water & Sewer Service Rates - Revenue Services, of City of Toronto Municipal Code Chapter 441, Fees and Charges, Items 1 to 52, inclusive, be deleted in their entirety and replaced with Schedule “A” to this By-law.
2. Section 849-17, Chapter 849, Water and Sewage Services and Utility Bill, of the City of Toronto Municipal Code is amended by deleting “24.41 percent” and replacing it with “28.6 percent” so that the section reads as follows:

“The Block 2 Rate, as set out in City of Toronto Municipal Code Chapter 441, Fees and Charges, Appendix D - Schedule 1, Water & Sewer Service Rates - Revenue Services, is available to an eligible industrial process water user for a property, or a portion thereof, assessed on the annual returned assessment roll in the industrial property tax class and is applicable to volume of water consumed over 6,000 cubic metres per year (6,000 m<sup>3</sup>/per year) of such use. The Block 2 Rate shall be set at a rate representing a 28.6 percent reduction from the Block 1 Rate, as set out in City of Toronto Municipal Code Chapter 441, Fees and Charges, Appendix D - Schedule 1, Water & Sewer Service Rates - Revenue Services, or at such other rate as determined by City Council from time to time.”

3. Section 849-14.2B, Chapter 849, Water and Sewage Services and Utility Bill, of The City of Toronto Municipal Code is amended by deleting “24.41 percent” and replacing it with “28.6 percent” so that the section reads as follows:

“B. The water rebate shall be set at a rate representing a 28.6 percent reduction from the Block 1 Rate, as set out in City of Toronto Municipal Code Chapter 441, Fees and Charges, Appendix D - Schedule 1, Water & Sewer Service Rates - Revenue Services, or at such other rate as determined by Council from time to time.”

4. Section 849-14.5D, Chapter 849, Water and Sewage Services and Utility Bill, of The City of Toronto Municipal Code is amended by deleting “\$0.4617/per cubic metre for 2009” and replacing it with “\$0.5890/per cubic metre for 2010” and by deleting “2009” and replacing it with “2010” so that the section reads as follows:
  - “D. In any year, or eligible portion thereof, the water rebate or credit rate shall be calculated by the difference in the Block 1 Rate and Block 2 Rate, such rates being based on ‘paid on or before the due date’, applicable for the year or portion thereof in which the water rebate is being applied for, and such water rebate shall be at the rate of \$0.5890/per cubic metre for 2010, or such other rate in other years as may be determined by City Council from time to time.”
5. Section 849-14.3H, Chapter 849, Water and Sewage Services and Utility Bill, of The City of Toronto Municipal Code is amended by deleting this section in its entirety and replacing it with the following:
  - “H. The eligible property, which is the subject of the water rebate application, must be metered and the applicant must either provide to the City an actual meter reading or provide access to City staff to obtain an actual meter reading by January 31, of the year following the year for which the rebate is sought; or”
6. Section 849-14.3G, Chapter 849, Water and Sewage Services and Utility Bill, of The City of Toronto Municipal Code is amended by deleting “300” and replacing it with “400” so that the section reads as follows:
  - “G. The water consumption for the eligible property, which is the subject of the water rebate application, must be less than 400 cubic metres of water per calendar year;”
7. Section 849-14.3I, Chapter 849, Water and Sewage Services and Utility Bill, of The City of Toronto Municipal Code is amended by deleting “300” and replacing it with “400” so that the section reads as follows:
  - “I. If the eligible property is one that is on the flat-rate billing system, the applicant must have made a request to Toronto Water for the installation of a water meter and made a reasonable effort to provide the City access to install the new meter, in which case, the water rebate shall be calculated as the product of the percentage reduction in the Block 2 Rate over the Block 1 Rate times the flat rate bill for accounts paid on or before the due date for the year in which the water rebate is being sought, to a maximum water rebate that an eligible metered customer would be entitled to receive for a consumption of 400 cubic metres.”
8. Chapter 849, Water and Sewage Services and Utility Bill, of The City of Toronto Municipal Code is amended by deleting the words “City of Toronto Municipal Code Chapter 441, Fees and Charges, Appendix A, Schedule 2, Water-Revenue Services” wherever they appear and replacing them with the words “City of Toronto Municipal Code Chapter 441, Fees and Charges, Appendix D - Schedule 1, Water & Sewer Service Rates - Revenue Services”.

9. Chapter 849, Water and Sewage Services and Utility Bill, of The City of Toronto Municipal Code is amended by deleting the words “Schedule 4” or “Schedule 4 Wastewater” wherever they appear and replacing them with “Schedule 3, Wastewater Services”.
10. Chapter 681, Sewers, of The City of Toronto Municipal Code is amended by deleting the words “Appendix A – Waste Collection and Disposal Fees and Water and Sewer Usage Rates, Schedule 4 – Wastewater” and “Appendix A – Waste Collection and Disposal Fees and Water and Sewage Usage Rates, Schedule 4 – Wastewater, of Chapter 441” wherever they appear and replacing them with “City of Toronto Municipal Code Chapter 441, Fees and Charges, Appendix A - Schedule 3, Wastewater Services.”
11. Section 849-16, Chapter 849, Water and Sewage Services and Utility Bill, of The City of Toronto Municipal Code, is amended in its entirety and replaced with the following:
- “Consumers in the City of Toronto shall pay the fees and charges with regard to the distribution and supply of water and the provision of water and sewer services and the rates and charges in relation thereto as set out in City of Toronto Municipal Code Chapter 441, Fees and Charges, Appendix D - Schedule 1, Water & Sewer Service Rates - Revenue Services and City of Toronto Municipal Code Chapter 441, Fees and Charges, Appendix A - Schedule 2, Water Services and Schedule 3, Wastewater Services.”
12. Chapter 851, Water Supply, of The City of Toronto Municipal Code, is amended by deleting the words “Chapter 441, Fees and Charges, Appendix A, Schedule 3, Water” wherever they appear and replacing them with “Chapter 441, Fees and Charges, Appendix A - Schedule 2, Water Services.”
13. Chapter 441, Fees and Charges, Appendix A - Schedule 3, Wastewater Services, of The City of Toronto Municipal Code, is amended by deleting the words “Municipal Code Chapter 441-Appendix A, Schedule 2-Water-Revenue Services” wherever they appear in Schedule 3 and replacing them with “Municipal Code Chapter 441, Fees and Charges, Appendix D - Schedule 1, Water & Sewer Service Rates - Revenue Services”.
14. (1) Subject to Subsection (2), this by-law comes into force on January 1, 2010.
- (2) The amendments, as enacted by Sections 8, 9, 10, 11, 12 and 13 of this By-law, are deemed to have come into force on April 1, 2009.

ENACTED AND PASSED this 4th day of December, A.D. 2009.

SANDRA BUSSIN,  
Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

**SCHEDULE "A"**

**TORONTO MUNICIPAL CODE  
FEES AND CHARGES**

**Appendix D - Schedule 1, Water & Sewer Service Rates - Revenue Services**

I	II	III	IV	V		
Ref. No.	Category	Activity	Fee Basis	Fee Paid After Due Date	Fee Paid On/Before Due Date	Annual Adjustment
1	Metered Water Consumers	Block 1 Domestic - Use General Water Service Rate Applicable to all consumers of water, including the first 6,000 cubic metres per year (m3/per year) consumed by industrial users	Per cubic metre - (\$/m3)	\$2.1701	\$2.0616	No
2	Metered Water Consumers	Block 2 - Industrial Process - Use Service Rate - Applicable to industrial process use for eligible property or portions of property and is applicable to volume of water consumed over 6,000 cubic metres per year (m3/per year) of such use	Per cubic metre - (\$/m3)	\$1.5501	\$1.4726	No
3	Flat Rate Residential Consumers - Former City of Toronto	Dwelling house rate	Per Room; Per Annum,	\$32.26 \$194.20 Minimum annual charge	\$30.65 \$184.49 Minimum annual charge	No
4	Flat Rate Residential Consumers - Former City of Toronto	Rooming house rate	Per Room, Per Annum	\$56.60	\$53.77	No
5	Flat Rate Residential Consumers - Former City of Toronto	Basins	Each	\$62.35	\$59.23	No
6	Flat Rate Residential Consumers - Former City of Toronto	Baths	Each	\$62.35	\$59.23	No
7	Flat Rate Residential Consumers - Former City of Toronto	Bidets	Each	\$62.35	\$59.23	No
8	Flat Rate Residential Consumers - Former City of Toronto	Saunas connected to water or drains	Each	\$62.35	\$59.23	No

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	Category	Activity	Fee Basis	Fee Paid After Due Date	Fee Paid On/Before Due Date	Annual Adjustment
9	Flat Rate Residential Consumers - Former City of Toronto	Shower baths	Not attached to bath tub - Each	\$62.35	\$59.23	No
10	Flat Rate Residential Consumers - Former City of Toronto	Sinks	Sinks - Each	\$62.35	\$59.23	No
11	Flat Rate Residential Consumers - Former City of Toronto	Urinals	Self-acting - Each	\$74.08	\$70.38	No
12	Flat Rate Residential Consumers - Former City of Toronto	Water Closets	Self Acting - Each	\$99.55	94.57	No
13	Flat Rate Residential Consumers - Former City of Toronto	Laundry Tubs	For pair of tubs (in one fixture)	\$62.35	\$59.23	No
14	Flat Rate Residential Consumers - Former City of Toronto	Laundry Tubs	For single or additional tub - Each	\$37.06	\$35.21	No
15	Flat Rate Residential Consumers - Former City of Toronto	Washing Machine	Each	\$62.35	\$59.23	No
16	Flat Rate Non-Residential Consumers - Former City of Toronto	Factories, office buildings, stores, garages, warehouses and similar places of business	Per Flat - Per Annum	\$99.48	\$94.51	No
17	Flat Rate Non-Residential Consumers - Former City of Toronto	Private hospitals, rest homes, schools, fraternity houses, clubs, hotels and similar places	Per room - Per Annum	\$56.60	\$53.77	No

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Ref. No.	Category	Activity	Fee Basis	Fee Paid After Due Date	Fee Paid On/Before Due Date	Annual Adjustment
18	Flat Rate Non-Residential Consumers - Former City of Toronto	Basins	Each	\$123.81	\$117.62	No
19	Flat Rate Non-Residential Consumers - Former City of Toronto	Baths	Each	\$123.81	\$117.62	No
20	Flat Rate Non-Residential Consumers - Former City of Toronto	Bidets	Each	\$123.81	\$117.62	No
21	Flat Rate Non-Residential Consumers - Former City of Toronto	Saunas connected to water or drains	Each	\$123.81	\$117.62	No
22	Flat Rate Non-Residential Consumers - Former City of Toronto	Shower Baths	Not attached to bath tub - Each	\$123.81	\$117.62	No
23	Flat Rate Non-Residential Consumers - Former City of Toronto	Sinks	Each	\$123.81	\$117.62	No
24	Flat Rate Non-Residential Consumers - Former City of Toronto	Urinals	Self-acting - Each	\$148.00	\$140.60	No
25	Flat Rate Non-Residential Consumers - Former City of Toronto	Water Closets	Self Acting - Each	\$197.98	\$188.08	No
26	Flat Rate Non-Residential Consumers - Former City of Toronto	Laundry Tubs	For pair of tubs (in one fixture)	\$123.81	\$117.62	No

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Ref. No.	I Category	II Activity	III Fee Basis	IV Fee Paid After Due Date	IV Fee Paid On/Before Due Date	V Annual Adjustment
27	Flat Rate Non-Residential Consumers - Former City of Toronto	Laundry Tubs	For single or additional tub - Each	\$62.35	\$59.23	No
28	Flat Rate Non-Residential Consumers - Former City of Toronto	Washing Machines	Each	\$123.81	\$117.62	No
29	Flat Rate Consumers - Former City of Toronto	Baptistries	Each	\$41.85	\$39.76	No
30	Flat Rate Consumers - Former City of Toronto	Barber shop or beauty parlour	Each	\$123.81	\$117.62	No
31	Flat Rate Consumers - Former City of Toronto	Church buildings used as a place of worship	Each for any such fixture in a church building so used coming within rows 18-30		Variable	No
32	Flat Rate Consumers - Former City of Toronto	Dental Fountains	Each	\$307.07	\$291.72	No
33	Flat Rate Consumers - Former City of Toronto	Commercial dish washers	Each	\$246.67	\$234.34	No
34	Flat Rate Consumers - Former City of Toronto	Drinking Fountains	Each	\$123.81	\$117.62	No
35	Flat Rate Consumers - Former City of Toronto	Fountains	For 1.6mm orifice or less, each per season	\$197.98	\$188.08	No
36	Flat Rate Consumers - Former City of Toronto	Fountains	All others, each per person	\$787.49	\$748.12	No
37	Flat Rate Consumers - Former City of Toronto	Materials used in buildings or in alterations or repairs to buildings and other construction work	Bricks per 1,000	\$2.14	\$2.03	No



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				Fee Paid After Due Date	Fee Paid On/Before Due Date	Annual Adjustment
38	Flat Rate Consumers - Former City of Toronto	Materials used in buildings or in alterations or repairs to buildings and other construction work	Other masonry, including concrete blocks, tiles, and similar materials, on basis of equivalent number of bricks to replace same, per 1,000 bricks	\$2.14	\$2.03	No
39	Flat Rate Consumers - Former City of Toronto	Materials used in buildings or in alterations or repairs to buildings and other construction work	Plastering per 1,000 sq. yd	\$74.48	\$70.76	No
40	Flat Rate Consumers - Former City of Toronto	Materials used in buildings or in alterations or repairs to buildings and other construction work	Per cubic yd - Concrete	\$5.19	\$4.93	No
41	Flat Rate Consumers - Former City of Toronto	Materials used in buildings or in alterations or repairs to buildings and other construction work	Minimum rate for each building or for repairs or alterations, where any of the above material is used	\$24.88	\$23.64	No
42	Flat Rate Consumers - Former City of Toronto	Photographic washing tanks	Each	\$123.81	\$117.62	No
43	Flat Rate Consumers - Former City of Toronto	Wash racks	Each	\$614.98	\$584.23	No
44	Unmetered Consumers - Former City of Etobicoke	Residential and commercial rates, Flat rate, Single family	Tri-annual	\$203.36	\$193.19	No
45	Unmetered Consumers - Former City of Etobicoke	Hydro substations	Tri-annual	\$146.29	\$138.98	No
46	Unmetered Consumers - Former City of Etobicoke	Building water and sewer service rates; not metered up to three months not refundable	Each	\$432.58	\$410.95	No
47	Unmetered Consumers - Former City of Etobicoke	Water Certification Charge	Per Certification		\$25.00	No
48	Unmetered Consumers - Former City of Etobicoke	Water Special/Final Reading	Per Customer Request		\$15.00	No

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Ref. No.	I Category	II Activity	III Fee Basis	IV Fee Paid After Due Date	IV Fee Paid On/Before Due Date	V Annual Adjustment
49	Unmetered Consumers - Former City of Etobicoke	Water Consumption Statements	For One Year		\$40.00	No
50	Unmetered Consumers - Former City of Etobicoke	Water Consumption Statements	For each subsequent year		\$25.00	No
51	Unmetered Consumers - Former City of Etobicoke	Returned Cheques	Per NSF Cheque		\$35.00	No
52	Unmetered Consumers - Former City of Etobicoke	Water Collection Field Visit	Per Field Visit		\$25.00	No