

**SCHEDULE “B-4”  
Stormwater Fees and Charges**

**DEFINITIONS**

1. In addition to the defined terms in section 1 of the By-law, in this Schedule “B-4”:
  - (1) **“Adjustment”** means a process by which changes are made to information associated with a given Stormwater Account.
  - (2) **“Applicant”** means a single residential, Multi-Residential or Non-Residential property owner that submits a Request for Review Application or a Stormwater Charge Credit Application on the City approved form, where applicable.
  - (3) **“Billing Error”** means an undercharge or overcharge caused by a gross or manifest error in the preparation of the Water Bill or Stormwater Only Bill that is clerical or factual in nature, including the transposition of figures, a typographical error or similar errors.
  - (4) **“CFO Commissioner”** means the City’s Commissioner of Corporate Services and Chief Financial Officer or his/her designate.
  - (5) **“Credit Application”** means a completed application form and all required supporting documents demonstrating on-site stormwater management measures eligible to receive a Stormwater Charge Credit.
  - (6) **“Credit Program”** means the City’s Credit Program that reduces Stormwater Charges for Multi-Residential and/or Non-Residential property owners who provide on-site Stormwater with stormwater management measures already in place. The Stormwater Charge Credit is received through a Credit Application.
  - (7) **“Council”** means the elected council of the City.
  - (8) **“Environmental Services Section”** means the City’s Environmental Services Section in the Infrastructure Planning and Engineering Division of the Transportation and Works Department.
  - (9) **“HST”** means harmonized sales tax.
  - (10) **“Impervious Area”** means the total area of paved or hard surfaces, building rooftops, compacted gravel, artificial turf, disturbed or compacted soil stripped of vegetation and other surfaces on a property which are considered highly resistant to the infiltration of water, increasing stormwater runoff.
  - (11) **“Low Income Senior and Low Income Person with Disabilities”** means single residential properties or condominiums that are owned and occupied by an individual who is in receipt of the City of Mississauga’s Tax Rebate, in accordance with Tax Rebate By-law 56-10, as amended.
  - (12) **“Material Change”** means information as part of an approved Stormwater Charge Credit or Stormwater Charge exemption application that has changed, was not provided or aware of by the parties at the time and results in a property no longer being in compliance with the approved credit or exemption.
  - (13) **“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.
  - (14) **“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.
  - (15) **“property”** means any real property within the City, including buildings, structures and erections of any nature and kind in or upon such lands.
  - (16) **“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.

- (17) **“Region of Peel”** means The Regional Municipality of Peel.
- (18) **“Request for Review”** means the process by which a property owner requests a review of their Stormwater Charge assessment.
- (19) **“Stormwater Account”** means the Region of Peel’s water and wastewater service customer account to which Water Bills or Stormwater Only Bills are invoiced.
- (20) **“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 m<sup>2</sup>) found on detached single residential properties in the City.
- (21) **“Stormwater Charge”** means the City’s stormwater fees and charges listed in Appendix “A” to this Schedule “B-4” imposed pursuant to ss. 9 and 11 and Part XII of the Municipal Act, 2001.
- (22) **“Stormwater Charge Credit”** means a Stormwater Charge reduction granted to a property owner through an approved Credit Application.
- (23) **“Stormwater Charge Program Coordinator”** means the City’s Stormwater Charge Program Coordinator in the Environmental Services Section or his/her designate.
- (24) **“Stormwater Charge Subsidy”** means a City grant provided to reduce or eliminate the amount of Stormwater Charge payable by a person.
- (25) **“stormwater drainage system”** means the physical infrastructure as part of the overall Stormwater Management System that is designed to manage stormwater flow.
- (26) **“stormwater management measures”** means a technique, practice or control used to manage the quantity and quality of stormwater runoff.
- (27) **“Stormwater Management Program”** means the planning, development, construction, operation, maintenance, renewal and enforcement of by-laws associated with the municipal Stormwater Management System to protect property, infrastructure and the natural environment from erosion, flooding and to improve water quality.
- (28) **“Stormwater Management System”** means the infrastructure or measures used, controlled, maintained or operated by the City to manage stormwater flow and drainage systems and all appurtenances thereto owned, and includes, but is not limited to, storm sewers, catchbasins, storm service connections, drains, pipes, outfalls, overland conveyance systems including road corridors, culverts, channels, ditches, swales, rivers, streams, creeks and watercourses, stormwater management facilities including landscaping and low impact development features, storage ponds or underground tanks, and oil and grease treatment devices that control quantity or quality of stormwater runoff, pumping stations 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.
- (29) **“Stormwater Only Bill”** means the City’s Stormwater Charge as invoiced by the Region of Peel where water and wastewater services are not provided or instances with multiple property owners.
- (30) **“T&W Commissioner”** means the City’s Commissioner of Transportation and Works or his/her designate.
- (31) **“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:
- Army, Navy & Air Force Veterans Club (765 Third Street, Port Credit);
  - Royal Canadian Legion, Branch 82 (35 Front Street N., Port Credit);
  - Royal Canadian Legion, Branch 139 (101 Church St., Streetsville); and
  - Royal Canadian Legion, Branch 582 (456 Hensall Circle, Cooksville).
- (32) **“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.

- (33) **“Working Farm”** means the portion of a property that is subject to the Farm Property Class Tax Rate, as assessed by the Municipal Property Assessment Corporation (MPAC).

### **SCOPE**

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

### **CREDITS**

5. The Credit Program provides 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 measures on their property.
6. 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 on-site stormwater management measures effectively control stormwater runoff and contribute in part to the City’s efforts to manage stormwater. Qualifying criteria of the Credit Program are outlined in Appendix “B” to this Schedule “B-4”.
7. Participation in the Credit Program is by application only. Owners of Multi-Residential and Non-Residential property must submit a Credit Application in a form approved by the City for qualification and consideration of a Stormwater Charge Credit. Credit Applications will be reviewed by, and approved credit amounts will be determined by, the Stormwater Charge Program Coordinator in the Environmental Services Section.
8. Reductions to Stormwater Charges made as a result of the approval of a Credit Application will be retroactive to the date of receipt of the Credit Application or the date on which the qualified stormwater management 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 a property that may impact an 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 three (3) 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;
  - (2) Veteran’s Organization Property;
  - (3) Working Farm;

- (4) Low Income Senior and Low Income Person with Disabilities; and
- (5) Any other subsidies, as approved by Council

### **EXEMPTIONS**

- 14. Exemptions from the Stormwater Charge may apply to a property or a portion of a property that is either not subject to municipal fees and charges or not serviced by the City's Stormwater Management System.
- 15. The property owner is required to notify the City in writing when Material Changes are made to a property that could affect the distribution of an exemption amount or the validity of the approved Stormwater Charge exemption amount. Failure to comply may result in the cancellation of the exemption for that property.

### **ADMINISTRATION AND ENFORCEMENT**

- 16. The Region of Peel is hereby authorized to invoice and collect the City's Stormwater Charges, together with any interest and fees related to such collection.
- 17. The Region of Peel shall deliver a Water Bill or Stormwater Only Bill, on behalf of the City, to each property owner upon whom a Stormwater Charge is imposed under this Schedule "B-4" 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.
- 18. Payment of all Stormwater Charges imposed by the City under this Schedule "B-4" is due and payable upon receipt of a Water Bill or Stormwater Only Bill. Stormwater Charge Credits under the Credit Program will be processed and reflected on the appropriate bill.
- 19. No person shall be entitled to any discounts for the early payment of any Stormwater Charge under this Schedule "B-4".
- 20. Interest on any outstanding accounts shall be applied and calculated at the current Region of Peel interest charge for late payment, and shall be added after the due date for each subsequent Water Bill or Stormwater Only Bill that is issued, with unpaid and carried- forward Stormwater Charges.
- 21. If Stormwater Charges are not paid when due and remain outstanding, the Region of Peel may enforce collection of the Stormwater Charges under this Schedule "B-4" in the same manner as Region of Peel water and wastewater charges. The Region of Peel is authorized to write-off uncollectible amounts in accordance with the Region of Peel's standard collection processes for utility accounts.
- 22. A Stormwater Charge imposed upon a property owner under this Schedule "B-4", 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.
- 23. Notwithstanding Section 20 of this Schedule "B-4", all costs, including any interest on such costs, recoverable by the City and the Region of Peel pursuant to this Schedule "B-4" 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.
- 24. The T&W Commissioner or his/her designate 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 Schedule "B-4" as the T&W Commissioner or his/her designate considers appropriate;
  - (3) determine and decide any Request for Review under the Schedule "B-4"; and that the decision of the T&W Commissioner shall be final and binding.
- 25. The CFO Commissioner or his/her designate shall have delegated authority and is authorized to adjust (increase or decrease) 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.

- 26. Notwithstanding any other section of this Schedule “B-4”, 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, adjust (increase or decrease) or cancel credits if the approved stormwater management measures on the property no longer meet the performance criteria as documented in the 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.
- 27. A Stormwater Charge Credit may be suspended, adjusted (increase or decrease) 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 measure as required by the terms and conditions of the credit approval;
  - (5) failure of a stormwater management measure to operate or meet the performance criteria as documented in the Applicant’s 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;
  - (6) failure to submit a complete Stormwater Charge Credit update or renewal application within the required timeframe.
- 28. An adjustment or cancellation of a Stormwater Charge Credit may be challenged by the Applicant through the Request for Review process outlined in Appendix “C” to this Schedule “B-4”. The decision of the T&W Commissioner or his/her designate shall be considered final and binding.
- 29. Where the City determines that a stormwater management measure is in a state of disrepair, no longer functions as approved or was never implemented, 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.

**REQUEST FOR REVIEW**

- 30. 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 footprint 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 rooftop 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

31. The filing of a Request for Review does not stay the requirement for payment of a Stormwater Charge. Any Stormwater Charge billed during the course of the Review will be due and payable upon receipt and remain subject to the Region of Peel's standard collection processes for utility accounts.
32. Adjustments made as a result of a Request for Review shall take effect in accordance with the following schedule:
  - (1) Adjustments that result from Request for Reviews will be retroactive to the date of receipt of the Request for Review Application by the Stormwater Charge Program Coordinator.
  - (2) Notwithstanding subsection (1) above, any Adjustment as a result of a credit update application under section 11 will be retroactive 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.
33. 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.
34. Stormwater Charge assessments may be revised in either of the following instances: (i) an external adjustment arising from an update to the assessment from a Request for Review, 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 geospatial 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 stormwater management measures.
35. Request for Reviews will follow the review process as determined by the T&W Commissioner as set out in Appendix "C" to this Schedule "B-4".

**GENERAL**

36. Appendices "A" and "B" and "C" shall form and be an integral part of this Schedule "B-4".
37. Should any part of this Schedule "B-4", including any part of Appendix "A" or Appendix "B" or Appendix "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 Schedule "B-4" shall be severable and that the remainder of this Schedule "B-4", including the remainder of Schedules "A" and "B" and "C", as applicable, shall continue to operate and to be in force and effect.
38. 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 Schedule "B-4" otherwise requires.

39. Any decision or determination required to be made by the City or any official of the City under this Schedule "B-4" shall be made in the sole and absolute discretion of the City or the City official.

**APPENDIX “A”  
FEE AND CHARGE RATE**

**Effective from April 1, 2023 to the end of March 31, 2024**

**Annual Stormwater Fee and Charge Rate per Stormwater Billing Unit = \$116.80**

Category	Tier Code	Tier	Properties included	Examples	Impervious Area Range (m <sup>2</sup> )	Roofprint Range (m <sup>2</sup> )	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	\$58.40
	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		\$81.76
	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		\$116.80
	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		\$140.16
	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		\$198.56
	GRN	Green	Single residential properties with impervious area less than 26.7 m <sup>2</sup> or roofprint area less than 26.7 m <sup>2</sup>	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 <sup>2</sup> 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 <sup>2</sup> ) divided by 267 m <sup>2</sup> 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 <sup>2</sup> 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



## **APPENDIX “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 measures provide a benefit to the City’s Stormwater Management System and/or 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 Appendix “B”.

The following are descriptions and examples of the services in the City’s Stormwater Management System and/or 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, manufactured treatment devices (e.g. oil and grease treatment devices) and low impact development works or 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 or 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.

Table 1: Stormwater Credit Schedule			
Category	Evaluation Criteria	Total Credit (50% Maximum)	To a total not exceeding 50%
Peak Flow Reduction	Percent reduction of the 100-year post-development flow to pre-development conditions of the site.	Up to 40%	
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%	

**APPENDIX “C”  
REQUEST FOR REVIEW OUTLINE**

Challenge Types		Review Mechanism	Decision Making Authority	
			Level 1 Review	Level 2 Review
1. Not Subject to Stormwater Charge	A. Legal exemption	A property owner must file a Request for Review of Stormwater Charge Assessment	The outcome of all Reviews will first be decided by the Stormwater Charge Program Coordinator.  Decision may require further information from the property owner and/or consultation with staff in other sections.	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			Not applicable
	B. Incorrect tier			
	C. Inaccurate impervious area assessment			
3. Incorrect Stormwater Reductions	A. Eligibility for Stormwater Charge Subsidy			A property owner must call 311 for more information about the program and may be referred to the Stormwater Charge Program Coordinator
	B. Amount of Subsidy	Not applicable		
	C. Eligibility for Credit			
	D. Amount of Credit	Commissioner of Transportation and Works and/or any designate(s)		