

## Mitchell, Bryan (MECP)

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**From:** Jeff McCuaig <JMcCuaig@gerreng.com>  
**Sent:** September 11, 2024 11:11 AM  
**To:** Mitchell, Bryan (MECP); DerekWatson1612@hotmail.com  
**Cc:** Athron, Greg (MECP); Consolidated Linear Infrastructure (MECP)  
**Subject:** Re: CLI Eligibility - ECA Ref# 1000149212

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Bryan,

I wanted to lay out my review and opinions for your consideration:

**Storm water management facilities**

**3.** Subsections 53 (1) and (3) of the Act do not apply to the use, operation, establishment, alteration or change in a storm water management facility that,

- (a) is designed to service one lot or parcel of land;
- (b) discharges into a storm sewer that is not a combined sewer;
- (c) does not service industrial land or a structure located on industrial land; and
- (d) is not located on industrial land. O. Reg. 525/98, s. 3; O. Reg. 40/15, s. 4.

We are proposing the establishment and use of a stormwater management facility that:

1. only services one lot
2. will ultimately discharge into a storm sewer that is not a combined sewer
3. does not service industrial land
4. is not located on industrial land.

Therefore, if I am interpreting this correctly the stormwater management facility would be exempt.

In reviewing the LID's

#### **Low impact development works**

4. (1) Subsections 53 (1) and (3) of the Act do not apply to the use, operation, establishment, alteration or change in a storm water management facility that is located wholly within the boundaries of a lot or parcel of land that:

(a) that is used primarily for a residential purpose; and

(b) on which there are no buildings other than,

(i) single-unit and multi-unit residential buildings, and

(ii) buildings or structures that are accessory to the buildings mentioned in subclause (i)

(2) The exemption under subsection (1) does not apply if there is a sewage system on the lot or parcel of land on which the storm water management facility is located. O. Reg. 214/22, s. 2.

(3) In this section,

“greywater”, “hauled sewage”, “hauled sewage system”, “holding tank” and “leaching bed” have the same meaning as in Regulation 332/12 (Building Code) made under the *Building Code Act, 1992*; (“eaux grises”, “eaux usées”, “transport des eaux usées”, “cuve de rétention”, “champ d’épuration”)

“sewage system” means,

(a) a greywater system,

(b) a cesspool,

(c) a leaching bed system, or

(d) a system that requires or uses a holding tank for the retention of hauled sewage at the site of collection by a hauled sewage system. (“système d’égouts”) O. Reg. 214/22, s. 2.

We are proposing the establishment and use of a stormwater management facility that is located wholly within the boundaries of a single lot or parcel of land that:

1. the land is of residential purpose
2. the proposed building is a multi-unit residential building and the potential ancillary structure (gazebo in the amenity space) is accessory to the residential building proposed

And there is no proposed sewage system on the parcel of land as it is defined.

Therefore, if I am interpreting this correctly the Low Impact development works would be exempt.