



By-law 2014-168

A Bylaw to levy a Stormwater Fee

Whereas Section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (the “Municipal Act”) authorizes The Corporation of the City of Markham (the “City”) to exercise authority over drainage and flood control matters; and,

Whereas Section 391 of the Municipal Act authorizes the City to pass bylaws imposing fees or charges on persons for services or activities provided or done by or on behalf of it; and,

Whereas the Council for the City deems it necessary and desirable to implement a stormwater flood control program for purposes of the safety and well-being of persons, and the City’s economic and environmental well-being; and,

Whereas the Council for the City deems it necessary and desirable to create a separate Stormwater Fee to fund capital projects to improve the storm drainage system;

Now Therefore the Council for The Corporation of the City of Markham enacts as follows:

Definitions

In this Bylaw:

- (a) “City” means The Corporation of the City of Markham;
- (b) “Council” means the Council of The Corporation of the City of Markham;
- (c) “Property” means any real property within the geographical boundary of the City of Markham;
- (d) “Property Owner” means an individual, partnership or corporation who owns Property;
- (e) “Residential Property” means Property within the geographical boundary of the City of Markham classified as residential by the Municipal Property Assessment Corporation (“MPAC”);
- (f) “Stormwater” means surface and rain water, melted snow and ice, and uncontaminated water when discharged to the stormwater drainage system from freshwater swimming pools, underground drains, foundation drains and groundwater;
- (g) “Stormwater Fee” means the amount charged under this Bylaw based upon the rate and class of the Property;
- (h) “Treasurer” means the Treasurer of the City or her or his delegate;
- (i) “Tax Bill” means the property tax bill sent to Property Owners by the City;
- (j) “Flood control program” means the City-wide upgrade of storm drainage systems as approved in Class Environmental Assessment or other remediation studies.

That Council shall levy a Stormwater Fee to fund a long-term flood control program which includes construction of storm drainage system capital projects and administration of the stormwater program.

That Council hereby imposes a Stormwater Fee of \$47 per Residential Property for 2015.

That A Stormwater Fee shall be imposed upon Residential Property classes in the City of Markham.

That the Stormwater Fee per Residential Property be updated on an annual, or more frequent, basis as determined by the City.

That the Stormwater Fee per Residential Property levied by this by-law shall be due and payable in conjunction with the tax installments of the property.

That payment of the Stormwater Fee shall be paid to the Treasurer at the Municipal Offices, 101 Town Centre Boulevard, Markham, Ontario, L3R 9W3.

That this Bylaw shall not apply to property owned by the City.


That this Bylaw shall not apply to Property owned by the School Authority as defined under the Ontario *Education Act, as amended*.

That this Bylaw shall not apply to vacant land within geographical boundary of the City of Markham, as classified by the MPAC.

That this By-law shall not take effect until January 1, 2015.

Read a first, second, and third time and passed on November 25, 2014.



Kimberly Kitteringham
City Clerk

Frank Scarpitti
Mayor