



City of Hamilton Report for Information

To: Chair and Members
Public Works Committee

Date: April 28, 2025

Report No: PW25026

Subject/Title: Twenty Road East Water Service Extension
(Outstanding Business List Item)

Ward(s) Affected: Ward 11

Recommendations

That Report PW25026 respecting Twenty Road East Water Service Extension **BE RECEIVED** for information.

Key Facts

- A Motion was presented at the [December 2, 2024, Public Works Committee](#) meeting directing the Public Works and Planning and Economic Development Departments to develop an Information Report outlining the history, regulatory requirements and technical considerations for allowing 7030 Twenty Road East (subject property) to establish a water service connection to the City of Hamilton's (City) water distribution system.
- The subject property is located approximately 600 metres south of the urban boundary, as shown in Appendix "A" to Report PW25026. It does not meet the criteria for a municipal water connection per the Provincial Planning Statement (2024) and the Rural Hamilton Official Plan.
- Municipal public watermains were installed outside the current urban boundary along Twenty Road East, Miles Road, and Dickenson Road East in the 1980s, as part of the Region of Hamilton-Wentworth's plan to service future development growth. Approximately, 130 properties, located outside the urban boundary, are presently serviced by these public watermains.

- A private water service line supplying municipal water to four properties on Twenty Road East was approved in 1992 by the Region of Hamilton-Wentworth and runs across the road from the subject property.

Financial Considerations

Not applicable.

Background

A Notice of Motion was presented at the [November 4, 2024, Public Works Committee](#) meeting intended to support the issuance of a water service permit for the subject property, contingent on executing a Special Service Agreement with the City.

Consequently, at the December 2, 2024, Public Works Committee meeting, a Motion was presented directing the Public Works and Planning and Economic Development Departments to develop an Information Report outlining the history, regulatory requirements, and technical considerations for allowing a water service connection to the City's water distribution system for the subject property.

Analysis

History:

Four properties on Twenty Road East, 7075, 7055, 7049, and 7039 (surrounding properties), were permitted to connect to a municipal public watermain despite being outside the urban boundary. This was granted under the condition that each property owner bore all associated costs. Appendix "B" to Report PW25026 includes the 1992 request from 7039 Twenty Road East through a Region of Hamilton-Wentworth Transportation Services Committee Report, the subsequent Council-approved Motion, and the resulting Special Water Service Agreement.

The 1990 Regional Official Plan allowed service extensions to the rural areas where "inadequate supplies are causing hardship on the residents." The 1990 Regional Official Plan was later updated with more stringent requirements, including those related to Public Health.

Regulatory:

The private water service request for the subject property is not consistent with the Provincial Planning Statement (2024) and does not comply with the Rural Hamilton Official Plan, as summarized below.

Provincial Planning Statement (2024):

The Provincial Planning Statement (2024) is a policy framework under the authority of section 3 of the *Planning Act*, ensuring that all planning decisions align with provincial priorities.

Chapter 3 of the Provincial Planning Statement (2024) outlines infrastructure and facility policies, including water, sewage, and stormwater services. Policy 3.6.5 states that partial services (i.e., municipal water services combined with individual on-site sewage services) are permitted only in the following cases:

- a) Where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development.
- b) Within settlement areas, to allow for infilling and minor rounding out of existing development on partial services, provided that the site conditions are suitable for the long-term provision of such services with no negative impacts; or,
- c) Within rural settlement areas where new development will be serviced by individual on-site water services in combination with municipal sewage services of private communal sewage services.

The subject property does not meet these criteria, as it is not within a rural settlement area, and no evidence suggests that the on-site water service (e.g., well, cistern) for the existing dwelling has failed and that a new private water service is not possible.

Rural Hamilton Official Plan:

The Rural Hamilton Official Plan (Plan) provides a policy framework for land use in rural areas. Relevant policies from the Plan include (paraphrased):

- C.5.1 Rural developments must maintain sustainable private services.
- C.5.3 Expansion of lake-based municipal water services beyond the urban boundary is prohibited, except in specific cases.
 - C.5.3.1 Extensions may be permitted only if:
 - a) A health issue has been identified; or,
 - b) The extension serves existing developments adjacent to the urban area.
 - C.5.3.2 Existing lots on rural/urban boundary roads may connect only if:
 - a) The land remains outside the urban boundary and is designated Agriculture, Specialty Crop, or Rural; and,
 - b) There is sufficient capacity to service the development.
 - C.5.3.3 Municipal lake-based water services approved before 2004 may continue, but no new extensions beyond prior agreements are permitted.

As no health issues have been identified, and the subject property is not adjacent to the urban area nor fronting a rural/urban boundary road, these policies do not currently support a municipal water connection. An Official Plan Amendment would be required for approval, which must be consistent with the Provincial Planning Statement (2024).

If an amendment is pursued, the applicant must submit an Official Plan Amendment application, after which staff will review the request within the legislated 120-day period.

Technical Considerations:

If an amendment to the Official Plan was requested and approved, four potential approaches have been identified for connecting a private water service line from the public watermain to the subject property.

Scenario 1 - Connection to the 200mm City watermain at Miles Road:

An estimated 120-metre-long private water service line would impact water quality due to stagnation, leading to loss of disinfection properties, increasing the risk of degraded water quality and potential health concerns.

Scenario 2 - Connection to the existing 38mm private service line on Twenty Road East that services the surrounding properties:

Connection to the existing private service line would reduce water flow to all connected properties, leading to inadequate water pressure and supply.

Scenario 3 - Upgrading the existing 38mm private service line on Twenty Road East to an appropriate size to provide sufficient water supply, flow, and pressure:

Upgrading the existing service line would require an appropriate engineering design to determine the proper pipe size required to supply the affected properties.

Scenario 4 - Extending the existing 200mm public watermain just west of Miles Road approximately 1.5 Kilometres westerly along Twenty Road East to connect to an existing 300mm public watermain on Twenty Road East:

The subject property owner could make a service extension request under the authority of Section 391 and O. Reg. 584/06 of the *Municipal Act, 2001* and in accordance with the City's Funding Methodology for Municipal Infrastructure Extensions Policy for the drinking water system alteration. As part of the request, the subject property owner must petition all property owners fronting the proposed new section of public watermain ensuring that at least 2/3 of the property owners agree to share the costs and that it represents over 50% of the assessment value of the area receiving the water service extension.

Extending the existing public watermain would also require an appropriate engineering design to determine the proper size required for any future growth and to supply the affected properties, along with obtaining Ministry of Environment, Conservation and Parks approval through all *Safe Drinking Water Act, 2002* O.Reg. 170 Form 1 requirements.

Additional Considerations:

Regardless of the scenario, if an amendment to the Official Plan was requested and approved the following would also have to be addressed:

- 1) Any new private water service line installed should remain outside of the future Twenty Road East right-of-way width of 30.480 metres, as defined in Schedule C-2 of the Urban Hamilton Official Plan.

- 2) Any connection must comply with the Water Works By-law 23-235, which includes metering requirements for private service lines. This entails the installation of a meter and chamber at the connection point to the municipal water main, along with any necessary primary and submeter installations, permits, and inspections.
- 3) Any Special Service Agreement for the subject property must comply with all applicable specifications, standards, regulations, policies, and guidelines and stipulate that all associated costs for any resulting water service connection(s), including future maintenance and repair, are the responsibility of the property owner(s). This agreement would need to be satisfactory to the General Managers of the Public Works and Planning and Economic Development Departments.
- 4) Reciprocal easements and a Joint Service Agreement satisfactory to the General Manager of Public Works and Planning and Economic Development Departments would need to be established.

Alternatives

Not applicable.

Relationship to Council Strategic Priorities

The recommendations in this report will support and improve Strategic Priorities identified by Council in the following areas:

3. Responsiveness & Transparency

- 3.1. Prioritize customer service and proactive communication – providing information on the Provincial Planning Statement (2024), Rural Hamilton Official Plan and the City of Hamilton By-law 23-235: Water Works By-law.

Previous Reports Submitted

Not applicable.

Consultation

Staff from the following City Departments and Divisions have been consulted and provided guidance on Report PW25026.

- Hamilton Water, Public Works Department
- Engineering Services, Public Works Department
- Growth Management and Development Engineering, Planning and Economic Development Department
- Environmental Health, Healthy and Safe Communities Department

Appendices and Schedules Attached

Appendix A: Twenty Road East Water Service Extension Map

Appendix B: Region of Hamilton-Wentworth - June 1992 Documentation

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