



## By-law 2020-45

### Being a By-law to Establish a Program to Provide Rebates for the Private Plumbing Protection Program to Reduce the Risk of Basement Flooding

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**WHEREAS** pursuant to subsections 10(1) and 11(1) of the *Municipal Act, 2001*, S.O. 2001, c.25 (the "Act") a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

**AND WHEREAS** pursuant clause 8 of subsection 11(2) of the Act a municipality may pass by-laws respecting the protection of persons and property;

**AND WHEREAS** pursuant to clause 6 of subsection 11(3) of the Act a municipality may pass by-laws relating to drainage and flood control;

**AND WHEREAS** the Council of The Corporation of the City of Markham deems it advisable and in the public interest to provide financial assistance on the terms set out in this By-law as an incentive to encourage property owners to implement Private Plumbing Protection Measures on their property to reduce the risk of basement flooding;

**NOW THEREFORE** the Council of The Corporation of The City of Markham enacts as follows:

#### 1. DEFINITIONS

1.0 In this By-law:

**"Backwater Valve"** means a **Check Valve** designed for use in a gravity drainage system;

**"Check Valve"** means a valve that permits flow in only one direction and prevents a return flow;

**"City"** means The Corporation of The City of Markham;

**"Downspout"** means roof runoff collection pipe;

**"Property Owner"** means a registered owner of **Property** in the City of Markham;

**"Property"** means a separate parcel of land in the City of Markham that has been assigned a Property Identifier Number in the land registry system;

**"Licensed Plumber"** means a plumber licensed with the Ontario College of Trades as a journeyman plumber;

**"Lateral"** means a **Property's** storm or sanitary pipe connection to the municipal **Storm Sewer** or **Sanitary Sewer**;

**"New Installation"** means a **Private Plumbing Protection Measure** implemented after this By-law comes into effect;

**“Private Plumbing Protection Measure”** means a measure implemented in a plumbing and drainage system including backwater valves, sump pumps, weeping tile disconnection and lateral relining/repair for the purpose of reducing the risk of basement flooding;

**“Retroactive Installation”** means a **Private Plumbing Protection Measure** implemented after April 30, 2017 and before the coming into force of this By-law;

**“Sanitary Sewer”** means a sewer intended to carry only sanitary and industrial wastewaters from residences, commercial buildings, industries, and institutions, in which storm, surface, and groundwater are not intentionally admitted;

**“Storm Sewer”** means a municipal sewer intended to carry only storm water, surface runoff from streets and adjacent property, and flow from foundation drains and ditches;

**“Weeping Tile”** (foundation drain) means a pipe or series of pipes that collect groundwater around the foundation or footing of a structure for protection against hydrostatic pressures and for discharge to an approved point of discharge;

## 2. APPLICATION OF BY-LAW

2.0 This By-law applies to **Property Owners** who meet eligibility requirements as set out in Section 3 of this By-law relating to **Retroactive Installations** or **New Installations**.

## 3. ELIGIBILITY REQUIREMENTS

3.0 A **Property Owner** will be entitled to receive a rebate, in accordance with the provisions of this By-law, if they meet all of the following requirements:

- (a) The **Property** must be located in known flood prone areas, or the **Property Owner** must demonstrate the existence of flood risk in the area to the satisfaction of the City;
- (b) The **Property** is not the subject of any contraventions, work orders or outstanding municipal requirements;
- (c) There are no outstanding municipal fines, arrears of taxes, fees or penalties assessed against the **Property Owner**;
- (d) The **Downspouts** on the **Property** must be properly disconnected from the **City** sewer system;
- (e) The **Property Owner** has obtained approval of the work from the Environmental Services Department prior to installation;
- (f) The **Property Owner** applying for the rebate must provide the necessary information and documentation set out in the rebate application forms and must be otherwise compliant with the program requirements;
- (g) The **Property Owner** or their agent has obtained any necessary permits for the **New Installation**;
- (h) Any proposed **Private Plumbing Protection Measure** must not be required by the *Building Code Act, 1992*, S.O. 1992, c. 23 and the Ontario Building Code O. Reg. 332/12, as amended or any successor thereof as part of other works;
- (i) The **New Installation** must be installed in accordance with the *Building Code Act, 1992*, S.O. 1992, c. 23 and the Ontario Building Code O. Reg. 332/12, as amended or any successor thereof;

- (j) The **Property Owner** must execute a release in favour of the **City**, in a form to be provided by the **City**, and
- (k) The rebate application must be submitted to the **City** by a date specified by the **City**.

#### 4. REBATE AMOUNTS

4.0 The rebates provided for in this By-law are subject at all times to the availability of funding and may be eliminated by Council through repeal of this By-law at any time without further notice to any affected persons. Nothing in this By-law requires the **City** to provide funding for the rebates set out in this By-law.

4.1 The **City** may grant rebates for each **Private Plumbing Protection Measure** up to the following maximum amounts, for eligible costs only, as described in Section 5 below:

<b>Private Plumbing Protection Measure</b>	<b>Maximum Rebate Amount</b>
<b>Backwater Valve – Indoor Installed on Sanitary Lateral</b>	\$1,750
<b>Backwater Valve – Indoor Installed on Storm Lateral</b>	\$1,750
<b>Backwater Valve – Outdoor Installed on Sanitary Lateral</b>	\$2,000
<b>Backwater Valve – Outdoor Installed on Storm Lateral</b>	\$2,000
<b>Weeping Tile - Disconnected from Sanitary Lateral and Redirect to Storm Lateral by gravity connection</b>	\$3,000
<b>Weeping Tile - Disconnected from Sanitary Lateral and Sump Pump Installation</b>	\$5,000
<b>Lateral Reline/Repair – Storm</b>	\$2,500
<b>Lateral Reline/Repair – Sanitary</b>	\$2,500

#### 5. ELIGIBLE COSTS

Eligible costs include:

- a) Material and labour costs for the implementation of the **Private Plumbing Protection Measure**;
- b) Permit fees;
- c) Consulting or inspection costs to determine appropriate **Private Plumbing Protection Measures** to be implemented on the **Property**, and
- d) Cost of **Downspout** disconnection prior to the installation of a **Backwater Valve** or sump pump.


#### 6. SHORT TITLE

This By-law shall be known as the "Private Plumbing Protection Rebates By-law".

**7. EFFECTIVE DATE**

This By-law shall come into force and effect on the date of enactment and passage.

Read a first, second, and third time and passed on May 26, 2020.



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Kimberley Kitteringham  
City Clerk



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Frank Scarpitti  
Mayor