

Water and Wastewater Capacity Allocation Policy

Extension/Appeal Request Proponent Guidance Document

1. Purpose of this Document

This instruction document provides step-by-step guidance to Proponents seeking an extension to the lapsing date of an existing Water and Wastewater Servicing Allocation hold against an approved planning project or project application. It summarizes the eligibility requirements, submission process, evaluation criteria, and decision framework outlined in the Water and Wastewater Servicing Allocation Policy.

Terms utilized in this Guidance Document are consistent with the Council approved Water and Wastewater Servicing Allocation Policy. For reference the detailed Policy may be found on the City's website at <https://guelph.ca/water-and-wastewater-servicing-capacity-checks-and-allocation/>

2. Extension Eligibility Requirements

Proponents are to track their own lapsing periods. The City will provide Proponents with notice six months before an allocation is at risk of lapsing for planning applications and approved development agreements.

Proponents may apply to request an extension only when:

- On-site construction activities have commenced but additional time is required to reach substantial performance of on-site servicing (for the 36 month formal hold). or;
- Additional time is required to reach Planning application approval (for the 48 month hold).

To be eligible for extensions the following is required:

- An active, valid Servicing Allocation that has not yet lapsed.
- An active Planning application that has been deemed complete but has not yet been approved or Construction activities have commenced and are progressing toward Substantial Performance.
- The request is submitted 60 days in advance of the project capacity check/hold lapsing period.

Evidence supporting the evaluation criteria (see Section 4 below) is available and detailed within the request.

Please note extensions are discretionary and not guaranteed. Expired Servicing Allocations cannot be extended, and new capacity checks will be required to reallocate servicing capacity to the project if approved Capacity holdings come to lapse.

3. How to Submit an Extension Request

Extension requests may be submitted digitally to the General Manager of Planning and Building Services (GM of PBS) at planning@guelph.ca.

3.1 Required Contents of the Submission

Extension submissions must be concise and may not exceed 10 pages in length, excluding supporting attachments.

- Cover Letter / Written Request: Identify the property, development application file number(s), construction start date(s), and requested extension length.
- Construction Progress Documentation: Schedules, milestone tracking, photos, inspection summaries, evidence of progress toward Substantial Performance.
- Supporting Evidence for Evaluation Criteria (Section 5): Detailed documentation for each criterion.
- Primary Contact Information and Authorized Agent details (if applicable).

3.2 Timing Requirements

- Requests must be received by the General Manager of Planning and Building Services no later than 60 days prior to the lapsing date.
- Early submission is encouraged to reduce delays.

4. How Extension Requests Are Evaluated

The General Manager of Planning and Building Services will evaluate extension requests using the criteria below. To increase the success of extension approval, proponents should provide detailed, verifiable documentation for each criterion.

4.1 Demonstration of Firm Commitments and Feasibility

Provide executed contracts, contractor retainers, procurement records, financing confirmation, critical-path construction schedules (Gantt charts),

contractor letters, and engineering certifications demonstrating feasibility within the requested extension period.

4.2 Extent of New Housing Advanced by the Proposal

Provide a detailed breakdown of housing units (ownership, rental, affordable, supportive), density metrics, affordability commitments, phasing schedules, and alignment with City housing targets. Include agreements, financial models, and supporting documentation showing advancement of new housing supply.

4.3 Job Creation from the Investment

Provide estimated employment numbers for construction and post-construction phases. Break down full-time, part-time, and skilled labour roles. Include letters of intent from businesses, labour market analyses, or economic benefit assessments demonstrating job creation outcomes.

4.4 Alignment with Guelph's Strategic Growth Objectives / Nodes

Demonstrate alignment with Guelph's Growth Management Framework, including if the development is located in a Strategic Growth Area, the Downtown Major Transit Station Area (MTSA), nodes or corridors, and alignment with intensification and density targets. Include maps, planning justification reports, and references to relevant City strategic growth policies.

4.5 Conformity with the Official Plan

Reference specific Official Plan policies, schedules, and land use designations. Provide planning justification reports, density and height compliance analyses and servicing compatibility assessments demonstrating conformity. An extension application request shall not be supported for uses that no longer comply with the Official Plan.

Further to the above section, the City reserves the right to request additional information through extension requests to support application review and extension justification.

5. Decision and Notification

The General Manager of Planning and Building Services will issue a written decision within 60 days of extension request receipt. Extensions may be granted with or without conditions, or denied.

If extension is denied by the General Manager of Planning and Building Services, Proponents may appeal to the Deputy CAO, Infrastructure,

Development and Environment, within 30 days of the denial by the General Manager of Planning and Building Services.

6. How to Submit an Appeal Request

Requests for Appeal may be submitted to the Deputy CAO of Infrastructure, Development and Environment (Deputy CAO of IDE) at planning@guelph.ca.

Through appeal submissions proponents are encouraged to define the following:

- Information which is felt to be not appropriately considered through evaluation of the extension request by the General Manager of Public Building Services.
- New information and/or new project progress milestones which may be pertinent to granting an extension that was not already reflected in the extension request.

Appeal submissions must be concise and may not exceed 10 pages in length, excluding supporting attachments, and must be submitted within 30 days of the denial by the General Manager of Planning and Building Services to be considered.

If a Proponent has appealed a decision of the General Manager of Planning and Building Services not to extend the reservation period, the Servicing Allocation that is the subject of the appeal will continue to be reserved until the appeal is finally resolved by decision of the Deputy CAO, Infrastructure, Development and Environment, issued in writing to the Proponent.

In accordance with section 86.1(3) of the Municipal Act, 2001, decisions of the Deputy CAO, Infrastructure, Development and Environment are final.

7. For More Information

For questions or clarifications regarding the extension or appeal process requirements, please contact Planning and Building Services at planning@guelph.ca.