



## **HOUSING-ENABLING WATER SYSTEMS FUND (HEWSF) Intake II**

Program Guidelines – August 2024

Housing-Enabling Water Systems Fund – Intake II  
Ontario Program Guidelines

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## 1. Program Overview

The Housing-Enabling Water Systems Fund (HEWSF) is an application-based program. Projects funded through the program will aim to protect communities by investing in the development, repair, rehabilitation and expansion of core water, wastewater, and stormwater projects to promote growth and enable housing.

The following guidelines provide an overview of program details and requirements and act as a reference for applicants.

## 2. Objectives

Eligible projects under this intake must meet the following project outcomes:

- Enable growth and housing opportunities; and.
- Increase access to potable water; and/or
- Increase treatment and/or management of wastewater and stormwater.

This funding intake is a competitive process. Funding approval is not guaranteed.

## 3. Applicant Eligibility

### 3.1 Overview

Eligible applicants include all municipalities that own water, waste and stormwater infrastructure. Single-Tier municipalities who do not currently own water assets but through the project will own assets at the completion of the project and beyond are eligible to apply.

Privately-owned drinking water systems (e.g., year-round, non-municipal residential systems) are not eligible for this program.

Municipalities that are receiving funding under the first HEWSF intake, including as a co-applicant, or through New Deal agreements are not eligible for this intake.

Indigenous projects are ineligible to apply as standalone projects; however, municipalities may submit projects that benefit Indigenous communities but will not receive additional funding like other joint applications outlined below (see 3.2 Joint Applications).

## 3.2 Joint Applications

Joint projects between multiple eligible applicants are encouraged. As part of the application assessment, additional consideration will be given to joint projects that optimize housing enabling outcomes. Joint projects are those where each **co-applicant contributes financially** to the project. All applicants and co-applicants must meet the applicant eligibility criteria.

Each single municipality is allowed to submit only one application. Municipalities may apply for separate or joint applications. Should a municipality choose to submit a joint application with another municipality, that submission would be counted as their sole application. In summary, **a municipality cannot submit a joint application in addition to a stand-alone application.**

If project applications support the same housing development area, this must be submitted as a joint application.

Joint applications must have a primary applicant submitting the application. The primary applicant must own all or part of the water asset and confirm all co-applicant(s) funding is secured to support the project. If successful, the primary applicant will be required to sign a Transfer Payment Agreement (TPA) with the Province. The primary applicant is responsible for entering into a partnership agreement with the other eligible co-applicant(s) that will be contributing to the project. Funds will only be made available to the primary applicant who signs the TPA with the Province. The primary applicant will be responsible for the financial management of the project, ensuring all requirements in the TPA are satisfied, including regular reporting requirements. The primary applicant will be the main contact for the project for the Province.

For joint applications, an increased funding threshold will be available (see 7.2 Funding Maximum).

## 4. Project Conditions

### 4.1 Overview

The provision of the HEWSF is governed by the Government of Ontario. Transfer Payment Agreements (TPAs) will set out the terms and conditions under which the Ministry agrees to provide funds to applicants, and will provide additional details on payment schedules, milestones, reporting, and audit requirements. The Province will fund a maximum of 73% (up to \$35 million) with the municipality required to fund all remaining eligible project costs (27%). TPAs will only be entered into with primary applicants whose projects are approved by the provincial government.

## 4.2 Project Eligibility

### (1) Eligible Project Types:

- A project must include a capital component and may also include pre-construction planning and design work.
- A project must enable housing development (i.e., new housing units that would not be enabled without the project).
- A project can be any of the following project types: new construction; rehabilitation/repair; reconstruction; or expansion.
- Projects must have a clear start and end point.
- Projects can be stand-alone or a component of a larger project.
- Projects must be in the process of or completed the design and planning phase.
- Projects must meet all relevant provincial regulatory requirements.
- The application must include a clearly defined scope of work in order to enable a comprehensive assessment of the project (financial, technical, risk, etc.). For example, an application must clearly identify how it enables housing development, define how it could address existing health and safety issues and/or risks and the construction activities that will be undertaken to address the issue.

### (2) Eligible Asset Type:

- Drinking water assets (e.g., treatment plants, reservoirs, local pipes including the distribution system watermain and the municipal portion of service lines, pump stations)
- Wastewater assets (e.g., lagoon systems, pump stations, lift station, linear assets, treatment plants, storage tanks and collection systems)
- Stormwater assets (e.g., management facilities, linear assets including conveyance piping/ditches/culverts)

Note: Projects can include an optimization and/or performance review as part of a capital project on the above asset types. Private hookups of water system to municipal infrastructure would also be eligible.

### (3) Ineligible Project Types:

- For this intake, ineligible project types include:
  - Projects that have started construction;
  - Indigenous projects as stand-alone projects (however, municipally led submissions that cross indigenous borders and positively impact indigenous communities will be considered as eligible. These projects are eligible to be submitted through municipal-led applications);
  - Planning and design work as stand-alone projects;

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- All costs associated with preparing the application are ineligible for funding and should not be included in the scope or financials of the application;
- Assets that are located on private land (e.g., campgrounds);
- Operational costs of operating assets; and
- Flood management control works (including dams and dykes).

**(4) Other requirements:**

To support your application evaluation, the application must demonstrate how it will meet the intended outcomes of the program. For example:

- a. **Wastewater projects:** must result in wastewater effluent that meets or exceeds the applicable provincial regulatory requirements.
- b. **Drinking water:** water quality following the completion of a drinking water project must meet or exceed applicable provincial regulatory requirements.
- c. **Asset ownership:** Applicants must attest to owning and ensuring the operation of the infrastructure assets put forward for funding. Single-Tier municipalities without current ownership must attest to acquiring and ensuring the operation of the infrastructure assets by the project completion date and beyond.
- d. **Imminent Health and Safety:** consideration will be given to projects that pose an imminent, critical health and safety risk.
- e. **Bundling of eligible asset types:** Applicants must select only one primary project asset type but may bundle more than one eligible project asset type. For example, a project may have both water and wastewater components. Bundled projects must demonstrate that each component of the project is inter-related and meets eligibility requirements.
- f. **Milestone-Based Program:** As the program is milestone-based, funds are distributed to successful applicants after they have provided a report to the government demonstrating that required milestones, as set out in the TPA, have been met. Successful applicants must have a financing strategy in place to cover project costs upfront and unanticipated shifts in costs during the project such as cost escalations and overruns. **Recipients will be responsible for all cost over-runs.**

### 4.3 Project Conditions

Projects must comply with the following conditions to be considered eligible:

- (1) **Project start:** Projects must have a clear start and end date. **The project must start no later than September 30, 2025.** This start date could be pre-construction soft costs (i.e., design, planning, engineering, project management, etc.). Project soft costs can be retroactive to April 1, 2023. Construction **must not start** prior to project approval and Duty to Consult requirements have been met and communicated by the Province.

- (2) **Project completion:** Projects must be completed by **March 31, 2028**.
- (3) **Housing development:** Projects must enable housing such as an increase in housing units created.
- (4) **Financial sustainability:** Projects should have a financial plan in place to operate the asset(s) and should not be dependent on or seek senior level government support for operational funding as well as any potential cost over-runs or escalations experienced on a project.
- (5) **Land acquisition:** Any land acquisition must occur before an application is submitted.
- (6) **Duty-to-Consult:** Projects cannot start construction or site preparation until the provincial government has confirmed in writing that all Duty-to-Consult (DTC) requirements have been met. The undertaking of site preparation or construction prior to written confirmation being received from the provincial government confirming that DTC requirements have been met may jeopardize project funding.
- (7) **Asset management plans:** Projects should be informed by an applicant's asset management plan (AMP). This means the proposed project was identified based on the plan's prioritized lifecycle activities (e.g., construction, maintenance, renewal, rehabilitation, replacement, etc.) for the applicable asset category. For example, if an applicant has identified drinking water needs as a priority lifecycle activity within its asset management plan, then the submission of a drinking water project would be appropriate. If a proposed project does not align with the priorities identified within an applicant's asset management plan, a strong rationale must be provided in the application form. Asset management plans should be developed in accordance with the *Asset Management for Municipal Infrastructure* regulation (O.Reg. 588/17). For more details on AMP requirements please see section 6.2.
- (8) **Energy standards:** If the project is a building, the project must meet or exceed any applicable energy efficiency standards for buildings outlined in the Pan-Canadian Framework on Clean Growth and Climate Change.
- (9) **Accessibility standards:** Projects must meet or exceed the requirements of the highest published accessibility standard in a jurisdiction in addition to applicable provincial building codes and relevant municipal by-laws.

## 5. Application Process

### 5.1 Number of Project Submissions

Each eligible applicant may only submit a maximum of **one project** for this intake. If an eligible applicant participates in a joint application, the joint project will be counted as their single project submission.

## 5.2 Submissions and Funding Approval Steps

**Step 1:** Applicants must register or login online through the Province of Ontario’s online grant portal, [Transfer Payment Ontario \(TPON\)](#). Step by step support for working with the online grant portal are found [here](#). Full details on the application can be found by following the Submitting for Funding link from the TPON landing page. When filling out the application, please review your organization’s contact information carefully. If the program area is unable to contact a project representative in a timely manner, an application may be deemed incomplete. Only authorized representatives of the applicant organization should be included on the form (consultants should not be named as the point of contact). Authorized representatives typically include an individual that can legally bind the organization (e.g., CAO, treasurer).

**Step 2:** Applicants must fully complete one HEWSF application form and all supporting documents. **The application form and supporting documents are available through the TPON online portal.** For a complete list of supporting documents please see section 11.

**Step 3:** The application form and supporting documents must be submitted online through the **Transfer Payment Ontario (TPON)** system by **4:59 p.m. EST on November 1, 2024**. A scanned application form will not be accepted. **Failure to meet minimum submission requirements will result in the submission being identified as incomplete and will be at risk of not proceeding to the evaluation portion of the application process.**

For technical issues related to the submission of your application form, technical schedule or other supporting documents or if you note any discrepancies in the pre-filled section of the application form, please contact Transfer Payment Ontario Client Care at **416-325-6691 or 1855-216-3090 or email [TPONCC@ontario.ca](mailto:TPONCC@ontario.ca) for assistance.**

**For all other questions, please contact [HEWS@ontario.ca](mailto:HEWS@ontario.ca).**

**Step 4:** Once the completed application form has been submitted, an automated acknowledgement of receipt and a file number will be emailed to the primary applicant.

**Step 5:** Projects will be assessed and evaluated by the Province.

**Step 6:** Notification of project approval.

**Step 7:** TPA Development. Once a project has been approved, the Province will create a project specific TPA and provide it to the primary applicant for signature. The TPA sets out the terms and conditions of funding including:

- That contracts will be procured through a competitive, value-for-money process.
- That the primary applicant will fulfill all Duty-to-Consult and Environmental Assessment requirements.
- A detailed list of eligible and ineligible expenditures (see Section 7.4 and 7.5 for more details).
- Communication requirements (including project signage).



- Mandatory reporting requirements, including insurance obligations.

### 5.3 Key Dates

Applications and all supporting documentations must be submitted through TPON by **4:59 p.m. EST on November 1, 2024**.

**Note:** applications including all supporting documentation will not be accepted after this time and submissions cannot be changed after this deadline. **Failure to meet minimum submission requirements will result in the submission being identified as incomplete and will be at risk of not proceeding to the evaluation portion of the application process. That includes completing each section of the application form within the required timeline.**

**Note:** Successful applicants cannot start capital work (e.g., site preparation, construction, etc.) on a project until they have been notified by the Province in writing that Duty-to-Consult requirements have been met.

- Projects must start no later than **September 30, 2025**, and be completed by **March 31, 2028**. The project start date can represent pre-construction soft costs (i.e., design, engineering, project management, etc.).

### 5.4 Project Description

A technical description of the proposed project should provide the Ministry adequate information to understand the scope of the project. Strong project descriptions include but are not limited to:

- Name of municipality;
- Project location (from x road to y road);
- Type of asset;
- Length of project work; and
- List high-level project details/outcomes.

#### **Water Project Description Example**

This project will replace and expand watermains in the downtown core in the City of Argyle. The project work will involve the installation of approximately 700 metres of watermain and valve chambers on Samuel Boulevard from Lyle Street to Canton Street. Approximately 300 metres of new trunk watermain on Locke Street from Barrie Avenue to York Street will also be constructed. All interconnections at junctions will also be installed.

#### **Wastewater Project Description Example:**

This project will expand the servicing capacity of the wastewater treatment system in the Town of Fitzgerald. The work will include the installation and expansion of SCADA control systems, upgrade the sewage lagoon's mechanical and chemical processes, expand the tertiary treatment system by installing approximately 12 new intermittent sand filter cells, as well as the installation of a third pump. An upgraded power supply will also be installed.

#### **Stormwater Project Description Example:**

This project will enhance stormwater management in the Town of Sapphire. A new stormwater management facility will be constructed at the Bellwood municipal management property. All

mechanical, electrical, and internal control systems necessary to bring the new facility online will be included in this project.

**Bundled Project Description Example:**

This project will upgrade the Wastewater Treatment Plant (WWTP) in Lakeland Township. The work will include the installation of approximately 5,000 metres of new forcemain from the Boxwood Sewage Pumping Station (SPS) to the WWTP and will also replace approximately 140 metres of watermain on Dover Street, and approximately 370 metres of water transmission main on Agatha Street. Approximately 420 metres of storm sewer will be replaced on Bell Avenue and approximately 1,000 metres of forcemain will also be replaced to tie in the Spruce SPS.

## **6. Assessment Process**

### **6.1 Assessment Criteria**

Ontario will assess projects primarily in relation to the following assessment criteria:

1. Technical Merit (Water/Wastewater/Stormwater Systems)
2. Housing Impact
3. Project Readiness
4. Financial Capacity
5. Critical Public Health and Safety

Priority will be given to those projects that are more advanced in planning and design (e.g., Stage 4 of Environmental Assessment).

**Note:** Additional consideration will be given to cross-municipal joint projects with highest impact.

Project approval will be assessed and prioritized based on program requirements, applicant eligibility, application completeness, assessment criteria and the overall demand of funds in the program.

#### ***Criteria 1 – Technical Merit for Water Systems***

Projects would be assessed on technical merit factors such as:

- i. Meets provincial regulatory requirements.
- ii. Environmental impacts, including climate resiliency.
- iii. Current utilization of water/wastewater/stormwater infrastructure capacity.
- iv. If the project is a net new or expansion project.

#### ***Criteria 2 – Housing Impact***

Projects will be assessed on:

- i. Total new housing units enabled (by year) as a result of the project.

- ii. Comparison of new housing units enabled as a result of the project by 2031 to the remaining gap to achieve the municipality's provincially-assigned 2031 housing target (if applicable).
- iii. Cost per housing unit enabled.

### ***Criteria 3 – Project Readiness***

Projects would be assessed on readiness factors such as:

- i. Anticipated project start date.
- ii. Whether the project is in the planning and design phase.
- iii. Alignment of proposed housing development (enabled by infrastructure funding) with land use planning policies (consistency with the Provincial Policy Statement, conformity with Official Plans and zoning by-law).
- iv. Status of the proposed housing development (e.g., what proportion of units enabled by the project have proceeded to the Plans of Subdivision and/or Plans of Condominium stage) and expected date of completion of the housing development.

### ***Criteria 4 – Financial Capacity***

Using data from the Financial Information Return, projects will be assessed on the applicant municipality's financial capacity to support the municipal contribution (i.e., 27%) of the project. A detailed listing of funding source(s) (e.g., own source revenues, debt, reserves) is to be provided by the applicant municipality. An updated Repayment Limit (ARL) is also to be provided. For more information about the ARL, please see [O. Reg. 403/02](#) (Debt and Financial Obligation Limits).

### ***Criteria 5 – Criticality of Health and Safety***

Projects will be assessed on the criticality of health and safety factors based on a technical assessment criterion used relative to industry standards which engineers at the Ministry of Environment, Conservation and Parks (MECP) will use to review and score projects.

This includes:

- Whether the project is an appropriate solution to address a risk, including considering potential climate change impacts.
- Public health and/or safety issues (including continuity of service) related to water systems within the framework of the standards, policies and requirements of MECP, including but not limited to long-term drinking water and boil water advisories.
- Aspects that may potentially pose a threat to public health and safety, and their critical and imminent levels.
- Risk of meeting or failing to meet applicable standards, policies, as well as an assessment of the urgency of the identified health and safety need.
- Urgency of the need based on the information outlined in the application and technical schedule as well as any supplemental documents submitted with the technical schedule

(e.g., for drinking water projects, laboratory results and advisories may be required depending on your responses to the technical schedule).

## 6.2 Asset Management Plan

The *Asset Management Planning for Municipal Infrastructure* regulation (O.Reg. 588/17) sets out requirements for undertaking municipal asset management planning. The regulation is being phased in over a 7-year period, from 2018 to 2025), with progressive requirements for municipalities with respect to their asset management plans.

### ***Asset Management Phase-in Schedule***

<b>Date</b>	<b>Regulation</b>
<b>July 1, 2019 (complete)</b>	Date for municipalities to have a finalized strategic asset management policy that promotes best practices and links asset management planning with budgeting, operations, maintenance and other municipal planning activities.
<b>July 1, 2022 (complete)</b>	Date for municipalities to have an approved asset management plan for core assets (roads, bridges and culverts, water, wastewater and stormwater management systems) that identifies current levels of service and the cost of maintaining those levels of service.
<b>July 1, 2024 (complete)</b>	Date for municipalities to have an approved asset management plan for all municipal infrastructure assets that identifies current levels of service and the cost of maintaining those levels of service.
<b>July 1, 2025</b>	Date for municipalities to have an approved asset management plan for all municipal infrastructure assets that builds upon the requirements set out in 2024. This includes an identification of proposed levels of service, what activities will be required to meet proposed levels of service, and a strategy to fund these activities.

At the time of application, the asset management plan used to inform the proposed project should be developed according to O.Reg. 588/17.

As part of project reporting requirements, and to remain eligible for funding, successful applicants will be required to provide a link to their updated, public facing and Council approved asset management plan to [municipalassetmanagement@ontario.ca](mailto:municipalassetmanagement@ontario.ca) as regulatory milestones are phased in over the life of the project (2024 and 2025).

For more information about municipal asset management planning, as well as tools and supports available to help municipalities develop and improve their plans, please visit the <http://www.ontario.ca/assetmanagement>.

## 6.3 Provincial Land-Use Planning

The housing enabled by proposed infrastructure projects must be aligned with and support provincial land use planning priorities and outcomes, as set out in provincial land use planning policy, municipal official plans and zoning by-laws.

Applicants are required to submit a copy of the applicable official plan schedule(s) and zoning by-law map(s) with the anticipated housing development lands clearly delineated, a detailed explanation of how the proposed development aligns with provincial planning priorities and outcomes, and a clear explanation of the status/stage of the housing development(s) that will be enabled by the infrastructure (e.g. proper zoning in place, plan of subdivision draft approved, site plan application submitted, etc.).

## 7. Financial Matters

HEWSF funds will be disbursed to applicants once mandatory reporting requirements have been fulfilled demonstrating that required milestones, as set out in the TPA, have been satisfactorily met (see section 7.6 for details on milestones and payment). Additional reporting requirements may be included and described through the TPA.

Successful applicants must have a financing strategy to cover costs up-front and operating costs as well as any potential cost over-runs or escalations experienced on a project. More details on combining funding under this intake with other federal, provincial, and municipal programs can be found in section 7.3 below.

### 7.1 Cost-Sharing

Successful projects would be cost shared between municipal applicants and the Province. This includes a minimum of 27% of eligible expenditures covered by municipalities, matched at 73% by the Province.

### 7.2 Funding Maximum

The Province would fund a maximum of 73% (up to \$35 million) of eligible project costs with the municipality required to fund all remaining eligible project costs. This means that total project cost per applicant could equate up to approximately \$48 million, assuming a 73%/27% cost share.

For joint applications, the primary applicant can apply for up to \$35 million in provincial contribution on total eligible costs, times the number of applicants. For example, a joint project with three eligible co-applicants can submit a project with a combined provincial contribution of up to \$105 million (i.e., \$35 million multiplied by three eligible applicants equals \$105 million).

For illustrative purposes only:

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Value of Project	Provincial Contribution (73% max)	Municipal Contribution (27% min)
\$5 million	\$3.65 million	\$1.35 million
\$48 million	\$35 million	\$13 million
\$100 million	\$35 million	\$65 million

Note: figures reflect approximate amounts

For projects submitted by an individual municipality that benefit Indigenous communities, the provincial contribution of funding does not multiply as these are not considered joint applications.

### 7.3 Combining Funding from Other Sources (Stacking)

Eligible applicants may combine (i.e., stack) other federal and municipal funding (including development charges revenue) to fund the 27% minimum recipient contribution. Applicants are responsible for determining if federal funding can be used towards the project being submitted to the Province. Provincial stacking will not be permitted, with the exception of funding received from the Building Faster Fund (BFF) and the Ontario Community Infrastructure Fund (OCIF).

### 7.4 Eligible Project Costs

All eligible project costs must be incurred after **April 1, 2023**. Project contracts must be awarded in a way that is fair, transparent, competitive and consistent with value-for-money principles in accordance with local procurement by-laws and as prescribed within the Procurement Requirements of Section 271 of the *Municipal Act, 2001, S.O. 2001, Chapter 25*. Construction costs will not be covered until such time that all Duty to Consult (DTC) and/or Environmental Assessment (EA) requirements are fulfilled and communicated to the primary applicant. Costs related to the DTC and Environmental Assessment requirements are eligible under the HEWSF program.

**Note:** successful applicants must not start capital work (e.g., site preparation, construction, etc.) on a project until they have been notified in writing by the government that all DTC and land use requirements have been met.

**Projects that begin construction prior to receiving written notification that they may proceed, may be deemed ineligible for program disbursement and projects cancelled.**

### 7.5 Ineligible Project Costs

Successful applicants are responsible and must pay for all ineligible project costs as well as any potential cost over-runs or escalations experienced on a project.

The following costs are ineligible for funding:

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- All capital costs, including site preparation and construction costs, prior to confirmation in writing from the provincial government that DTC requirements have been met and continue to be met (See Section 8 for DTC);
- Financing and financing charges, debt restructuring, loan interest payments bank fees, and legal fees including those related to easements (e.g. surveys);
- Operational costs of operating assets;
- Costs incurred for cancelled projects;
- Costs of relocating entire communities;
- Land acquisition;
- Planning costs, if not tied to a capital project (i.e., planning-only project submitted);
- Leasing land, buildings and other facilities; leasing equipment other than equipment directly related to the construction of the project; real estate fees and related costs;
- Any overhead costs, including salaries and other employment benefits of any employees of the applicant, any direct or indirect operating or administrative costs of applicants, and more specifically any costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by the applicant's staff, except in accordance with approved incremental costs of employees noted above;
- Any goods and services costs which are received through donations or in kind;
- Provincial sales tax, goods and services tax, or harmonized sales tax;
- Any costs eligible for rebates;
- Costs associated with operating expenses and regularly scheduled maintenance work; and
- Cost related to furnishing and non-fixed assets which are not essential for the operation of the asset/project.

A more detailed list of eligible and ineligible expenditure categories will be provided in individual project-level TPAs.

## **7.6 Payments & Reporting**

Funding is milestone-based meaning that funds will be disbursed to applicants once a report is submitted to the government demonstrating that required milestones, as set out in the TPA, have been met.

Expenditures for projects will be disbursed, conditioned on the project completes each milestone and submits appropriate reporting requirements which are deemed satisfactory. For illustrative purposes, the following table is intended to be an example of a payment schedule.

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Further information on the actual payment schedule and required reporting schedule will be provided in the TPA. Additional reporting requirements may be required as part of ongoing project monitoring that are not outlined above and are not tied to any payment (e.g., project status).

Milestone	Supporting Documentation	Payment Amount	Payment Timeline
<b>Milestone 1:</b>	An executed Transfer Payment Agreement and a Council by-law/ Board resolution authorizing the applicant's entry into the Agreement. Any other reporting requirements requested by the Ministry.	Up to 25% of project Total Eligible Cost (TEC)	Payment may be received between April 1, 2025, and March 31, 2026
<b>Milestone 2:</b>	Construction Contract Award Report and project progress report, including revised budget forecast. Any other reporting requirements requested by the Ministry.	Up to 60% of project TEC.	Payment may be received between April 1, 2026, and March 31, 2027
<b>Milestone 3:</b>	Final Report, may include any or all supporting document related to the project lifecycle.  Any other reporting requirements requested by the Ministry.	Province's acceptance and approval of Final report– release of the final (up to) 15% of project TEC.	Payment may be received between April 1, 2027, and March 31, 2028

\* This schedule is intended to be an example of a payment schedule. Further information on payment schedule and required reporting schedule will be provided in the TPA.

## 8. Duty-to-Consult

As part of the application process for funding, applicants will be required to complete the Duty-to-Consult (DTC) Questionnaire found in the HEWSF Application Form (Appendix B).



Projects must not start construction or site preparation until the provincial government has confirmed in writing that all DTC requirements have been met. The Province reserves the right to withhold funding or recover funds utilized for construction-related activities if they began prior to the determination by the Province that DTC requirements having been met.

## 9. Contact Information

For program related inquiries the Housing-Enabling Water Systems Fund team can be reached by email at [HEWS@ontario.ca](mailto:HEWS@ontario.ca). For inquires related to the TPON system, please contact TPON at [TPONCC@ontario.ca](mailto:TPONCC@ontario.ca).

## 10. Outcomes and Indicators

Outcome Description	Indicator	Unit of Measure
Increased/restored drinking water/wastewater/stormwater infrastructure capacity, while the associated public health and safety risk is being addressed.	Extent to which treatment and management facility capacity are being increased (or restored).	Increase in treatment capacity in Cubic meters per day.
	Extent to which conveyance capacity are being increased (or restored) in watermain and sewer infrastructure, in the upgraded and/or new water systems.	Flow Capacity Enhancement in Distribution/Collection Systems (m3/day or L/s).
	Increase in stormwater management capacity / and/ or increase in drainage area/ conveyance capacity before HEWSF investment (baseline) and at project conclusion.	Increase in Number of assets, increase in drainage area with stormwater management.
	Increase in treatment capacity of the stormwater facility or wastewater treatment plant (operational and rated capacity) before HEWSF investment and at project conclusion.	Increase in treatment capacity in volume units.

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	<p>Enhanced Physical condition of the wastewater/ stormwater assets before HEWSF investment (baseline) and at project conclusion.</p>	<p>Asset condition improvement index five-point rating of scale:</p> <ul style="list-style-type: none"> <li>• <u>Very poor</u> The asset is unfit for sustained service. Near or beyond expected service life, widespread signs of advanced deterioration, some assets may be unusable.</li> <li>•</li> </ul>
		<ul style="list-style-type: none"> <li>• <u>Poor</u> Increasing potential of affecting service. The asset is approaching end of service life; condition below standard and a large portion of system exhibits significant deterioration.</li> <li>• <u>Fair</u> The asset requires attention. The assets show signs of deterioration, and some elements exhibit deficiencies.</li> <li>• <u>Good</u> The asset is adequate. Acceptable, generally within mid stage of expected service life.</li> <li>• <u>Very good</u> Asset is fit for the future. Well maintained, good condition, new or recently rehabilitated.</li> </ul>
<p>Support residential growth (e.g., increased housing supply).</p>	<p>How many housing units are being supported/enabled for each project.</p>	<p>Number of existing housing units in the municipality as of January 1, 2024 (baseline).</p> <hr/> <p>Number of potential new housing units enabled by the project (by year).</p>

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		Number of new housing units that have started construction as a direct result of the project (by year).
Complement provincial programs, particularly the Building Faster Fund, by providing multi-year funding support for water projects that specifically accommodate housing growth.	Maximizing provincial infrastructure investments in Ontario communities.	Total amount of HEWSF dollars leveraged.

## 11. Application Package Requirements

As part of the complete HEWSF application, applicants will be required to submit the following through TPON:

- ✓ The **HEWSF Application Form** which will provide information about your project proposal. The form also includes a Technical Schedule and Duty to Consult (DTC) Questionnaire in the appendices that need to be completed.
- ✓ **Project Map** clearly identifying all components in the project description in KML format (Refer to Section 12 “Maps in KML Format” for instructions) and submitted as an attachment through TPON.
- ✓ **Land use planning information** related to proposed housing development (e.g., location, official plan designation and zoning for subject area, status of and information regarding any other land-use planning applications/approvals).
- ✓ The applicant may also be required to submit **additional supporting documentation** based on responses provided in Section E and the Technical Schedule of the Application Form. This includes:
  - Lab results;
  - Advisory orders;
  - Secondary Plans;
  - Master Infrastructure Plans;
  - Municipal Structure Inspection Form;
  - Engineering Plans;
  - Design Reports; and/or
  - Photographs.

Applicants may also submit the following optional documents alongside the application form if they have conducted these assessments:

- ✓ Environmental Assessment (if applicable)

## 12. Maps in KML Format

The provincial government requires a detailed KML file showing exactly where each work site/asset is located. **This is not a picture or PDF map of the project location**, but a digital spatial representation of the project location produced by a geographic information system.

Specifically, for water projects you must:

- Add a marker or draw a line for all locations of work on existing or proposed watermains, standpipes, pumps, and Water Treatment Plants (WTPs).
- Add a marker for each location of all wells that are being worked on as part of the project (you will be required to identify which wells are private vs. public facing)

### 12.1 What is a KML File

This simple file type, designed specifically for the visualization of geographic data, provides an accurate and detailed representation of the project and asset locations. Using a KML allows a variety of point, polygon, and line data to be represented spatially with detail and consistency.

A KML file identifies project-specific spatial information which will help reviewers understand the nature and location of your project as well as the work that you are proposing to do.

A submitted KML file must include a geometry for each element/asset of the project you are applying for.


Every submitted KML file must include geometries representing the location of the asset on the ground. Geometries can be of three different types:





- Placemark (point):  
Use placemarks, or points, to represent discrete points on a map (small areas).  
Examples include: buildings, water towers, hydro poles, bridges, etc.
- Path (line):  
Use paths, or lines, to represent elongated features over larger distances such as roads, water mains, trails, rivers/streams, etc.
- Polygon:  
Use polygons to represent two-dimensional shapes that cover larger areas. Examples include parks, lots and concessions, project boundaries and large water bodies such as lakes and ponds.


See the below images for an example of a nicely structured KML file in Google Earth. Note that these images are meant for general reference for KML creation and may not reflect the data the applicant is meant to capture.





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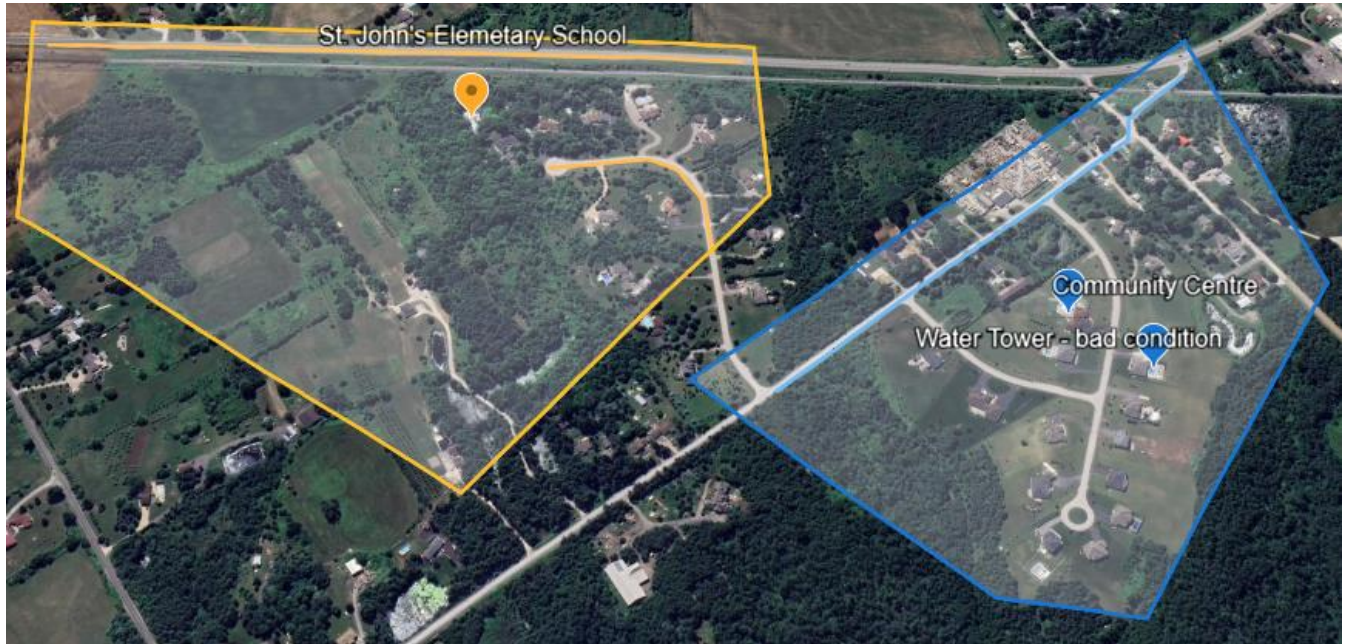
▼ **ABC Corp Submission 1 20240730**  
Jul 31, 2024

▼  Worksite 1

-  Community Centre
-  Water Tower - bad condition
-  Main Street - to be repaired
-  Worksite 1 Boundary

▼  Worksite 2

-  St. John's Elementary School
-  Old Forest Road
-  Miller Street
-  Worksite 2 Boundary



## 12.2 KML Submission Structure

1) When creating a KML file, the naming convention of the file should include:

- Applicant name
- Name of submission
- Date of submission (yyyymmdd)

An example KML name would be: 'ABC Corp - Submission 1 - 20240730'

2) When adding geometries (placemarks, paths or polygons), each geometry should include:

- Name:  
Ensure that each geometry is clearly named with the asset type and key identifying information. For example, the condition of the asset should be included in the name where applicable (and expanded upon in the description – see below). It should be clear to the reviewer what each geometry represents based on the name. Examples:
  - i. A path (line) geometry named 'Main Street – to be repaired'
  - ii. A point bridge geometry named 'Elora Bridge – good condition'
  - iii. A polygon geometry named 'Worksite 1', displaying the boundary of the proposed worksite(s) of the applicant.
- Description (Recommended):  
Add a description to the geometry for any additional information that cannot be captured in the name. Every geometry can be edited and a description added.
- Images/Videos (Optional):  
Attach an image or video file/URL to a geometry to provide further context to an asset.

3) When editing a KML file, use folders to categorize key information types. Note that you can further subdivide groups of geometries by adding sub folders. In general, there should be a folder for:

- Key application information:  
For example, label the folder 'New infrastructure to be built'

- i. You may add sub folders by asset type. For example, a 'Bridges' sub folder, or a 'Assets in Critical Condition' subfolder.
- Supplemental application information:  
This may or may not be necessary depending on your application. This could include items like site administration centers.

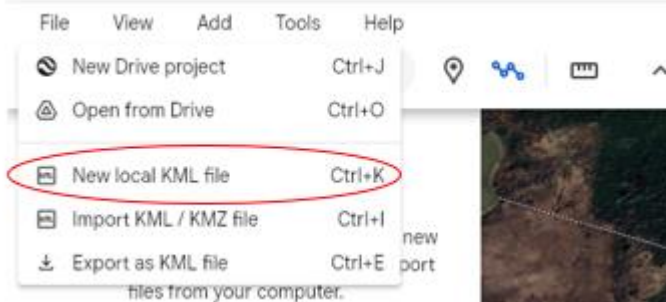
The applicant may choose an alternative folder structure, as long as it clearly identifies intuitive groupings of geometries for the reviewer.

### 12.3 How to Create a KML File

A KML file can be created easily by anyone using Crown-Indigenous Relations and Northern Affairs Canada's (CIRNAC) publicly available Aboriginal & Treaty Rights Information System (ATRIS) web-based application or Google Earth's free web application, as well as other geographic software packages like ArcGIS or QGIS. This guide will walk you through the steps to do so using Google Earth or ATRIS.

#### Create a KML File using Google Earth:

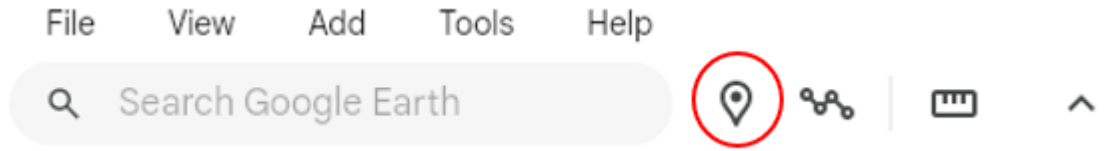
1. Open Google Earth.
  - Go to the [Google Earth website](#) and click 'Launch Earth'.
2. Navigate to your area of interest.
  - Use the search bar or manually navigate to the area where you want to create your KML.
3. Create a new KML.
  - In the top left of Google Earth, click 'File', then click 'New local KML file'. This will create a new KML file to add geometries in. Ensure you name the KML file following the conventions in the KML Submissions Structure section, ie. Applicant Name followed by the date of creation ('yyyymmdd').



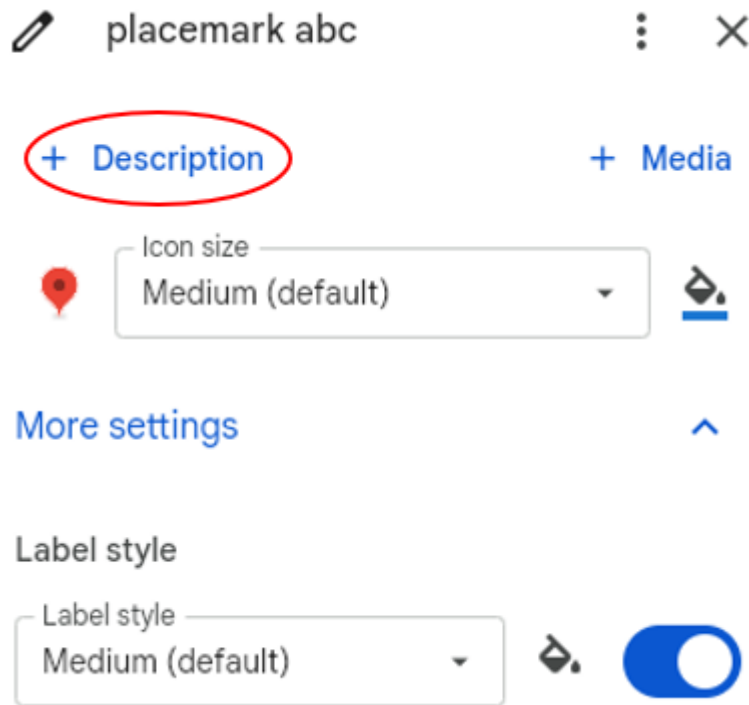
- Note that there is also an option to import existing KML's you've created 'New local KML file'.
4. Draw geometries. There are three types of geometries you can draw; placemarks, paths and polygons. Note that you can edit any geometry after it is created.
    - Add Placemarks (point geometries):

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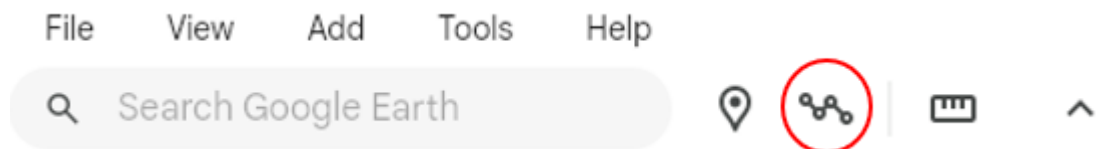
- i. Click on the Placemark button (the pushpin icon) in the toolbar.



- ii. A new placemark will appear at the center of the view. You can drag it to the exact location you want.
- iii. In the pop-up window that appears, give the placemark a name that properly identifies this feature (see KML Submission Structure section). Add a description to provide further context to the feature.



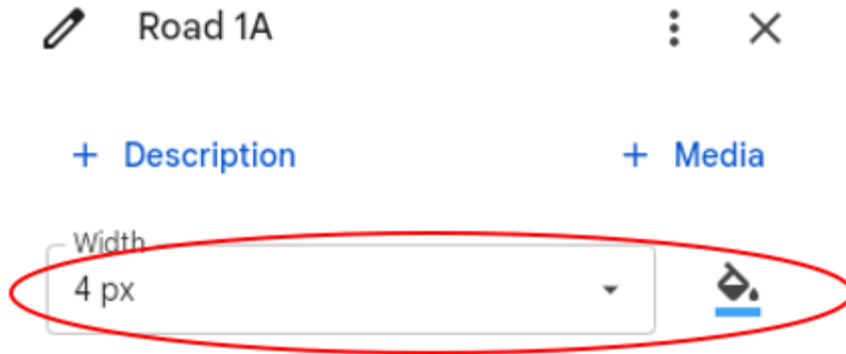
- iv. Optional: click the icon image to change the icon symbol. This helps the viewer to visually differentiate between placemarks. For example, give bridge placemarks that same symbol.
  - v. When done, click OK to save the placemark.
- Add Paths (line geometries):
    - i. Click on the Path button (the lines icon) in the toolbar.



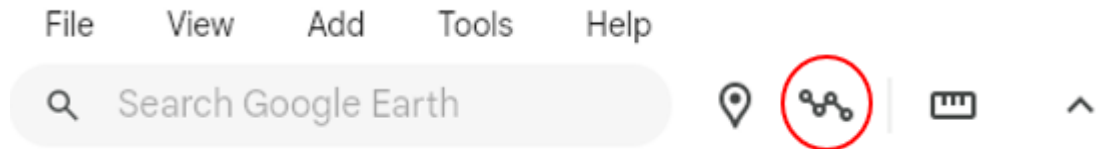


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- i. Click on the map to start drawing your path. Each click will add a point to the path.
- ii. Once you finish drawing, give the path a name that properly identifies this feature (see KML Submission Structure section). Add a description to provide further context to the feature.
- iii. Optional: you may adjust the line width and line colour to help visually differentiate different types of lines.



- iv. Click OK to save the path.
- Add Polygons:
    - i. Click on the Path button (the lines icon) in the toolbar.



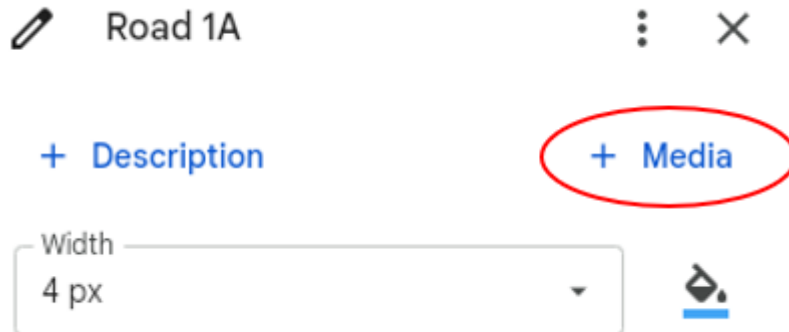
- ii. Click on the map to start drawing your polygon. Each click will add a point to the polygon. Note that this operates identically to creating a path. The only difference is, to make a polygon geometry, you must close the linework by meeting the end of the line with the start of the line. When you hover over the end of the line, you should see 'Close shape' appear. Click to close the line and create a polygon.



- iii. Once you finish drawing, give the polygon a name that properly identifies this feature (see KML Submission Structure section). Add a description to provide further context to the feature.
- iv. Click OK to save the polygon.

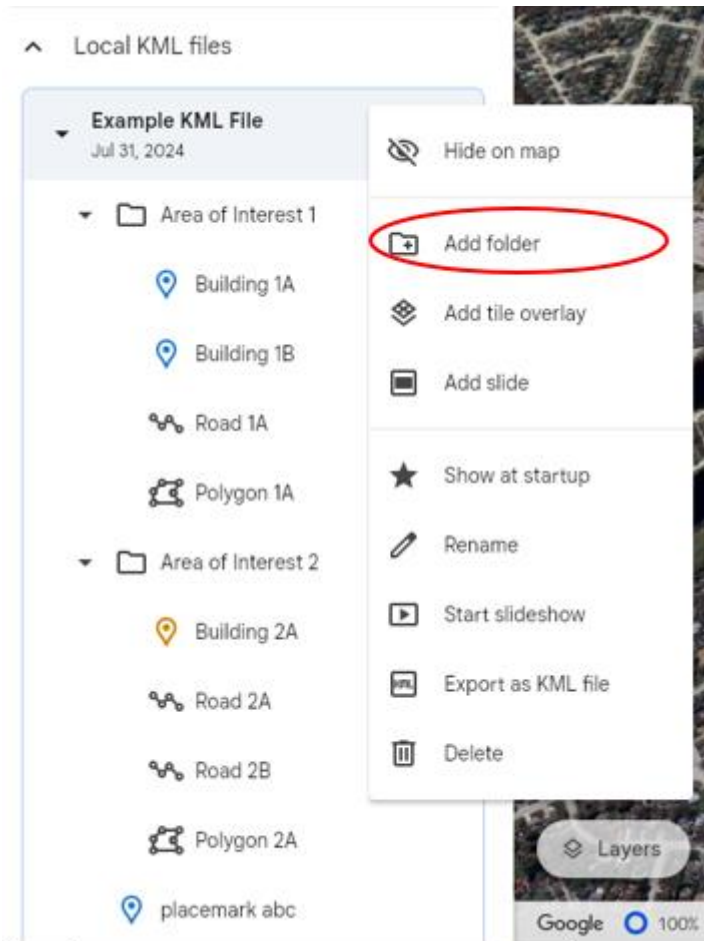
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- Note on images:  
Every geometry can have an image or video attached to it. It is recommended to do so to provide further context to a geometry. To attach a picture to a geometry, edit the geometry and select 'Media' then 'Upload image file'.



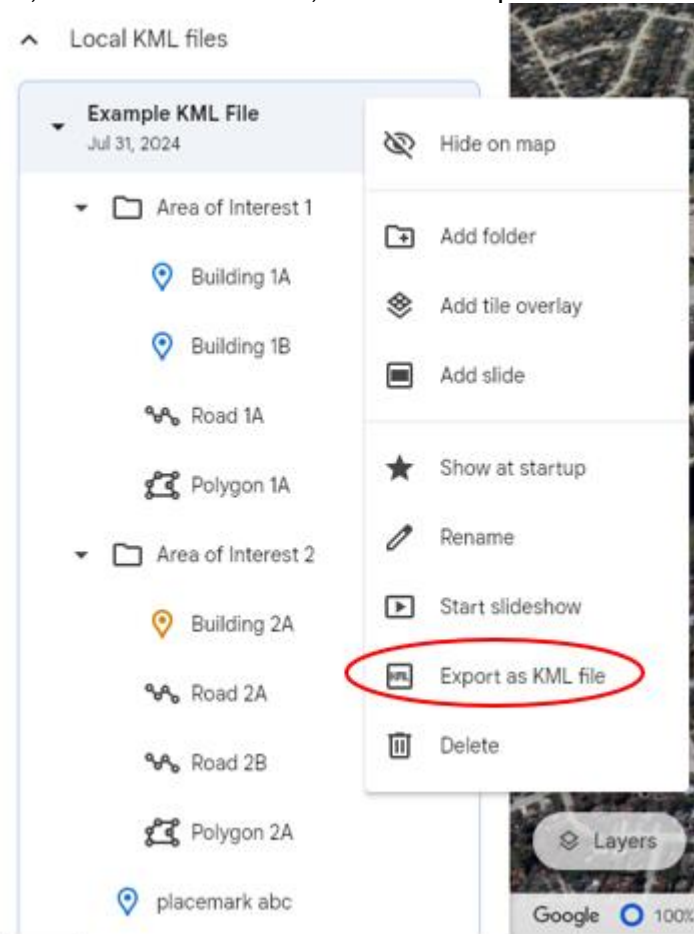
5. Organize your geometries by creating folders:

- You can create folders in the KML panel to organize your placemarks, paths, and polygons. To do so, hover over the name of the KML file (in the example below, the KML file is named 'Example KML File'), select the three dots, then click 'Add Folder'.



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- Name the folder appropriately. Use intuitive names for grouping like geometries. You can also create nested sub-folders to further categorize the geometries.
  - You can easily drag and drop geometries between folders.
6. Export your KML File.
- To export your KML file to your local computer, hover over the name of the KML file, select the three dots, then click 'Export as KML file'.

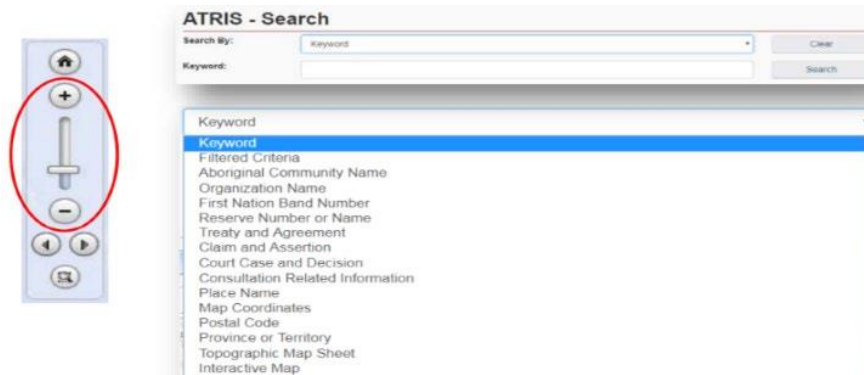


- The KML file should keep the name you gave it and will save to where your browser downloads.
- You are now ready to submit your finished KML file via email. If you need to, you can import the KML file back into Google Earth and make edits.

**Create a KML File Using ATRIS:**

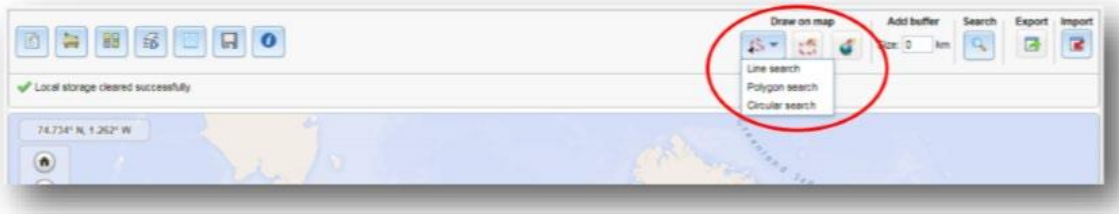
1. Navigate to CIRNAC's publicly available ATRIS web-based application using this link: [http://sidait-atris.aadnc-aandc.gc.ca/atris\\_online/Content/Search.aspx](http://sidait-atris.aadnc-aandc.gc.ca/atris_online/Content/Search.aspx)
2. Navigate to the project location in the map viewer, either by clicking, dragging, and scrolling to zoom, or using the various search options available in the 'Search By:' drop down menu.

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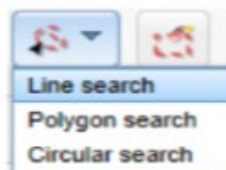
Draw your project on the map in the exact location using the “Draw on map” tools drop down located in the top right of the ATRIS interface. You may draw as many components of varying types (point\*, line, polygon) as necessary to be saved as one single .KML file. \*ATRIS users will not be able to create a geometry “point” in GIS terms, but the “Circular Search” option allows users to create circular polygons able to mimic points in terms of scale.

\*ATRIS users will not be able to create a geometry “point” in GIS terms, but the “Circular Search” option allows users to create circular polygons able to mimic points in terms of scale.



Choose the appropriate drawing tool for the type of component you are drawing:

- Line search – Click as many times as necessary to create a line that represents your linear project feature. Double click to complete. Examples include: roads, sewer lines, , pipelines, , transmission lines, etc.



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Polygon search – Click as many times as necessary to create a closed polygon that represents the project feature. Double click to complete. Examples include: building footprints, vegetation cuts, sewer/wastewater lagoons, etc.



Circular search – Click on the map to automatically create a circle. To create a smaller circle similar to a point, zoom in as close as possible on the map before clicking. Alternatively, click and drag, then release to draw a circular project feature yourself. Examples include: wells, outfalls, culverts, etc.



If at any time you wish to erase anything you've drawn, use the following two options:



Erase by Exent: Click and drag to create a shape around what you want to delete. Anything intersecting the box will be deleted when you release.



Global Erase: This will erase everything on the map. Click OK when prompted to clear the map viewer and start fresh.

3. Once you are satisfied with the drawn representation of your project, click the 'Export' button.



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The .KML will download as 'SearchAreas.kml' (unless you have specified otherwise) to the location where your browser saves downloads. The file name can be changed to something that reflects the project name before sending it in with your application..

Once saved, the .KML file is ready to be uploaded or sent via email. Should you need any further assistance with ATRIS, please visit the following link to find more information about ATRIS training webinars:

[Aboriginal and Treaty Rights Information System \(rcaanc-cirnac.gc.ca\)](http://rcaanc-cirnac.gc.ca)