
REPORT TITLE: Private Owners Responsibility for Pipe Maintenance and Repairs

FROM: Kealy Dedman, P.Eng., MPA, Commissioner of Public Works

RECOMMENDATION

That staff be directed to develop and implement a comprehensive communications and education plan to inform homeowners, property managers, industrial, commercial, and institutional (ICI) users, and condominium corporations within Peel Region of their responsibilities regarding private-side water and wastewater infrastructure maintenance and replacement.

REPORT HIGHLIGHTS

- Aging private-side infrastructure is increasingly prone to failure, leading to costly water outages and service disruptions, particularly in multi-residential and condominium properties.
- Peel Region is not responsible for private-side infrastructure beyond the property line, yet residents and property managers often expect Peel to perform repairs at its expense. In addition, Peel is often tasked with responsibility for managing private property matters due to staff and vendor expertise. Staff are noting increased expectations and time dedicated to resolving private side water and wastewater servicing challenges.
- Private-side responsibilities expose Peel Region to significant financial liabilities, uninsured risks, and potential legal obligations, while also impacting local contractors.
- Staff time and funding are currently being used to support private-side repairs without a formal mandate from Council, raising concerns about sustainability and scope.
- Development of public education and communication materials is recommended to clarify ownership responsibilities and promote proactive maintenance by property owners.

DISCUSSION

1. Background

Water infrastructure enables safe and reliable delivery of drinking water to customers throughout Peel Region. Similarly, wastewater infrastructure ensures the effective collection and conveyance of wastewater to Water Resource Recovery Facilities, where it undergoes proper treatment to protect public health and the environment. The lifespan of this infrastructure varies depending on factors such as material type, soil conditions, usage, and pipe size.

Service disruptions due to failure of infrastructure, regardless of its location, have significant impact on human life.

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To maintain the integrity of these systems, Peel's Water and Wastewater Divisions implement programs such as the Condition Assessment Program and the State of Good Repair Program, which support regular inspection, maintenance, and replacement of regionally owned water and wastewater assets. Peel Region is responsible for infrastructure up to the property line; beyond this point, ownership and maintenance responsibilities shift to the property owner (see Figure 1). This ownership can include private residents (single family homes, freehold units) or condominium corporations and private property management companies (condo units, townhomes, multi-residential units, industrial and commercial facilities)

However, many property owners, including residents, businesses, property management companies, and non-profit organizations, are often unaware of this ownership boundary and their associated responsibilities for maintaining private-side infrastructure.

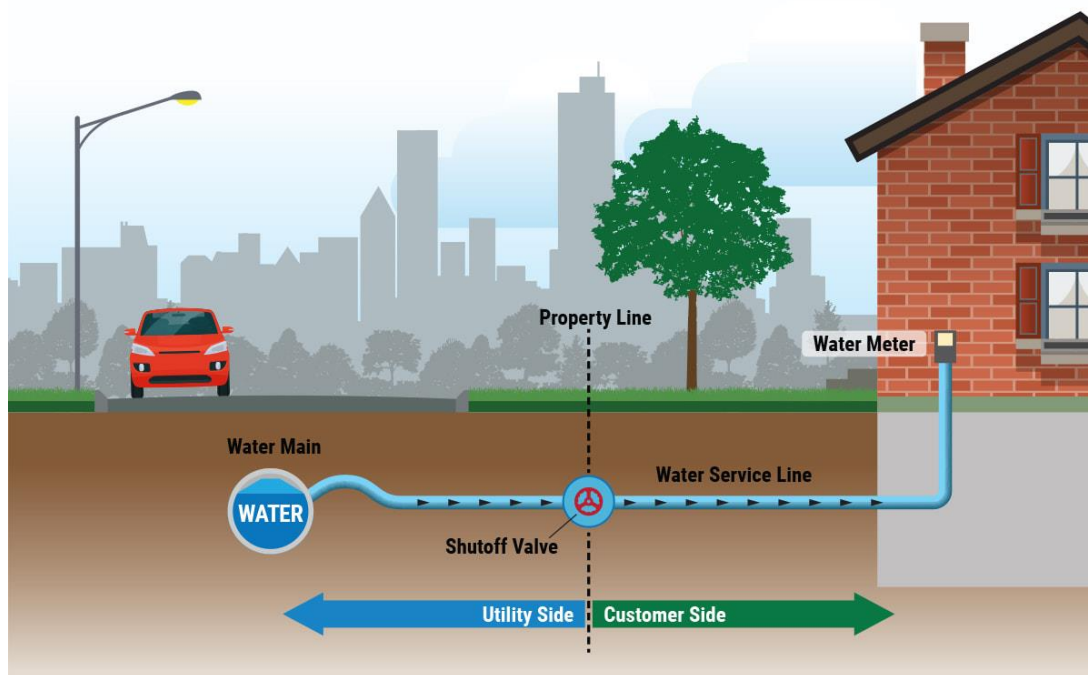


Figure 1: Water and Wastewater Infrastructure Ownership¹

2. Issues and Challenges

In many areas of Peel Region, aging infrastructure located on private property is approaching the end of its service life. As these assets deteriorate, they become increasingly susceptible to failures, such as private water main breaks, which can lead to water outages to the residents serviced. A key challenge with buried infrastructure is that issues often go unnoticed until a failure occurs, and this is exacerbated when private owners do not have a proactive inspection or condition assessment program. Private landowners typically do not conduct assessment of private side infrastructure, and this often inadvertently results in a “run to failure” approach to its management.

This challenge is particularly pronounced within condominium corporations, where water and wastewater systems are typically extensive and complex. Over time, these systems may

¹ Shaw Local News Network. (2023, September 6). *McHenry looking to fix 312 lead service lines starting in 2027*. Northwest Herald. Retrieved from <https://www.shawlocal.com/northwest-herald/2023/09/06/mchenry-looking-to-fix-312-lead-service-lines-starting-in-2027>

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deteriorate, resulting in breakage. Unfortunately, repairs are often costly, and strata reserve funds may be insufficient to cover the replacement of infrastructure that has exceeded its lifespan.

The service valve, which is located within the service box, serves as the demarcation point between public and private responsibility for water and wastewater infrastructure (see Figure 1). Peel Region is responsible for the infrastructure up to and including the service box and the water meter. The property owner is responsible for the service line extending from the service box into the property, as well as all internal plumbing.

Currently, when an issue arises, Peel staff may investigate, including excavation, to determine whether the problem lies on the public or private side. This process costs approximately \$500–\$1,000 per incident. If the issue is found to be on the public side, Peel completes the repair; if it is on the private side, the property owner is notified.

When Peel Region experiences a water main break, bottled water may be provided to affected residents depending on the duration of the outage. However, this support is not extended to outages resulting from private-side infrastructure failures. For wastewater systems, Peel staff do not perform repairs on private property. In certain cases, staff may assist by releasing sewer blockages or conducting CCTV inspections of private laterals, provided that the necessary waivers are signed, and applicable fees are paid in accordance with the Fees By-law (By-law 43-2002).

When private-side infrastructure fails and multiple residents are left without water or wastewater services, Peel often faces political and resident pressure to intervene and perform repairs on behalf of property owners to restore service as quickly as possible. Staff have recently managed many challenging private side matters with increasing complexity and need for technical and operational staff involvement. These situations are significantly increasing in frequency.

In winter 2025, a private-side water main break occurred in Mississauga, leaving over 1,500 residential units without water. Some residents were without service for approximately one week. Due to the extended outage and the large number of affected residents, Peel staff collaborated with the building management company and municipal enforcement staff to facilitate the repair, costing Peel approximately \$324,000.

Many residents, condominium owners and managers, businesses, non-profit agencies, and other stakeholders are often unaware of their responsibilities regarding the maintenance and replacement of private-side infrastructure. This lack of awareness frequently leads to requests for Peel Region to perform repairs, maintenance, and condition assessments on privately owned systems, at Peel's expense. However, undertaking work on private property exposes Peel to potential liabilities. Performing repairs on private infrastructure may inadvertently shift future responsibility to Peel, setting a precedent that could lead to ongoing expectations from property owners. Additionally, municipal insurance policies may not cover work conducted on private property, leaving the organization vulnerable to uninsured risks. In the event of a claim, such as property damage or personal injury, this could result in significant financial liability.

To mitigate these risks, property owners must be referred to qualified contractors or licensed plumbing professionals. Communicating that Peel Region is unable to provide these services often leads to difficult interactions with customers, and in many cases, staff have been subjected to abusive behaviour.

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Repair and replacement costs vary depending on factors such as pipe material, size, depth, and timing. Addressing a water or sewer main repair can require multiple hours to complete, is likely highly disruptive to personal property and landscaping and may cost several thousand dollars. Because water and sewer problems are relatively infrequent, these expenses are often unexpected and can place a significant financial burden on homeowners and businesses. For owners of detached or semi-detached homes, private insurance or service programs are available to help offset these costs.

Despite not having a formal mandate to perform private-side repairs, Peel is already investing staff time and financial resources to support certain private-side investigations and repairs, particularly in complex or high-impact cases. This practice, while helpful in the short term, further strains operational capacity and may divert resources away from Peel-operated systems.

3. Review of Options and Recommendation

To determine the best approach to managing private-side infrastructure, staff considered two main options, outlined and discussed below:

(a) Assume responsibility for infrastructure up to the water meter

If Peel Region were to extend its current responsibility beyond the service valve to include infrastructure up to the water meter (see Figure 1), this would significantly increase the workload of operational staff. Additional personnel would be required to manage the maintenance and repair of the added infrastructure. Specialized equipment would also be needed to work on smaller-diameter pipes and in confined spaces typical of private property.

A key concern is that Peel currently has no mechanism to track how many service calls private plumbing companies or contractors receive for private-side issues. As a result, the potential cost to Peel of assuming these responsibilities is unknown. Furthermore, Peel does not have a reliable means of assessing the current condition of private-side infrastructure. Assuming responsibility without this knowledge would transfer significant liability to Peel for repair and replacement.

Peel would also need to engage the Ministry of the Environment, Conservation and Parks to determine whether and how compliance obligations may be affected by the additional infrastructure.

The Service Line Warranty of Canada (SLWC) is a council-endorsed program that has helped participating residents reduce the cost of private-side infrastructure repairs. In 2024 alone, SLWC coordinated over 1,700 repairs valued at approximately \$614,000. Over the past decade, more than 8,900 repairs have been completed under SLWC, with a total value of \$3.3 million. SLWC is one of several programs offering this type of coverage, which is also available through various service providers, including gas and hydro companies, with differing levels of coverage and eligibility.

This coverage from SLWC is currently not available for industrial, commercial, or multi-residential properties. These facilities typically require larger and longer service lines, resulting in significantly higher repair costs. Non-profit organizations also fall into this category and have, at times, sought financial assistance from Peel. However, Peel does not provide funding support for these agencies. With over 1,200 non-profit organizations operating in Peel, offering subsidies could result in millions of dollars in expenditures and lead to substantial rate increases for all ratepayers.

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(b) Develop an extensive public education and communications program

Another option is to inform private owners of their responsibilities for maintaining and repairing private infrastructure. Working with the Communications team, Water and Wastewater staff would develop a comprehensive plan to educate homeowners, property managers, industrial, commercial and institutional (ICI) users, and condominium corporations.

Currently, local municipalities oversee and administer the Ontario Building Code, which starts at the property line. This program would leverage Ontario's Building Code (Ontario Regulation 163/24) and local municipal property standards by-laws², and involve collaboration with local building departments to ensure stakeholders understand their obligations. It would also raise awareness of Peel Region's Water and Wastewater By-laws, which grant Peel the right of entry to inspect and repair infrastructure at the property owner's expense.

All communications should be reviewed from a legal and risk perspective to ensure that Peel's position is clearly articulated. This will help prevent any misinterpretation that could inadvertently imply Peel's acceptance of responsibility for private infrastructure, thereby minimizing potential liability.

A preliminary review of benchmarking data from the Canadian Infrastructure Benchmarking Initiative (CIBI) indicates that, among the 25 responding municipalities across Canada, all assume responsibility up to the property line (where the service box is installed), with infrastructure beyond that point falling under the property owner's responsibility.

If Peel were to assume responsibility for private-side service line repairs beyond the service box, it would represent a departure from industry standards. Without a significant increase in field staff, this shift would reduce the Region's capacity to operate and maintain its own infrastructure, potentially compromising service levels and regulatory compliance. Additionally, performing private-side work could negatively impact the local plumbing and contracting industry by reducing available work for private service providers.

Peel services approximately 330,000 service connections. If the Region were to assume responsibility for private-side service line repairs, the financial impact would be substantial. For example, approximately 1 percent of service boxes experience leaks annually, costing the Region about \$2 million per year. If Peel were to expand its scope to include private-side repairs and even 10 percent of service lines required attention, the estimated cost could exceed \$25 million annually.

Peel Region does not have access to detailed maps or engineering drawings for private-side infrastructure. This lack of information increases the risk of inadvertently damaging other underground utilities (e.g. gas, hydro, telecom), which would result in additional repair costs borne by Peel. Further study would be required to fully assess the financial, operational, and legal implications of such a change in service level. However, preliminary analysis indicates that it would come at a significant financial cost to Peel.

² Mississauga: Property Standards By-law 0654-1998, Brampton: Property Standards By-law 165-2022, Caledon: Property Standards By-law 98-155

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Moving forward, it is recommended that when private-side infrastructure failures occur, Peel continue to work collaboratively with local municipalities and building management companies to raise awareness about the responsibilities associated with private-side water and wastewater infrastructure. The Region will also leverage existing municipal bylaws to help ensure that infrastructure is properly maintained.

To ensure the public is fully informed of its responsibilities regarding private-side infrastructure, staff recommend developing targeted public education and awareness materials. These materials will outline the responsibilities of property owners, including those managing commercial, institutional, and multi-residential facilities, condominium corporations, and non-profit organizations, for the operation, maintenance, repair, and replacement of water and wastewater infrastructure. The materials will clearly state that all associated costs are the responsibility of the property owner. In addition, communication materials will be distributed directly to property owners and management companies. These resources will provide information on the typical lifespan of infrastructure, the importance of condition assessments, and the responsibilities related to repair and replacement. Asset replacement plans are required under the Ontario Building Code Section 15 as well as the *Property Standards Act*. The goal is to improve awareness, reduce confusion, and support proactive infrastructure management on the private side while ensuring that Peel does not become intrinsically involved in the financial and legal implications of private side repairs.

RISK CONSIDERATIONS

As outlined above, if Peel were to assume responsibility for conducting private-side infrastructure repairs, the organization would face significant financial and operational implications. In addition to these substantial costs, Peel would also assume full liability for work performed on private property. This could set a precedent that leads to ongoing expectations from property owners for future maintenance and repairs, potentially impacting long-term service delivery and resource allocation.

By contrast, implementing a public awareness campaign to inform property owners of their existing responsibilities for private-side infrastructure is a low-risk approach. While some resistance may arise, particularly from owners who perceive the messaging as Peel offloading responsibilities or refusing to assist, this can be mitigated through clear, empathetic communication. Messaging should emphasize Peel's role in protecting public infrastructure, supporting proactive asset management, and helping owners understand their obligations under applicable regulations.

BILL 45 RISKS AND IMPLICATIONS

On June 4, 2025, Bill 45, the *Peel Transition Implementation Act, 2025*, was introduced by the provincial government. If passed as currently worded, Bill 45 will transfer jurisdiction over regional roads, including related stormwater infrastructure, from Peel Region to Mississauga, Brampton and Caledon on July 1, 2026. Jurisdiction over waste collection services from Peel Region to the three lower-tier municipalities is scheduled to transfer on January 1, 2026 in accordance with Bill 45 if passed, unless the Minister prescribes a different date before January 1, 2026.

Notwithstanding the introduction of Bill 45, Regional Council passed Resolution No. 2025-621 on September 11, 2025 approving October 1, 2027 as the date for the transfer of waste

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collection responsibilities to the local municipalities in accordance with the requirements of the *Municipal Act, 2001*. This information has been provided to the Province. Staff will monitor any developments as they relate to Bill 45 and will report back to Council when additional details become available.

FINANCIAL IMPLICATIONS

If Peel were to expand its level of service to include maintenance and repair of private-side infrastructure beyond currently established standards, it would result in a significant increase to the operational budget. This, in turn, would likely require an increase in utility rates to offset the additional costs. A comprehensive study would be needed to fully assess the financial implications of such a change. As noted earlier, expanding service could cost upwards of \$25 million annually, based on preliminary estimates, resulting in an estimated additional 6 percent increase in the water and wastewater rate.

Given these considerations, it is recommended that Peel maintain its current level of service, which includes responsibility for service lines up to and including the service box. To support this approach, staff will develop educational materials for homeowners and business owners to clarify their responsibilities and inform them of available resources for maintaining private-side infrastructure. All communication materials will be developed and printed internally and funded by the operating budget.

Maintaining the current service level helps protect ratepayers from unnecessary financial burden and ensures Peel's resources remain focused on public infrastructure. The communications strategy also supports cost containment by reducing reliance on Peel for private-side issues, thereby minimizing future financial and operational pressures.

CONCLUSION

Staff recommend developing a comprehensive communications and education plan to inform homeowners, property managers, industrial, commercial, and institutional (ICI) users, and condominium corporations of their responsibilities regarding private-side water and wastewater infrastructure. The goal is to ensure that private infrastructure is kept in a state of good repair and that property owners understand their obligations under applicable regulations. To support this, a targeted engagement and outreach strategy will be developed to raise awareness and promote proactive infrastructure management. This approach will help clarify roles, reduce confusion, and reinforce Peel Region's commitment to maintaining public infrastructure while supporting property owners in managing their private systems.



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