

Amendments to the Onsite Wastewater Management Systems Regulation

The Onsite Wastewater Management Systems (OWMS) Regulation, under The Environment Act was amended. Effective October 29, 2021, the time required for properties with onsite wastewater systems to connect with new municipal wastewater infrastructure is extended from five to 10 years.

This means that properties that are required but have not yet connected to existing municipal sewer systems will have up to December 31, 2031 to connect. All other properties will have 10 years starting from when the municipal lines are in place. Furthermore, limited exemptions to the immediate connection requirements for certain administrative land transactions have been included.

The amendments align with government priorities to protect the environment while supporting sustainable economic development, and protecting water quality for Manitoba lakes and rivers, including Lake Winnipeg, by reducing nutrient loading.

The below Frequently Asked Questions (FAQ) has been developed to provide clarity regarding the changes to the OWMS Regulation, however it is not exhaustive. If you have a question that is not answered in the FAQ, please contact your local Environment Officer for further guidance. A list of regional contacts can be found [here](#).

In addition to these questions and answers, please visit the [Onsite Wastewater Management Systems](#) program website for the most recent requirements, standards and other resources.

The text of the amendments can be found [here](#). The amendments should be consolidated with the [Onsite Wastewater Management System Regulation](#) in several weeks.

OWMS Amendment FAQ

What change has occurred?

The Onsite Wastewater Management Systems Regulation, made pursuant to The Environment Act, has extended the previous five-year timeline to 10 years for properties with onsite wastewater systems to connect to a new or existing wastewater (sewage) collection infrastructure. In addition, it clarifies that properties who have not yet connected to existing infrastructure (i.e. the previous five years has lapsed) have until the end of 2031 to connect. Limited administrative exemptions for prescribed types of land transfers and subdivisions from triggering the existing requirement to connect immediately have been added.

Why was this change made? Why now? Why is it necessary?

Many municipalities and homeowners in the areas surrounding the capital region and southern Manitoba have identified significant cost and implementation concerns with the existing five-year connection requirement. This requirement is not new and was implemented to support municipal investments in wastewater infrastructure and to reduce potential nutrient and bacteriological impacts. Municipalities and homeowners requested regulatory flexibility on when dwellings must be connected to wastewater collection infrastructure and to allow some exemptions.

What are the benefits from the change?

The 10-year timeline provides more time for homeowners to comply with the requirements and be more financially ready when it is time to connect to the municipal system. For municipalities, the additional time will provide greater flexibility to plan and build infrastructure capacity, and give them the opportunity during the 10-year window to capture more properties upon sale or transfer. It will also allow them to create greater understanding and buy-in from taxpayers regarding large infrastructure projects.

What does this mean for Manitoba and the environment?

Connecting to municipal wastewater systems reduces potential nutrient and bacteriological impacts caused by the congregation of individual onsite wastewater systems in densely populated areas. This strategy is particularly effective in high-density development areas along the [Red River Corridor Designated Area](#) with heavy clay soils in which septic fields function poorly. If more households connect to the system, then municipalities are more able to build their infrastructure capacity, which triggers further economic growth. Thus, the amendment aligns with government priorities to protect the environment while supporting sustainable growth. If a septic tank or field fails, Conservation and Climate will work with the homeowner to connect to an existing municipal system immediately. There is no risk to the environment with this regulatory change.

What does this mean for municipalities?

Municipalities will have more time to plan and implement wastewater infrastructure that supports regional land use plans and sustainable residential and commercial growth. The requirement to connect must remain, as municipalities are reliant on the revenue generated from dwellings being connected to fund large infrastructure projects.

Amendments regarding connection exemptions for administrative transactions assist municipalities in moving forward with minor amalgamations and improvement projects without triggering the immediate requirement to connect for properties that have onsite systems.

What does this mean for homeowners that will need to make the change?

The 10-year connection period provides more flexibility and control to impacted homeowners to consider the current state of their existing system and when it would make the most financial sense to transition to the municipal system. This is in recognition of the substantive financial costs for homeowners to connect to a municipal system.

When do the new changes come into effect?

The amendments came into force on October 29, 2021. Properties that are currently required but have not yet connected to existing infrastructure (i.e. the original five years has lapsed) now have until the end of 2031 to connect. All other properties will have 10 years starting from when the municipal lines are in place and the collection system operational.

What areas will be effected?

These requirements apply across the province, but will have the most applicability in the northern portion of the capital region along the Red River Corridor Designated Area, where there are a greater number of properties that are serviced by, but not connected to wastewater collection infrastructure or soon to be serviced, in the next five to 10 years.

These requirements do not apply on First Nation reserve lands where the federal government has jurisdiction for wastewater management.

How much will this cost?

Connecting to a municipal system can range from \$9K to \$80K, depending on the distance of the dwelling from the municipal pipe, pressure of the sewer and other site considerations.

What happens if an onsite wastewater system fails where wastewater collection infrastructure exists but the 10-year connection window has not expired?

Construction, installation, replacement, expansion or modification of an onsite wastewater system is not permitted in an area that is serviced by a municipal system. This current requirement remains and is not affected by the amendment. A homeowner would need to connect to the municipal system if the onsite system fails.

Can you clarify the requirements regarding sales or subdivisions of properties?

This aspect of the regulation has not changed. The regulation requires that newly serviced properties be connected within 10 years from when the property becomes serviced by a wastewater collection system, OR upon transfer or subdivision of the land, whichever comes first.

There is also an existing exemption for transfers related to the death of a spouse or common law partner (section 1.01) and the new transfer exemptions.

Who is responsible for enforcing the regulation?

Environment Officers of Conservation and Climate - Environmental Compliance and Enforcement Branch, enforce the regulation. Officers work closely with municipalities in monitoring compliance and in addressing connection-related issues.

How do these regulations apply to an empty lot?

The regulation does not apply to an empty lot unless it is developed and needs provisions for sewage disposal. If a municipal connection is available, construction and installation of an onsite wastewater system (holding tank, septic field), will not be permitted. The property needs to be connected to a municipal sewer.

What is classified as “serviced”? If there is a main line running past a property is it considered serviced?

It depends. The collection system must be present and able to be connected to. For example, a dwelling cannot be connected to a force main even if it runs in front of the property. In this case, the property is considered unserviced.

There can be many variables in these determinations. Section 8.3(1) of the regulation provides a system for settling disputes if an owner’s land is in an area that is serviced by a wastewater collection system.

Can the municipality allow property owners to 'opt out' of being serviced if the owner does not want to connect?

The regulation refers to "area that is serviced by a wastewater collection system" and not on specific land in a broader area. Specific plans about areas that are serviced could be outlined in the Water and Wastewater Management Plans pursuant to Section 62.2 of The Planning Act for municipalities in the capital region. In addition, the Provincial Planning Regulation speaks to maximizing existing investments in public services, be cost effective and be environmentally sustainable. Individual lots being "opted out" in a broader area would not be in line with these plans and policies.

Can I install a septic field if there is no municipal wastewater collection system in my area?

The amendment has no impact on the existing regulation about the installation of septic fields. There are areas in Manitoba where the installation of new disposal fields is restricted, and in some cases prohibited. These areas include:

- Red River Corridor Designated Area
- Provincial Parks
- Crown Land Cottage Subdivisions
- Sensitive Areas (see Schedule H in the regulation)
- Nutrient Management Zone N4 under the Nutrient Management Regulation
- Properties less than two acres in size
- Properties less than 198 feet wide

Contact your local environment officer for more information or to discuss potential options.

Potential scenarios for property owners regarding connections

Scenario 1

A residential property built 20 years ago has been using a septic field since that time. The municipality announces plans to extend sewer service to the area with an operation date of 2025.

Under the amended regulation, the property may continue to use their septic field. If the sewer service is extended as proposed and deemed to be “in service” on July 1, 2025, then the property has until July 1, 2035 to connect.

Scenario 2

Same property as scenario 1, however the septic field fails in 2022.

The amendment has no impact on this outcome. Since sewer service will be available within the next five years, the Department cannot approve a repair or replacement of the septic field. They must install a holding tank and connect by 2035.

Scenario 3

Same property as scenario 1, however the septic field fails in 2027.

The amendment has no impact on this outcome. Since sewer service is available in 2027, they must immediately connect.

Scenario 4

Same property as scenario 1, however the property owner plans to sell in 2026 when the sewer service is available.

The amendment has no impact on this outcome. Since sewer service is available in 2026, connection is required before the transfer (sale) takes place.

Scenario 5

A new dwelling is built on a previously unoccupied property. Municipality is planning to extend sewer service to the area with an operational date of 2025.

Under the amended regulation since sewer service will be available within the next 5 years, the Department cannot approve a septic field. They must install a holding tank for use. If sewer service is extended as proposed and deemed to be “in service” on July 1, 2025 then the property has until July 1, 2035 to connect.

Scenario 6

A residential property built 20 years ago has been using a septic field since that time. The municipality extended sewer service to the area in the past but they never connected.

Under the amended regulation, the property has until December 31, 2031 to connect.

Scenario 7

Same property as scenario 1, however in 2026 the municipality wants to subdivide a portion of the property for widening a public road.

Under the amended regulation, this type of subdivision is exempted from triggering an immediate connection. The property has until July 1, 2035 to connect.