

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 023-2017

A By-law to authorize the construction of sanitary sewers on Coldspring Road and Putting Green Crescent, to identify a special service and to authorize a special local municipality levy and tax rate for repayment of the costs of construction.

WHEREAS pursuant to subsection 326(1) and (4) and subsection 312(4) of the *Municipal Act*, 2001, special service By-law, as amended, the municipality may pass by-laws to identify a prescribed special service, determine the additional costs, including capital costs, related to that service, designate the area of the municipality in which the property owners will receive an additional benefit not received in other areas, determine the portion and set out the method of determining the portion of the costs representing additional costs to the municipality of providing the additional benefit in the designated area and determine whether all or a portion of the additional costs shall be raised by the enactment of a special local municipality levy by-law(s) to impose special tax rates upon the owners of land who will derive a benefit from the construction of the works;

AND WHEREAS section 1 of Ontario Regulation 585/06 includes sewage systems as prescribed special services;

AND WHEREAS The Corporation of the City of Vaughan deems it necessary and appropriate to proceed with construction of sanitary sewer works to service all of the properties on Coldspring Road and Putting Green Crescent.

AND WHEREAS The Corporation of the City of Vaughan upon completion of the works will bring forward for enactment a special local municipality levy by-law(s) to recover the portion of the total costs of construction, and interest to be charged to the lands on Coldspring Road and Putting Green Crescent, until all costs related to such works are paid in full;

NOW THEREFORE the Council of the City of Vaughan enacts as follows:

1. The construction of sanitary sewer works, which are a prescribed special service pursuant to

clause 326(1)(a) of the *Municipal Act, 2001* (hereinafter the "Act") and section 1 of *O.Reg. 585/06*, to service the lands on Coldspring Road and Putting Green Crescent authorized.

2. The lands subject to the works described in section 1 of this By-law are identified as the "Subject Lands" on the Map attached as Schedule "A" to this By-law and further identified by the listing of municipal addresses and legal descriptions for the Subject Lands set out in Schedule "B" to this By-law.

3. Schedules "A" and "B" attached hereto from a part of this By-law.

4. The sanitary sewer works are to be constructed in accordance with all approved tender documents, approval plans and drawings, any other City requirements or standards, and to the satisfaction of the City.

5. The estimated capital construction costs of undertaking the sanitary sewer works for the Subject Lands, including engineering fees (design, supervision and contract administration), any contingency allowance, treasury and administration fees, and taxes (collectively the "Total Costs of Construction") are presently in the amount of One Million, One Hundred and Thirty Three Thousand Dollars (\$1,133,000.00).

6. Interest on any short for long-term borrowing related to the Total Costs of Construction shall be charged at the Toronto Dominion Bank prime rate plus one per cent from the date of completion of the sanitary sewer works until all such costs are paid in full or as otherwise provided in the by-law(s) levying the Special Tax Rate for the construction of the sanitary sewer works.

7. For greater certainty, the Subject Lands identified in section 2 of this By-law are hereby designated as an area of the municipality in which the owners of each of the properties receive or will receive an additional benefit from a special service that is not or will not be received in other areas of the municipality pursuant to clause 326(1)(c) of the Act.

8. The Subject Lands shown on Schedule "A" and listed on Schedule "B" are the lands which all of the owners collectively and any of the owners individually receive or will receive an immediate benefit from the construction of the sanitary sewer works and all of which are or will be liable for payment of the Special Local Municipality Levy and Separate Tax Rate to be established in accordance with subsection 326(4) and subsection 312(4) of the Act.

9. The actual Total Costs of Construction plus estimated interest shall be deemed to be the portion of the costs representing the additional costs to the municipality of providing the additional benefit to the

Subject Lands and designated area on Coldspring Road and Putting Green Crescent, in accordance with clauses 326(1)(d) and (e) of the Act, which amounts will be used for the purpose of establishing a Special Local Municipality Levy and Separate Tax Rate under subsections 326(4) and 312(4) of the Act.

10. Upon receipt of proof of the actual Total Costs of Construction and applicable estimated interest payable for the works contemplated by this By-law, the municipality will establish the Special Levy and will bring forward for enactment each year a by-law levying a Separate Tax Rate on part of the assessment for the Subject Lands referred to in section 2 and designated under section 7 of this By-law, until the total actual costs and interest contemplated in section 9 of this By-law are paid in full by the owners or future owners of the Subject Lands.

11. Should any owner or succeeding owner of any of the lands or property identified in Schedules "A" or "B" to this By-law wish to enter or enter into an Agreement of Purchase and Sale for the sale of any such lands or property prior to payment in full of the amount(s) owing pursuant to this By-law or the Special Levy Separate Tax Rate By-law, the owner shall provide a copy of this By-law to the purchaser.

12. This By-law shall be registered on title to the lands identified in Schedules "A" and "B" to this By-law, with the consent of the owner(s).

13. Any tax certificates issued for the lands identified in Schedules "A" and "B" to this By-law shall indicate that a Special Levy Separate Tax Rate is chargeable to the lands.

14. This By-law shall come into force and effect on the date it is enacted.

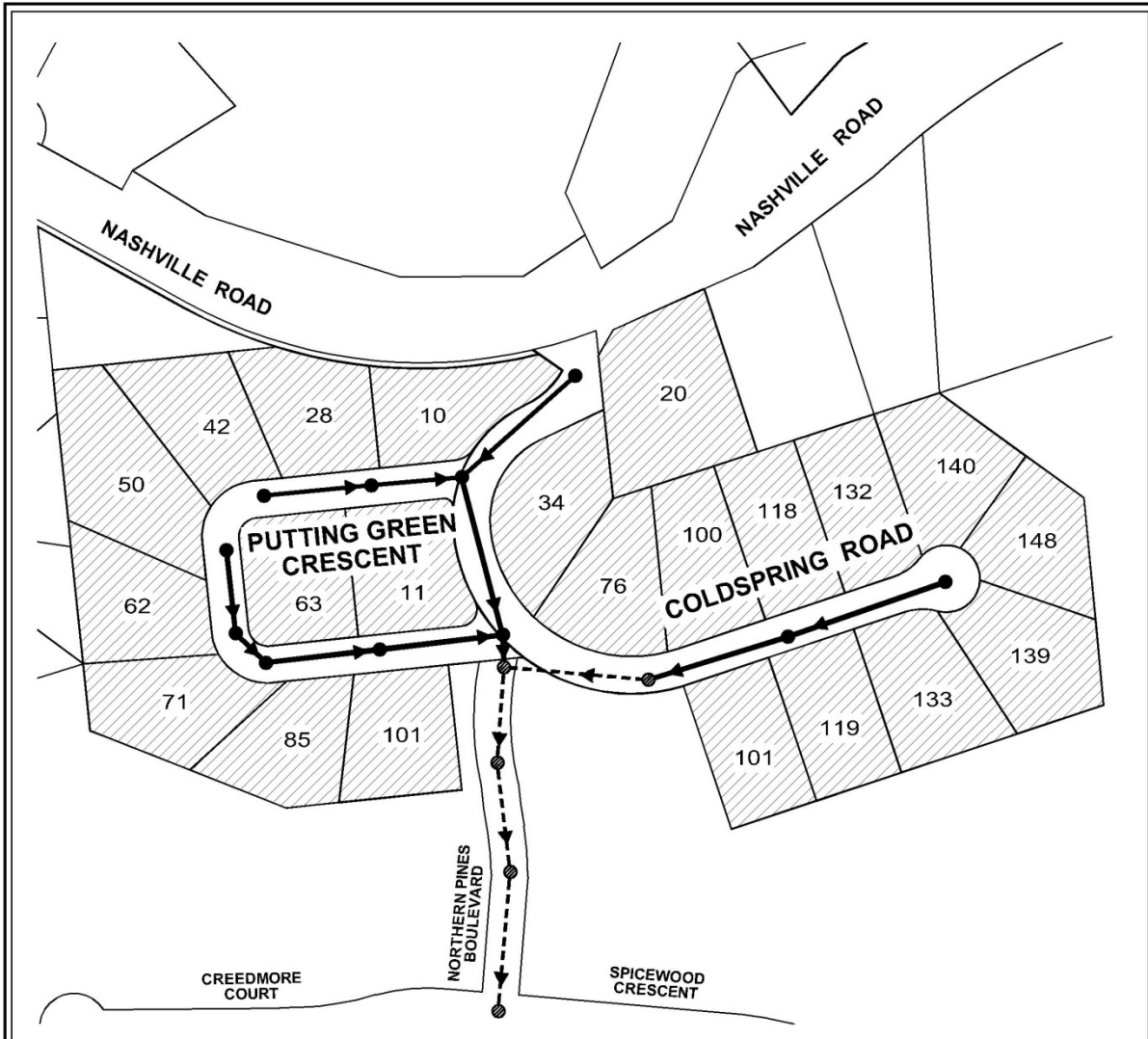
Enacted by City of Vaughan Council this 21st day of February, 2017.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk




Authorized by Item No. 2 of Report No. 2
of the Committee of the Whole
Adopted by Vaughan City Council on
January 24, 2017.

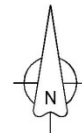
SCHEDULE 'A'



COLDSPRING ROAD and PUTTING GREEN CRESCENT SANITARY SEWERS

LEGEND

-  PROPOSED SANITARY SEWER
-  EXISTING SANITARY SEWER
-  SUBJECT LANDS - SERVICE AREA



NOT TO SCALE

SCHEDULE "B"

LANDS SUBJECT TO SPECIAL LEVY:

OWNER'S LAST MAILING ADDRESS (ASSESSMENT RECORDS)	LEGAL DESCRIPTION
20 Coldspring Road Kleinburg, Ontario LOJ 1C0	Con. 9, Part Lot 24, RP 65R-6982 Part 4
34 Coldspring Road Kleinburg, Ontario LOJ 1C0	Plan M885 Lot 1
76 Coldspring Road RR 1 Kleinburg, Ontario LOJ 1C0	Plan M885 Lot 2
100 Coldspring Road Kleinburg, Ontario LOJ 1C0	Plan M885 Lot 3
101 Coldspring Road Kleinburg, Ontario LOJ 1C0	Plan M885 Lot 11
118 Coldspring Road Kleinburg, Ontario LOJ 1C0	Plan M885 Lot 4
119 Coldspring Road Box 152 Kleinburg, Ontario LOJ 1C0	Plan M885 Lot 10
132 Coldspring Road Kleinburg, Ontario LOJ 1C0	Plan M885 Lot 5
133 Coldspring Road Kleinburg, Ontario LOJ 1C0	Plan M885 Lot 9
139 Coldspring Road Kleinburg, Ontario LOJ 1C0	Plan M885 Lot 8
140 Coldspring Road Kleinburg, Ontario LOJ 1C0	Plan M885 Lot 6
148 Coldspring Road Kleinburg, Ontario LOJ 1C0	Plan M885 Lot 7

**OWNER'S LAST MAILING
ADDRESS (ASSESSMENT
RECORDS)**

LEGAL DESCRIPTION

10 Putting Green Crescent
Kleinburg, Ontario
LOJ 1C0

Plan M1595
Lot 1

11 Putting Green Crescent
P O Box 161
Kleinburg, Ontario
LOJ 1C0

Plan M1595
Lot 11

28 Putting Green Crescent
Box 118 RR 1
Kleinburg, Ontario
LOJ 1C0

Plan M1595
Lot 2

42 Putting Green Crescent
RR 1
Kleinburg, Ontario
LOJ 1C0

Plan M1595
PT Lot 3

50 Putting Green Crescent
Kleinburg, Ontario
LOJ 1C0

Plan M1595
Lot 4

62 Putting Green Crescent
Kleinburg, Ontario
LOJ 1C0

Plan M1595
Lot 5

63 Putting Green Crescent
Kleinburg, Ontario
LOJ 1C0

Plan M1595
Lot 10

71 Putting Green Crescent
RR 1
Kleinburg, Ontario
LOJ 1C0

Plan M1595
Lot 6

85 Putting Green Crescent
Kleinburg, Ontario
LOJ 1C0

Plan M1595
Lot 7

101 Putting Green Crescent
Kleinburg, Ontario
LOJ 1C0

Plan M1595
Lot 8