

STAFF REPORT: Finance & IT Services

REPORT TO: Finance and Administration
MEETING DATE: August 30, 2011
REPORT NO.: FIT.11.13
SUBJECT: Lake Drive - Water & Wastewater Service Extension Charges
PREPARED BY: Ruth Prince, Manager of Revenue

A. Recommendations

THAT Council receives Staff Report FIT.11.13 “Lake Drive - Water & Wastewater Service Extension Charges”; and,

THAT Council authorize staff to hold a Public Information Centre and subsequent Statutory Public Meeting to receive input from the benefitting property owners relating to the recovery of costs on an equivalent unit basis for the works constructed along Lake Drive and the 10th Line; and,

FURTHER THAT payment options to be offered to the benefitting property owners include:

- (a) payment in full to be paid by a date specified in the By-law;
- or
- (b) payment over time based on a 15 year term at 0% for the Lora Bay Corporation portion and the Town portion be financed at 5% interest per annum or the prevailing Town rate at the time of the by-law passing. Payments will be added to the tax bill with terms offering repayment of the balance owing on the loan at any time, including interest to that date, with no penalty applied. The balance of the loan becomes due and payable at the time a property is sold, conveyed or transferred.

B. Background**Project History**

The Lake Drive Water and Wastewater Service Extension is part of the Lora Bay Service Area and the Lora Bay Development Charges Background Study. The Lora Bay Service Area is recognized as a full service area under the Town’s Official Plan and subject to the Lora Bay Area Specific Development Charges By-law.



Project Construction

Engineering services were provided by CC Tatham & Associates Ltd. Council approved the construction tender for Water, Wastewater and Road upgrades on July 13, 2009 with the contract being awarded to SMRS Construction. The Director of Engineering and Public Works for the Town issued the certificate of substantial completion to the contractor on November 30, 2009. Since construction is now complete and final costs are known, the Town can calculate the Capital Charges for the project.

Project Costs to Benefitting Property Owners

As part of the Town's policy for billing local service extensions, two factors are considered when determining the appropriate charges to those affected. Firstly, a benefitting property owner is the registered owner of a benefitting property. A benefitting property is a separately assessed property fronting on the water/wastewater system or connected to the water/wastewater system.

Secondary to this, each property is assessed a unit charge. A unit means a residential dwelling unit or equivalent residential unit, in the case of multi-residential or commercial properties. There is a chance that an owner can be assessed more than one unit share of the costs.

The total cost of the construction was \$1,280,870.53. The cost will be shared by 37 benefitting properties totalling 37 equivalent units, less any grants or supplemental funding sources.

<u>Lake Drive Water & Wastewater Service Extension</u>		
Project Expenses (Construction, Engineering, etc.)		
Road Reconstruction	<u>\$ 455,174.25</u>	
Total Expenses		\$ 455,174.25
Revenues		
Town Contribution (Roads & Bridges Reserve)	\$ 250,965.25	
Municipal Roads & Bridges - Provincial Grant	<u>\$ 204,209.00</u>	
Total Revenues		\$ 455,174.25
Net Recoverable from Residents		<u>\$ 0.00</u>
Project Expenses (Construction, Engineering, etc.)		
Wastewater Trunk and Services	<u>\$ 493,378.51</u>	
Total Expenses		\$ 493,378.51
Revenues		
Lora Bay Area Specific DC Reserve Fund - Wastewater	<u>\$ 296,871.51</u>	
Total Revenues		\$ 296,871.51
Net Recoverable from Residents		<u>\$ 196,507.00</u>

Project Expenses (Construction, Engineering, etc.)		
Watermain and Services	<u>\$ 332,317.77</u>	
Total Expenses		\$ 332,317.77
Revenues		
Lora Bay Area Specific DC Reserve Fund - Water	<u>\$ 143,543.77</u>	
Total Revenues		\$ 143,543.77
		<u>\$ 188,774.00</u>
Net Recoverable from Residents		

After grants and reserve contributions, there is a balance of \$196,507 for wastewater services and \$188,774 for water services to be paid equally by 37 units. In addition to the construction costs, each unit will be charged both a wastewater and water treatment plant capital charge, which is their contribution to the cost of the existing Thornbury Wastewater and Thornbury Water Treatment Plants. The total per unit cost is calculated as follows:

<u>Net Recoverable from Residents - Wastewater</u>	
Per Unit Cost for Project (\$196,507 / 37 Units)	\$ 5,311.00
PLUS: Thornbury Wastewater Treatment Plant Equivalent Charge	<u>\$ 5,001.00</u>
TOTAL Cost per Equivalent Unit	<u>\$ 10,312.00</u>
<u>Net Recoverable from Residents - Water</u>	
Per Unit Cost for Project (\$188,774.00 / 37 Units)	\$ 5,102.00
PLUS: Thornbury Water Treatment Plant Equivalent Charge	<u>\$ 773.00</u>
TOTAL Cost per Equivalent Unit	<u>\$ 5,875.00</u>

Funding Sources

1. Roads & Bridges Reserve (Taxation)

Supplemental funding source includes the contribution of \$250,965.25 from the Town's Roads & Bridges Reserve. This contribution was originally established at more than \$630,000 in the 2009 Capital Budget as a contribution to assist in the costs associated with upgrading the road and retaining wall and to reduce the overall cost of the project for the local residents. With the inclusion of grant monies and a favourable tender price the actual contribution was reduced substantially.

2. Grants

The Town was able to secure Provincial grant funding which significantly reduces the cost to each benefitting owner. In 2008, the Provincial Government released one time funding to municipalities to assist with road and bridge rehabilitation projects. The Town was successful in obtaining a grant through the Municipal Roads and Bridges Program for \$204,209 in 2009 to assist with the reconstruction of Lake Drive

3. Development Charges

Supplemental funding source includes the contribution of \$430,002.28 from the Lora Bay Area Specific Water & Wastewater Development Charge (DC) funds as Lake Drive was included in the overall servicing strategy for growth in the Lora Bay area. This contribution was originally established in the Town's 2005 DC Background Study and further carried forward to the 2009 Lora Bay Area Specific DC Background Study.

4. Municipal Act, 2001

Sections 9, 11 and Part XII of the *Municipal Act, 2001*, as amended, (the Act) and the *Regulations* thereto enables a municipality to impose by by-law, fees or charges for the use of a water or wastewater system; In addition, *Ontario Regulation 581/06* provides that fees or charges imposed for the use of a water or wastewater system under the Act and added to the tax roll under subsection 398(2) of the Act have priority lien status as described in section 1 of the Act.

Communication Plan

Public Information Centres were held on August 23, 2008 and March 28, 2009 to review the construction details and the cost to the benefitting properties of Lake Drive. Attachment #2 is a synopsis of the communication history with the residents.

A Public Information Centre is recommended to update the benefitting property owners with the costs and receive questions regarding the project. The benefitting property owners will be circulated with a notice containing the information within this report, as amended by Council; the details of the construction costs and the repayment options available through the Town, along with a draft copy of the Capital Charges By-laws.

In accordance with Town policy, circulation to the benefitting property owners will be a minimum of 14 days prior to the Public Information Centre and 21 days in advance of the Statutory Public Meeting.

Town staff will deliver written and verbal communication on this project which is clear, concise and easy to understand for all residents in the project area.

Cost Breakdown & Financing

In 2009, an Area Specific Development Charges By-law was passed incorporating the provision of water and wastewater services in the Lora Bay Service Area. The 37 benefitting properties of Lake Drive were included in this By-law. For this project there are three components to the costs as listed below:

1. Capital Cost (grinder pumps) – Town financed at 5%
2. Capital Charge (Lora Bay Area Specific – Equivalent)
 - a. Distribution & Collection Works 1 - Lora Bay Development Corporation financed at 0%
 - b. Distribution & Collection Works 2 - Town financed at 5%
 - c. Capital Charge – Town Wide Treatment Plants Equivalent - Town financed at 5%

1. Capital Cost - Grinder Pumps

The 37 benefitting properties require individual private sewage grinder pumps to connect to the low pressure forcemain. The grinder pump units are owned by the individual property and do not form part of the sewage collection works. Property owners are responsible for the installation, maintenance, repair and replacement of the grinder pump units at their sole cost and expense.

In order to help reduce costs, the Town bulk purchased 33 private sewage grinder pumps for purchase by benefitting property owners at a cost of \$3,510. This cost is included in the Total Capital Sewer Charge for those benefitting properties and available for financing as shown in Tables 2B&C below.

The remaining four benefitting properties identified in the Sewer Capital Charges By-law as vacant land will be required to supply the grinder pump unit at their sole cost and expense upon connection to the municipal sewage system. No financing option will be available for these grinder pumps.

2. Capital Charge (Lora Bay Area Specific and Town Wide Treatment Plants Equivalent)

The water and wastewater trunk services were extended to the Lora Bay Service Area and provided the ability to extend servicing to various streets.

a) Water Distribution

The water distribution cost of \$5,875 per unit is made up of 3 parts that are subject to specific financing terms.

The first part is \$3,944 which represents watermain costs provided for financing by the Lora Bay Development Corporation, to the benefitting owners of Lake Drive at 0% interest, identified as Distribution Works 1 in Table 2A below.

The second piece, \$1,158 is the portion of distribution costs that will be financed by the Town at 5% interest per annum, identified as Distribution Works 2 in Table 2A below.

Finally, there is a water treatment plan cost of \$773 that will also be available to be financed at 5% interest per annum.

TABLE 2A
Water Capital Charge

Distribution Works 1	Lora Bay Financed at 0%	\$3,944
Distribution Works 2	Town Financed at 5%	\$1,158
Capital Charge Water Treatment Plant Equivalent	Town Financed at 5%	\$ 773
Total Capital Water Charge Imposed		\$5,875

b) Wastewater Treatment & Collection

The wastewater collection cost of \$10,312 per unit is made up of 3 parts that are subject to specific financing terms.

The first part is \$2,315 which represents wastewater trunk costs provided for financing by the Lora Bay Development Corporation, to the benefitting owners of Lake Drive at 0% interest, identified as Collection Works 1 in Tables 2B&C below.

The second piece, \$2,966 is the portion of collection costs that will be financed by the Town at 5% interest per annum, identified as Collection Works 2 in Tables 2B&C below.

Finally, there is a wastewater treatment plan cost of \$5,001 that will also be available to be financed at 5% interest per annum.

**TABLE 2B
Wastewater Capital Charge with Sewage Grinder Pump**

Collection Works 1	Lora Bay Financed at 0%	\$2,315
Collection Works 2	Town Financed at 5%	\$2,996
Wastewater Plant Capital Charge Equivalent	Town Financed at 5%	\$5,001
Wastewater Collection Total		\$10,312
Sewage Grinder Pumps	Town Financed at 5%	\$3,510
Total Wastewater Capital Charge Imposed		\$13,822

**TABLE 2C
Wastewater Capital Charge without Sewage Grinder Pump**

Collection Works 1	Lora Bay Financed at 0%	\$2,315
Collection Works 2	Town Financed at 5%	\$2,996
Wastewater Plant Capital Charge Equivalent	Town Financed at 5%	\$5,001
Total Wastewater Capital Charge Imposed		\$10,312

Subsequent to the Lora Bay Area Specific Development Charges By-law being adopted by Council, Servicing By-laws 2009-57 and 2009-58 were enacted to impose a future capital sewer and water charge on the benefitting properties, including Lake Drive. Amending By-laws will impose the capital charges under the authority of the *Municipal Act, 2001*. The charges to be imposed under the amending By-laws are illustrated in Table 2D

Under the authority of the *Development Charges Act*, the Lora Bay Area Specific Development Charges are indexed annually based on the Statistics Canada Construction Price Statistics on January 1st of each year. The indexing from 2009 to 2011 dropped, reducing the Capital Water Cost equivalent from \$5,334 (imposed under By-Law No. 2009-58) to \$5,102 and Capital Sewer Cost equivalent from \$5,552 (imposed under By-Law No. 2009-57) to \$5,311.

TABLE 2D
Summary of Lake Drive Capital Charges - Benefitting Properties (37 units)

	Water	Wastewater
Capital Charges (Lora Bay Area Specific Equivalent)	\$5,102	\$5,311
Capital Charges (Town Wide Treatment Plant)	\$773	\$5,001
Base Charge per Benefitting Unit	\$5,875	\$10,312

	Water	Wastewater	Total
Capital Cost (Grinder Pump)		\$3,510	
Base Charge per Benefitting Unit	\$5,875	\$10,312	
Total Charge with Grinder Pump (33 properties)	\$5,875	\$13,822	\$19,697
Total Charge without Grinder Pump (5 properties)	\$5,875	\$10,312	\$16,187

The Town provides options for financing the Lake Drive Service Extensions for the benefitting property owners. These options provide for a payment in line with the Town's Affordability Guidelines. The 2006 guideline currently identifies \$1,500 as an affordable annual repayment limit. The per unit project cost over 15 years is slightly more than outlined in the Affordability Policy (Attachment #3).

The total Capital Service Charges can be financed at 5% interest per year.

	Annual Charge Water/Sewer (with grinder pump)	Estimated Quarterly Payment (with grinder pump)	Annual Charge Water/Sewer (without grinder pump)	Estimated Quarterly Payment (without grinder pump)
15 Years	\$1,712	\$428.00	\$1,374	\$343.50
20 Years	\$1,391	\$347.75	\$1,110	\$277.50

The pending Capital Charge By-laws will offer two payment options:

1. payment in full; or,
2. financing over 15 years with annual repayment amounts to be determined after the term of loan repayment and the interest rate is set by Council.

Those benefitting property owners that choose to pay over time may pay off the balance owing at any time, including interest to date, with no penalty applied. If the property is sold or ownership is transferred, the balance of the financed Capital Charge would become due and payable.

Timeline

August 30	Report FIT.11.13 to Finance & Administration Committee
On or around September 5	Letter to residents with costs, payment options, Notice of upcoming Public Information Centre, Public Meeting and Notice of Intent to Enact a By-law
Weeks of September 5 & 12	Advertisement of Public Information Centre, Public Meeting and Notice of Intent to Enact By-law

September 29	Public Information Centre
October 12	Public Meeting
October 24	Enact By-law
November 4	Notice of Passage of By-law and Payment Election Forms mailed to residents
December 12	Due date for Full Payment or Payment Election Form (debenture option) returned to Town

C. The Blue Mountains' Strategic Plan

6. Providing a strong, well managed municipal government.

D. Financial Impact

Total construction and capital costs of \$825,696 are currently held unfinanced by the Town.

The Lake Drive Service Capital Charges By-laws will reflect the interest rate determined by Council and may result in a recalculation of the annual payment amounts illustrated above. Capital Water or Wastewater Plant Charges reflect an equivalent per unit contribution towards the construction and expansion of the Thornbury Water Treatment Plant and or the Thornbury Wastewater Treatment Plant.

E. Environmental Impact

Elimination of septic systems will improve the ecosystem and groundwater quality. Residents will avoid future repairs and maintenance costs for private wells and septic systems. Upon connection to the municipal water system the well service will be decommissioned and the septic tank will be removed or filled with concrete or gravel.

F. Attached

1. Public Information Centre Notice
2. Communications History
3. Policy Statement - Guidelines for Municipal Sewer & Water Extension Projects (January 2006)
4. Map of Affected Area
5. Proposed Water & Sewer Capital Charges By-laws

Respectfully submitted,

Ruth Prince, Manager of Revenue

For more information, please contact:

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Public Information Centre: By-laws to Apply Water & Sewer Capital Charges to Benefitting Property Owners of Lake Drive

This important meeting will be held to introduce the By-laws to apply Capital Water Charges and Sewer Charges for the benefitting property owners of Lake Drive in the Lora Bay Service Area.

What is a Public Information Centre (PIC)?

A PIC is an informal open house with Town Staff. For the purposes of this PIC, Staff will be offering information to you, the Lake Drive residents, about the recent water & sewer servicing and associated By-laws. Staff will be pleased to discuss and answer any questions you may have about the Capital Charges By-laws.

What should I expect to learn at this PIC?

Should you attend this important PIC, you will learn more about the following:

- Details on the cost of water & sewer charges being applied to each benefitting property
- Timelines for the implementation, or passing, of the By-laws
- Financing options (e.g. interest rates, term of loan, payment amounts)
- “Unconnected charges” and what to expect if you choose not to hook-up after 11 months of the By-law being passed

Contact Information:

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Lake Drive Water and Wastewater Service Extension – Communications History

October 20, 2001, February 16, 2002 and March 23, 2002 - The Blue Mountains held Public Open House sessions pursuant to the Comprehensive Environmental Study Report for Lora Bay, Clarksburg, Thornbury and Camperdown Service Areas. It was explained that the study was being conducted to determine the water supply and sanitary sewage conveyance/treatment requirements for existing, un-serviced development and future development areas.

December 27, 2003 - Lake Drive Property Owners Association representative wrote to the new Council about issues relating to the Lora Bay golf and residential development and municipal services. The association's primary concern related to the proposed development was safety of their drinking water. The Association representative stated that it was imperative that municipal water services be provided to all Lake Drive properties. He further requested consideration for keeping the roadway upgrades to an absolute minimum and preserving the rural/country lane atmosphere.

September 11, 2004 – a public information meeting was held to discuss proposed water and sewer servicing and road upgrades on Lake Drive and receive input from property owners.

May 28, 2005 – a public information meeting was held to provide information on the proposed construction of water and sewer servicing on Lake Drive and to provide a general overview of the project. The previous public information meeting and the different servicing options presented: leave road as is (not supportable); upgrade to municipal standards (not welcome); and upgrade to a minimum standard, alignment sensitive to existing area. The watermain is proposed to be a 6" main, together with fire protection and looping. The sanitary sewer is the largest challenge - two options were presented at the May meeting. Neither total cost estimates nor cost estimates per unit were presented at the meeting.

August 23, 2008 – Staff and Council held a public information session with the affected Lake Drive property owners regarding the project status and repayment options to recover costs related to the extension of the municipal water and sewer systems. Cost estimates were considered in 2005 for total road reconstruction including widening the road, putting in full granular, addressing storm water concerns and installing gabion baskets for erosion control where required. The previous proposal also included a turning circle at the end of the road to facilitate garbage pickup. The costs at that time, approximately \$68,000 per unit, and were considered prohibitive and limiting; unacceptable to both the residents and the municipality. Further discussion resulted in providing a minimum six meter road platform and to address minor storm water issues. Estimates provided at the 2008 public information meeting indicated a cost of \$42,187 per unit.

March 28, 2009 – A public information meeting was held on March 28, 2009 with the benefitting property owners of Lake Drive to review the proposed service extensions and the revised cost estimates. Service Area 1 of the Lora Bay Area Specific Development Charges By-law incorporates the costs of the Lake Drive water and wastewater project. The Lora Bay Area Specific Development Charges By-law was approved by Council on April 6th, 2009 and further amended on August 2009.

Policy Statements
Guidelines for Municipal Sewer & Water Extension Projects
January 19, 2006

The Town's Official Plan provides "that municipal servicing capacity will ultimately be made available for all existing development within the applicable Service Districts". "Municipal water and sewage services are to be provided by centralized treatment plant facilities with an extensive service line infrastructure designed to service existing development".

The following Policy Statements shall be considered when reviewing sewer and water extensions.

GENERAL:

- Council will establish a priority list, which will be reviewed from time to time, establishing the order that various areas may be serviced.
- Sewer & Water budgets will include all necessary work to restore the road to its pre-existing condition.
- Required road costs may include road and drainage improvements over and above pre-construction conditions.

STANDARDS:

- All infrastructure will be constructed to approved Town Engineering Standards
- Any special technical factors which affect the costs will be identified and considered in the analysis.

FINANCING / FUNDING:

- All projects should be deemed to be affordable for both the Town and the property owners.
- The combination of all Town wide capital projects will not cause the Town to exceed an appropriate debt level (i.e. – 80% of its debt limit).
- Projects will proceed into detailed design only after a review of the costs, funding and financing options by Council
- A full range of funding and financing tools will be reviewed for each project including combinations of government grants, user fees, property owner

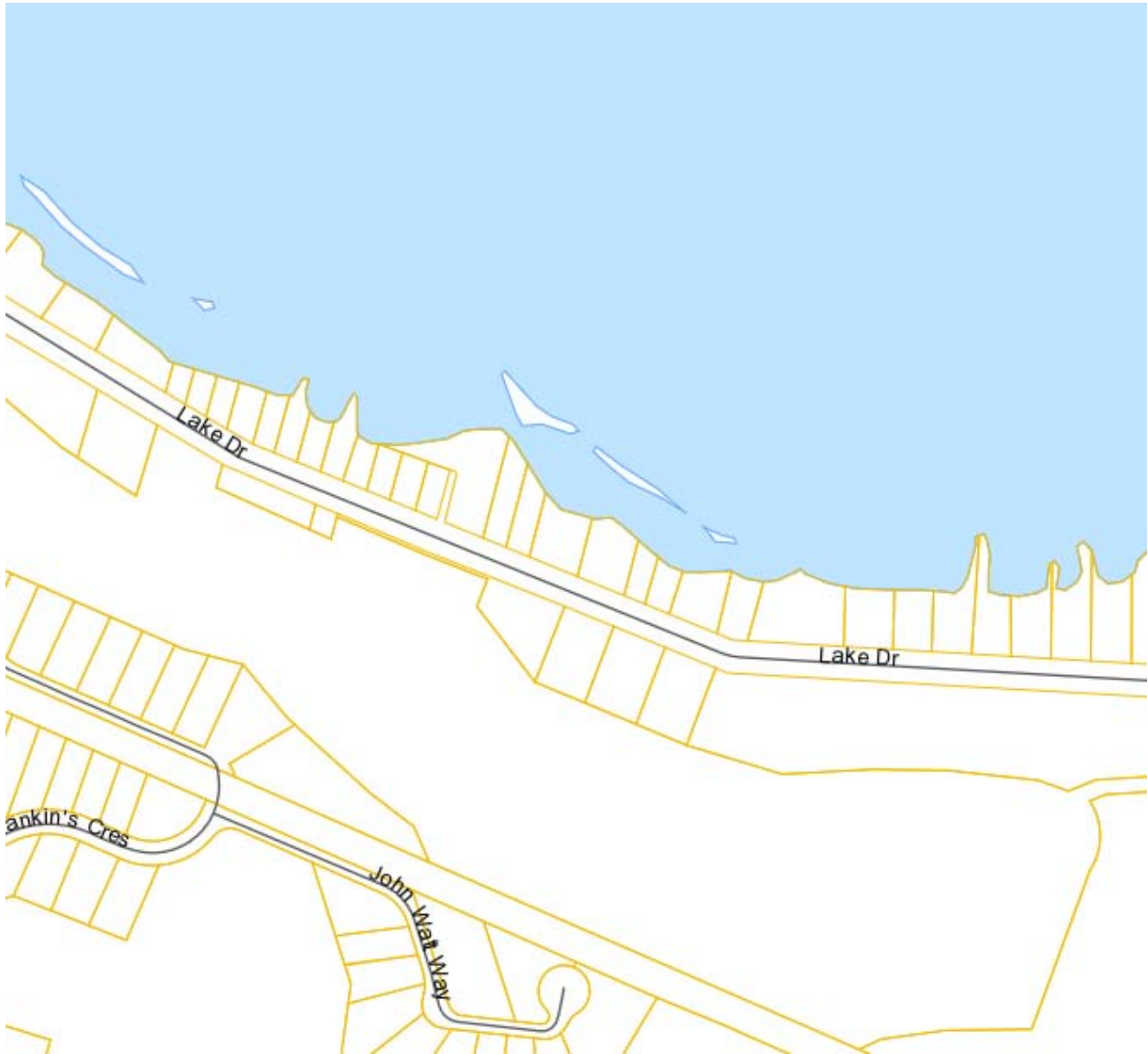
payments, reserves, long term debt financing, developer funding/financing, taxation, etc.

- If there are provincial/federal grants benefitting a project, then Town reserve funds will not be used to further reduce the costs to benefitting property owners, unless necessary to meet the affordability criteria.
- All Capital Charges imposed are to have priority lien status, if possible.
- All benefitting property owners on each project will contribute equally to the cost on an equivalent unit basis.
- For non-residential uses, the Town's "Basis for Equivalent Units" should be reviewed and updated.
- All benefitting property owners on each project will also contribute towards plants and related infrastructure costs as well as project costs.
- Any previous contributions by benefitting property owners will be identified and considered in the analysis.
- The financing options should encourage benefitting owners to maximize their payments early in the payment schedule.
- Benefitting owners will be given payment options. At least one option will allow the property owner to pay not more than an affordable threshold amount annually based on current costs (i.e., approximately \$1,500) over an extended term.
- In the event that effected properties are sold, the balance of the remaining assessment shall be paid to the Town as part of the sale closing process.

COMMUNICATIONS:

- All affected property owners will be consulted prior to establishing any specific charges.

Lake Drive Service Extension – Map of Service Area



THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-law No. 2011-

BEING A BY-LAW TO IMPOSE CAPITAL WATER CHARGES FOR THE USE OF THE TOWN'S WATER WORKS (Lora Bay Service Area – Lake Drive)

WHEREAS sections 9, 11 and Part XII of the *Municipal Act, 2001*, as amended, (the *Act*) and the *Regulations* thereto enables a municipality to impose by by-law, fees or charges on persons for the supply of water;

AND WHEREAS *Ontario Regulation 581/06* provides that fees or charges imposed for the supply of water under the *Act* and added to the tax roll under subsection 398(2) of the *Act* have priority lien status as described in section 1 of the *Act*;

AND WHEREAS By-law 2009-57 provided the a capital water charge for the supply of water a per unit basis in an amount to be determined by the Council will be imposed on each of the future benefitting owners, as described therein, by a by-law enacted by the Council at some later point in time when the water system is extended to provide municipal drinking water service to the future benefitting owners;

AND WHEREAS the benefitting owners described in this By-law were described as future benefitting owners in By-law 2009-57;

AND WHEREAS the water system which consists of the water distribution works and the water plant has now been extended to provide municipal drinking service to the benefitting owners and will provide a benefit to the benefitting owners;

AND WHEREAS the Council deems it necessary to impose upon the benefitting owners capital water charges for the supply of water to pay a portion of the capital cost of the water distribution works and to pay a portion of the capital cost of the water plant;

AND WHEREAS Town has held a public meeting before passing this By-law and has provided notice of the public meeting and its intention to pass this By-law and has made available to members of the public information with respect to the capital water charges.

NOW THEREFORE the Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

Definitions

1. In this By-law, including the recitals thereto:

“Act” means the *Municipal Act, 2001*, as amended;

“Benefit” means an immediate benefit accruing to the benefitting owners which is derived or derivable from the water system;

“Benefitting owner” means the registered owner of an estate in fee simple of a benefitting property;

“Benefitting property” means a separately assessed property fronting on the water system, connected to the water system or supplied with water from the water system as described in Schedule “B”;

“Capital cost” means the cost of constructing the water distribution works and the water plant, inclusive of all items of cost usually and properly chargeable to capital account, and where applicable, the interest amounts payable on the debentures to be issued for these works and the imputed interest cost on the money supplied from the funds of the Town to finance the benefitting owners’ share of the cost of these works;

“Capital water charge” means the capital water charge on a per unit basis in the amount set out in Schedule “D” imposed by this By-law on each of the benefitting owners for the

supply of water to the benefitting owner's benefitting property;

"Council" means the Council of The Corporation of the Town of The Blue Mountains;

"Lora Bay Service Area" means area shown in heavy outline and identified as the Lora Bay Service Area on Schedule "A";

"Service Area 1" means that part of the Lora Bay Service Area shown as Service Area 1 on Schedule "A";

"Service Area 2" means that part of the Lora Bay Service Area shown as Service Area 2 on Schedule "A";

"Service Area 3" means that part of the Lora Bay Service Area shown as Service Area 3 on Schedule "A";

"Town" means The Corporation of the Town of The Blue Mountains;

"Treasurer" means the person appointed by the Council as the Treasurer for the Town or his designate;

"Unit" means a residential dwelling unit;

"Water distribution works" means the Town's works described in Schedule "C" for the storage, supply and or distribution of water to the Lora bay Service Area, or any part of such works

"Water plant" means the Thornbury Water Treatment Plant for the production, treatment, supply, storage, or distribution of water, or any part of such works, and does not include the water distribution works;

"Water system" means the Town's municipal drinking-water system as defined in the *Safe Drinking Water Act, 2002*, S.O. 2002, c.32, as amended and includes the water plant and the water distribution works, all of which are necessary for the supply of water to the benefitting owners and provide a benefit to the benefitting owners:

Unless the context otherwise requires in this By-law, words importing the singular include the plural and vice versa and words importing gender includes all genders.

Capital Costs

2. The capital cost of the water distribution works and the portions of the capital cost of the water distribution works to be paid by the benefitting owners under this By-law are set out in Schedule "C".
3. The capital cost of the water plant and the portions of the capital cost of the water plant to be paid by the benefitting owners under this By-law are set out in Schedule "C".

Charges Imposed

4. The roll number and description of each benefitting owner's benefitting property and the number of units on each benefitting property for which a capital water charge is imposed by this By-law are set out in Schedule "B". Any benefitting property shown as vacant land on the latest revised assessment roll shall be deemed to have one unit on it for the purposes of this By-law.
5. A capital water charge for the supply of water to the benefitting owner's benefitting property on a per unit basis in the amounts set out in Schedule "D" for the Service Area set out in Schedule "D" is hereby imposed on each of the benefitting owners to pay for a portion of the capital cost of the new water distribution works and to pay for a portion of the capital cost of the water plant.
6. In accordance with section 90(3) of the Act, if new parcels of land are created from existing benefitting properties or new units are constructed on existing benefitting properties, the capital water charge as set out in section 5 is imposed

on the benefitting owner of the new parcel of land or of the new unit in the manner set out in this By-law.

Notification

7. The Treasurer shall forthwith after the enactment of this By-law mail to the benefitting owners, by prepaid registered mail, a copy of this By-law together with an explanation of this By-law and an election form prescribed by the Treasurer for the purpose of the benefitting owners making the election referred to in section 11.

Charges Due and Payable

8. The capital water charges imposed by this By-law constitute a debt of the benefitting owners to the Town and, subject to section 9, are due and payable on ****, 2011.
- 9.. In the event a benefitting owner makes the election provided for in section 11 by ****, 2011 the capital water charge imposed on that benefitting owner by this By-law shall become due in the amounts, at the times and in accordance with the provisions of section 11 and the instalments provisions as set out in Schedule "D".
10. In the event a benefitting owner fails to make the election provided for in section 11 by ****, 2011, the full amount of the capital water charge imposed on that benefitting owner by this By-law shall become due and payable on ****, 2011.

Payment Option

11. (1) A benefitting owner may elect, by notice of election delivered to the Treasurer by no later than ****, 2011 on the election form prescribed by the Treasurer in accordance with section 7, to pay the capital water charge in instalments, with interest thereon as set out in Schedule "D".
 - (2) Subject to section 11(3), a benefitting owner may at any time or times pay the whole or any part of the unpaid balance of the capital water charge together with interest thereon to the date of payment.
 - (3) In the event of a benefitting owner selling, conveying or transferring title to the benefitting property to any person or corporation the unpaid balance of the capital water charge and interest thereon shall forthwith become due and payable.

Collection of the Capital Water Charges

12. The Treasurer is hereby authorized and directed to add the capital water charges to the tax rolls for the benefitting properties set out in Schedule "B" in accordance with subsection 398(2) of the Act and to collect the capital water charges in the same manner as municipal taxes.
13. The capital water charges added to the tax rolls under subsection 398(2) of the Act have priority lien status as described in section 1 of the Act, and the capital water charges, including interest:
 - (1) may be collected in the same manner as taxes on the benefitting property;
 - (2) may be recovered with costs as a debt due to the Town from the assessed owner of the benefitting property at the time the capital water charges are added to the tax roll and from any subsequent owner of the benefitting property or any part of it;
 - (3) are a special lien on the benefitting property in the same manner as are taxes under subsection 349(3) of the Act; and
 - (4) may be included in the cancellation price under Part XI of the Act in the same manner as are taxes on the benefitting property.

Non-payment of Charges

- 14. On all capital water charges which are in default on the day following each due date a penalty of 1 ¼ percent shall be added and thereafter a penalty 1 ¼ percent per month will be added on the first day of each and every month the default continues until December 31 in the current year. On all capital water charges in default on January 1 of the following year, interest will be added at the rate of 1 ¼ percent per month for each month or fraction thereof of default.
- 15. In addition to all of the provisions of this By-law and the Act for the collection of capital water charges which are in default, the Town may in accordance with section 81 of the Act shut off the supply of water to a benefitting property if the capital water charges payable by the benefitting owner are overdue and in default.

Application to the Ontario Municipal Board

- 16. No application shall be made to the Ontario Municipal Board under clause 71(c) of the *Ontario Municipal Board Act* on the grounds that the capital water charges imposed under this By-law are unfair or unjust.

Administration

- 17. This By-law shall be administered and enforced by the Treasurer.

Schedules

- 18. Schedules “A”, “B”, “C” and “D” are hereby declared to form part of this By-law.
- 19. This By-law shall come into force and take effect upon the enactment thereof.

ENACTED AND PASSED this ____ day of _____, 2011

The Corporation of the Town of The Blue Mountains

.....
Ellen Anderson, Mayor

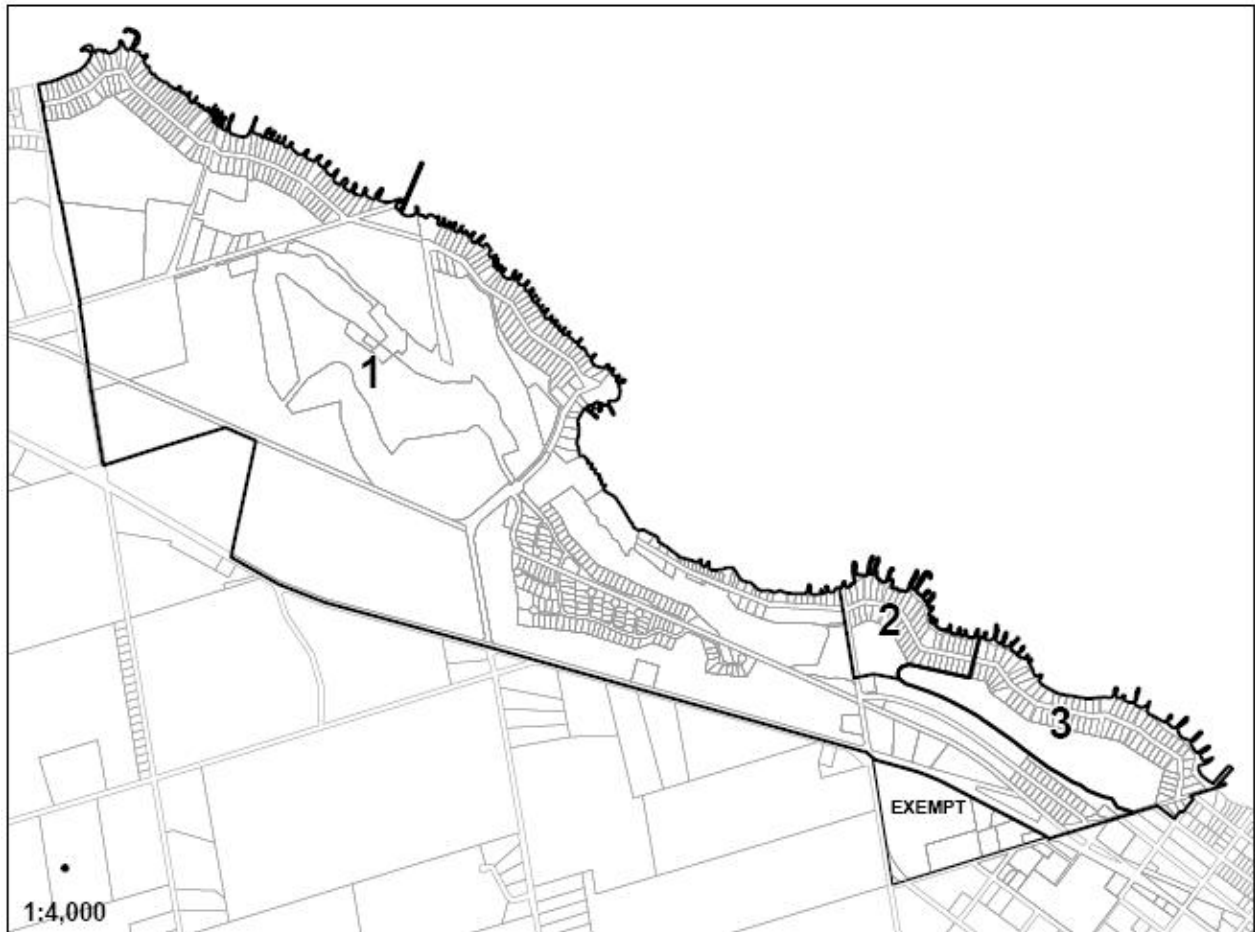
.....
Corrina Giles, Clerk

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-law No. 2011 -

Schedule "A"

Lora Bay Service Area and the Location of Service Areas 1, 2 and 3



THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-law No. 2011 –
Reference to By-law 2009 - 57

Schedule “B”

Benefitting Properties

Roll #	Legal Address	Number of Units
4242000015086000000	CON 11 PT LOT 37 PLAN 931 LOT 1	1
4242000015086010000	CON 11 PT LOT 37 PLAN 931 LOT 2	1
4242000015086020000	JDGP 931 LOT 3	1
4242000015086030000	PLAN 931 LOT 4	1
4242000015086040000	PLAN 931 LOT 5	1
4242000015087000000	PLAN 931 LOT 6	1
4242000015088000000	PLAN 931 LOT 7	1
4242000015089000000	CON 11 PT LOT 37 PLAN 931 LOT 8 TO 9	1
4242000015090000000	PLAN 931 LOTS 10 & 11	1
4242000015090010000	CON 11 PT LOT 37 PLAN 931 LOT 12 TO 14 RP 16R2720 PARTS 1&2	1
4242000015091000000	CON 11 PT LOT 37 PLAN 931 LOT 15 TO 17	1
4242000015092000000	PLAN 931 PT LOTS 34,35,36 RP16R3735 PT 1	1
4242000015092010000	PLAN 931 PT LOTS 35 & 36 RP16R3735 PT 2	1
4242000015092020000	PLAN 931 PT LOT 36 RP16R3735 PT 3	1
4242000015093000000	PLAN 346 LOT 1 PLAN 931 LOTS 18 TO 19	1
4242000015094000000	PLAN 346 LOT 2 PLAN 931 LOT 20	1
4242000015094010000	PLAN 346 LOT 3 TO 4 PLAN 931 LOT 21 TO 22	1
4242000015095000000	PLAN 346 LOT 5 TO 6 PLAN 931 LOT 23 TO 24	1
4242000015096000000	PLAN 346 LOT 7 PLAN 931 LOT 25	1
4242000015096010000	PLAN 346 LOT 8 WITH ROW OVER PLAN 931 LOT 26	1
4242000015098000000	PLAN 346 LOT 9 LOT 10 PLAN 931 LOT 27 TO 28 PLAN 346 BLK A SUB TO ROW	1
4242000015099000000	PLAN 346 LOT 11	1
4242000015100000000	PLAN 346 LOT 13	1
4242000015101000000	PLAN 346 LOT 14 INC ROW OVER BLK A	1
4242000015102000000	PLAN 346 LOT 15 PLAN 931 LOT 33	1
4242000015103000000	PLAN 346 LOT 16	1
4242000015104000000	PLAN 346 LOT 17 PLAN 931 PT LOT 32	1
4242000015105000000	PLAN 346 LOT 18	1
4242000015106000000	PLAN 346 LOT 19 INC ROW OVER BLK A	1
4242000015107000000	PLAN 346 LOT 20	1
4242000015107010000	PLAN 346 LOT 21	1

4242000015108000000	PLAN 346 LOT 22	1
4242000015109000000	PLAN 931 PT LOT 37,38,39 RP 3R 2921 PART 1	1
4242000015110000000	PLAN 931 PT LOTS 39 & 40 RP 16R4182 PART 3	1
4242000015110050000	PLAN 931 PT LOTS 40,41,42 RP 16R4182 PART 2	1
4242000015110080000	PLAN 931 PT LOTS 42,43,44 RP 16R4182 PART 1	1
4242000015111000000	CON 11 PT LOT 37 PLAN 931 LOT 45	1
	Total Number of Equivalent Units	37

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-law No. 2011 –

Reference to By-law No. 2009 - 57

Schedule “C”

1 .Description and Capital Cost of the Water Distribution Works

<u>Watermains</u>	Total Project Cost	Service Area 1	Service Area 2	Service Area 3
Phase 1A including Arthur, Victoria, High Bluff Lane & Related Eng.	\$ 1,901,233	\$ 1,901,233		
Phase 1B including Sunset Blvd East & Related Engineering	\$ 561,436	\$ 561,436		
Phase 2 including;				
Lake Drive (871m of 150mm)	\$ 428,752	\$ 428,752		
Sunset Blvd West (1715m of 200mm)	\$ 699,720	\$ 699,720		
39th Sideroad (1100m of 200mm)	\$ 448,800	\$ 448,800		
Christie Beach Road (786m of 200mm)	\$ 320,688	\$ 320,688		
Peel Street (275m of 400mm)	\$ 178,500	\$ 159,863	\$ 5,781	\$ 12,857
<u>Storage and Pump Stations</u>				
Lora Bay Reservoir (2800 m ³)	\$ 2,856,000	\$ 2,557,802	\$ 92,489	\$ 205,709
Lora Bay Water Booster Pumping Station	\$ 1,785,423	\$ 1,785,423		
Total Capital Cost	\$ 9,180,552	\$ 8,863,716	\$ 98,270	\$ 218,566

2. Allocation of the Capital Cost of the Water Distribution Works

	Service Area 1	Service Area 2	Service Area 3
Growth Related Units	1311	12	53
Non Growth Related Units - Benefitting	88	46	76
Non Growth Related Units - Future Benefitting	205	0	0

	Service Area 1	Service Area 2	Service Area 3
Growth Related Share of Capital Costs	\$ 7,244,596	\$ 17,440	\$ 77,026
Non Growth Related Share of Capital Costs	\$ 1,619,120	\$ 80,830	\$ 141,540

3. Capital Cost of the Water Plant

Total Capital Cost **\$13,811,200**

(See Town of The Blue Mountains Development Charges Background Study - February 2010)

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-law No. 2011 - _____

Reference to By-law No. 2009 - 57

Schedule "D"

Capital Water Charge (Water Distribution Works) (Per Unit)

Allocation of Charge – Water Distribution Works

Distribution Works 1 - Lora Bay Recoverable 77.3%

Phase 1(a) and 1(b) services, 10th Line Booster Station and Reservoir – no interest payable

Distribution Works 2 - Town Reserve 22.7%

All other services – interest payable

Service Area 1 \$5,102 (\$3,944 Distribution Works 1) (\$1,158 Distribution Works 2)

Capital Water Charge (Water Plant) (Per Unit)

Service Area 1 only \$773

Total Capital Water Charge Imposed (Per Unit)

Service Area 1 \$5,875

Payment Options

A benefitting owner may elect, by notice of election delivered to the Treasurer by no later than ****, 2011, in the form prescribed by the Treasurer in accordance with section 7, to pay the capital water charge in instalments as follows:

Lake Drive Benefiting Properties shown in Service Area 1

(a) the capital water charge (Distribution Works 1) of \$3,944.00 over a period of Fifteen (15) years in four instalments per year. Instalments will be due on the dates the municipal taxes are due in each and every year from and including the first instalment in 2012 to and including the last municipal tax instalment of 2027, and the balance of this capital water charge shall be due and payable on the date of the last municipal tax instalment of 2027, and

(b) the capital water charge (Distribution Works 2) of \$1,158.00 and the capital water charge (water plant) of \$773.00 together with interest thereon at the rate of 5.0% per annum over a period of Fifteen (15) years in four instalments per year (which include a portion of the capital water charge and interest thereon). Instalments will be due on the dates the municipal taxes are due in each and every year from and including the first instalment in 2012 to and including the last municipal tax instalment of 2027, (such instalments to be applied first in payment of the interest due from time to time, and the balance to be applied in reduction of the capital water charge owing) and the balance of these capital water charges with interest thereon as aforesaid shall be due and payable on the date of the last municipal tax instalment of 2027.

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-law No. 2011-

BEING A BY-LAW TO IMPOSE CAPITAL SEWER CHARGES
FOR THE USE OF THE TOWN'S SEWAGE SYSTEM
(Lora Bay Service Area – Lake Drive)

WHEREAS sections 9, 11 and Part XII of the *Municipal Act, 2001*, as amended, (the *Act*) and the *Regulations* thereto enables a municipality to impose by by-law, fees or charges for the use of a sewage system;

AND WHEREAS *Ontario Regulation 581/06* provides that fees or charges imposed for the use of a sewage system under the Act and added to the tax roll under subsection 398(2) of the Act have priority lien status as described in section 1 of the Act;

AND Whereas By-law 2009-58 provided the a capital sewer charge for the use of the sewage system on a per unit basis in an amount to be determined by the Council will be imposed on each of the future benefitting owners, as described therein, by a by-law enacted by the Council at some later point in time when the sewage system is extended to provide sewage service to the future benefitting owners;

AND WHEREAS the benefitting owners described in this By-law were described as future benefitting owners in By-law 2009-58;

AND WHEREAS the sewage system which consists of the sewage collection works and the sewage plant has now been extended to provide sewage service to the benefitting owners and will provide a benefit to the benefitting owners;

AND WHEREAS the Council deems it necessary to impose upon the benefitting owners a capital sewer charge for the use of the sewage system to pay a portion of the capital cost of the sewage collection works and to pay a portion of the capital cost of the sewage plant;

AND WHEREAS the Town has held a public meeting before passing this By-law and has provided notice of the public meeting and its intention to pass this By-law and has made available to members of the public information with respect to the capital sewer charge.

NOW THEREFORE the Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

Definitions

1. In this By-law, including the recitals thereto:

“Act” means the *Municipal Act, 2001*, as amended;

“Benefit” means an immediate benefit accruing to the benefitting owners which is derived or derivable from the sewage system;

“Benefitting owner” means the registered owner of an estate in fee simple of a benefitting property;

“Benefitting property” means each separately assessed property connected to or fronting on the sewage system as set out in Schedule “B”;

“Capital cost” means the cost of constructing the sewage collection works and the sewage plant, inclusive of all items of cost usually and properly chargeable to capital account, and where applicable, the interest amounts payable on the debentures to be issued for these works and the imputed interest cost on the money supplied from the funds of the Town to finance the benefitting owners’ share of the cost of these works;

“Capital sewer charge” means the capital sewer charge on a per unit basis in the amount

set out in Schedule “D” which includes the capital sewer charge (sewage collection works) and the capital sewer charge (sewage plant) as set out in Schedule “D”;

“Council” means the Council of The Corporation of the Town of The Blue Mountains;

“Lora Bay Service Area” means area shown in heavy outline and identified as the Lora Bay Service Area on Schedule “A”;

“Service Area 1” means that part of the Lora Bay Service Area shown as Service Area 1 on Schedule “A”;

“Service Area 2” means that part of the Lora Bay Service Area shown as Service Area 2 on Schedule “A”;

“Service Area 3” means that part of the Lora Bay Service Area shown as Service Area 3 on Schedule “A”;

“Sewage collection works” means all of the sewage collection works described in Schedule “C” necessary for the collection and transmission of sewage in and from the Lora Bay Service Area to the sewage plant, or any part of such works;

“Sewage plant” means the Thornbury Wastewater Treatment Plant for the treatment and disposal of sewage;

“Sewage system” means the sewage plant and the sewage collection works, all of which are necessary for the collection, transmission, treatment and disposal of sewage;

“Town” means The Corporation of the Town of The Blue Mountains;

“Treasurer” means the person appointed by Council, as the Treasurer for the Town or his designate;

“Unit” means a residential dwelling unit.

Unless the context otherwise requires in this By-law, words importing the singular include the plural and vice versa and words importing gender includes all genders.

Capital Costs

2. The capital cost of the sewage collection works and the portions of this capital cost to be paid by the benefitting owners are set out in Schedule “C”.
3. The capital cost of the sewage plant and the portions of this capital cost to be paid by the benefitting owners are set out in Schedule “C”;

Charges Imposed

4. The roll number and description of each benefitting owner’s benefitting property and the number of units on each benefitting property for which a capital sewer charge is imposed by this By-law are set out in Schedule “B”. Any benefitting property shown as vacant land on the latest revised assessment roll shall be deemed to have one unit on it for the purposes of this By-law.
5. A capital sewer charge for the use of the sewage system on a per unit basis in the amounts set out in Schedule “D” for the Service Area set out in Schedule “D” is hereby imposed on each of the benefitting owners to pay for a portion of the capital cost of the sewage collection works and to pay for a portion of the capital cost of the sewage plant.
6. In accordance with section 90(3) of the Act, if new parcels of land are created from existing benefitting properties or new units are constructed on existing benefitting properties, the capital sewer charge as set out in section 5 is imposed on the benefitting owner of the new parcel of land or of the new unit in the manner set out in this By-law.

Notification

7. The Treasurer shall forthwith after the enactment of this By-law mail to the benefitting owners, by prepaid regular mail, a copy of this By-law together with an explanation of this By-law and an election form prescribed by the Treasurer for the purpose of the benefitting owners making the election referred to in section 11.

Charges Due and Payable

8. The capital sewer charges imposed by this By-law constitute a debt of the benefitting owners to the Town and subject to section 9, are hereby due and payable on ****, 2011.
9. In the event a benefitting owner makes the election provided for in section 11 by ****, 2011, the capital sewer charge imposed on that benefitting owner by this By-law shall become due and payable in the amounts, at the times and in accordance with section 11 and the instalment provisions as set out in Schedule "D".
10. In the event a benefitting owner fails to make an election provide for in section 11 by ****, 2011 the full amount of the capital sewer charge imposed on that benefitting owner by this By-law shall become due and payable on ****, 2011.

Payment Option

11. (1) A benefitting owner may elect, by notice of election delivered to the Treasurer by no later than ****, 2011, in the form prescribed by the Treasurer in accordance with section 7, to pay the capital sewer charge in instalments, with interest thereon as set out in Schedule "D".
 - (2) Subject to section 11(3), a benefitting owner may at any time or times pay the whole of the unpaid balance of the capital sewer charge together with interest thereon to the date of payment.
 - (3) In the event of a benefitting owner selling, conveying or transferring title to the benefitting property to any person or corporation the unpaid balance of the capital sewer charge and interest thereon shall forthwith become due and payable.

Collection of the Capital Sewer Charges

12. The Treasurer is hereby authorized and directed to add the capital sewer charges to the tax rolls for the benefitting properties set out in Schedule "B" in accordance with subsection 398(2) of the Act and to collect the capital sewer charges in the same manner as municipal taxes.
13. The capital sewer charges added to the tax rolls under subsection 398(2) of the Act have priority lien status as described in section 1 of the Act, and the capital sewer charges, including interest:
 - (1) may be collected in the same manner as taxes on the benefitting property;
 - (2) may be recovered with costs as a debt due to the Town from the assessed owner of the benefitting property at the time the capital sewer charges are added to the tax roll and from any subsequent owner of the benefitting property or any part of it;
 - (3) are a special lien on the property in the same manner as are taxes under subsection 349(3) of the Act; and
 - (4) may be included in the cancellation price under Part XI of the Act in the same manner as are taxes on the benefitting property.

Non-payment of Charges

14. On all capital sewer charges which are in default on the day following each due date a penalty of 1 ¼ percent shall be added and thereafter a penalty 1 ¼ percent per month will be added on the first day of each and every month the default continues until December 31 in the current year. On all capital sewer charges in default on

January 1 of the following year, interest will be added at the rate of 1 ¼ percent per month for each month or fraction thereof of default.

Application to the Ontario Municipal Board

- 15. No application shall be made to the Ontario Municipal Board under clause 71(c) of the *Ontario Municipal Board Act* on the grounds that the capital sewer charges imposed under this By-law are unfair or unjust.

Administration

- 16. This By-law shall be administered and enforced by the Treasurer.

Schedules

- 17. Schedules "A", "B", "C" and "D" are hereby declared to form part of this By-law.
- 18. This By-law shall come into force and take effect upon the enactment thereof.

ENACTED AND PASSED this ____ day of _____, 2011

The Corporation of the Town of The Blue Mountains

.....
Ellen Anderson, Mayor

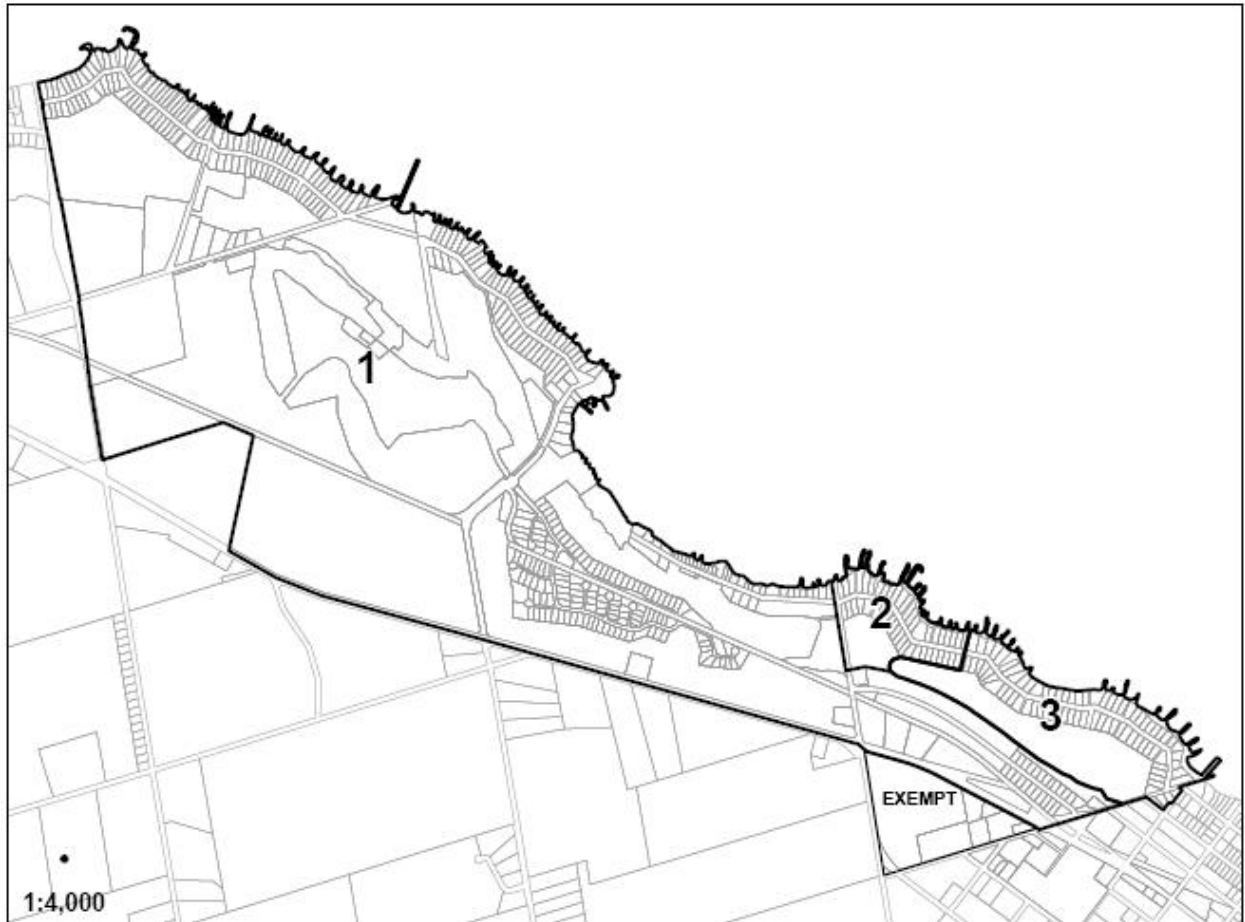
.....
Corrina Giles, Clerk

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-law No. 2011 –

Schedule "A"

Lora Bay Service Area and the Location of Service Areas 1, 2 and 3



THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-law No. 2011 -

Reference to By-law 2009 - 58

Schedule "B"

Benefitting Properties

Roll #	Legal Address	Number of Units	Grinder Pump Units
4242000015086000000	CON 11 PT LOT 37 PLAN 931 LOT 1	1	1
4242000015086010000	CON 11 PT LOT 37 PLAN 931 LOT 2	1	1
4242000015086020000	JDGP 931 LOT 3	1	1
4242000015086030000	PLAN 931 LOT 4	1	1
4242000015086040000	PLAN 931 LOT 5	1	1
4242000015087000000	PLAN 931 LOT 6	1	1
4242000015088000000	PLAN 931 LOT 7	1	1
4242000015089000000	CON 11 PT LOT 37 PLAN 931 LOT 8 TO 9	1	1
4242000015090000000	PLAN 931 LOTS 10 & 11	1	1
4242000015090010000	CON 11 PT LOT 37 PLAN 931 LOT 12 TO 14 RP 16R2720 PARTS 1&2	1	V/L
4242000015091000000	CON 11 PT LOT 37 PLAN 931 LOT 15 TO 17	1	1
4242000015092000000	PLAN 931 PT LOTS 34,35,36 RP16R3735 PT 1	1	1
4242000015092010000	PLAN 931 PT LOTS 35 & 36 RP16R3735 PT 2	1	V/L
4242000015092020000	PLAN 931 PT LOT 36 RP16R3735 PT 3	1	1
4242000015093000000	PLAN 346 LOT 1 PLAN 931 LOTS 18 TO 19	1	1
4242000015094000000	PLAN 346 LOT 2 PLAN 931 LOT 20	1	V/L
4242000015094010000	PLAN 346 LOT 3 TO 4 PLAN 931 LOT 21 TO 22	1	1
4242000015095000000	PLAN 346 LOT 5 TO 6 PLAN 931 LOT 23 TO 24	1	1
4242000015096000000	PLAN 346 LOT 7 PLAN 931 LOT 25	1	1
4242000015096010000	PLAN 346 LOT 8 WITH ROW OVER PLAN 931 LOT 26	1	1
4242000015098000000	PLAN 346 LOT 9 LOT 10 PLAN 931 LOT 27 TO 28 PLAN 346 BLK A SUB TO ROW	1	1
4242000015099000000	PLAN 346 LOT 11	1	V/L
4242000015100000000	PLAN 346 LOT 13	1	1
4242000015101000000	PLAN 346 LOT 14 INC ROW OVER BLK A	1	1
4242000015102000000	PLAN 346 LOT 15 PLAN 931 LOT 33	1	1
4242000015103000000	PLAN 346 LOT 16	1	1
4242000015104000000	PLAN 346 LOT 17 PLAN 931 PT LOT 32	1	1
4242000015105000000	PLAN 346 LOT 18	1	1
4242000015106000000	PLAN 346 LOT 19 INC ROW OVER BLK A	1	1
4242000015107000000	PLAN 346 LOT 20	1	1
4242000015107010000	PLAN 346 LOT 21	1	1
4242000015108000000	PLAN 346 LOT 22	1	1

4242000015109000000	PLAN 931 PT LOT 37,38,39 RP 3R 2921 PART 1	1	1
4242000015110000000	PLAN 931 PT LOTS 39 & 40 RP 16R4182 PART 3	1	1
4242000015110050000	PLAN 931 PT LOTS 40,41,42 RP 16R4182 PART 2	1	1
4242000015110080000	PLAN 931 PT LOTS 42,43,44 RP 16R4182 PART 1	1	1
4242000015111000000	CON 11 PT LOT 37 PLAN 931 LOT 45	1	1
	Total Number of Equivalent Units	37	33

V/L is "Vacant Land"

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-law No. 2011 –

Reference to By-law No. 2009 - 58

Schedule “C”

1 .Description and Capital Cost of the Sewage Collection Works

<u>Sanitary Sewer Trunks</u>	Total Project Cost	Service Area 1	Service Area 2	Service Area 3
Phase 1A including Arthur, Victoria, High Bluff Lane & Related Eng.	\$ 2,396,806	\$ 2,313,163	\$ 83,643	
Phase 1B including Sunset Blvd East & Related Engineering	\$ 766,029	\$ 739,296	\$ 26,733	
Phase 2 including;				
Cameron Street East (1093m of 200mm)	\$ 613,173			\$ 613,173
Cameron Street West (563m of 50mm LPF)	\$ 249,798		\$ 249,798	
Lake Drive (871m of 75mm & 50mm LPF)	\$ 454,800	\$ 454,800		
10th Line (342m of 75mm LPF)	\$ 173,899	\$ 167,830	\$ 6,069	
Sunset Blvd West (1715m of 200mm)	\$ 962,115	\$ 962,115		
39th Sideroad (1100m of 200mm)	\$ 617,100	\$ 617,100		
Peel Street (375m of 200mm)	\$ 210,375			\$ 210,375
<u>Pumping Stations and Forcemains</u>				
Sewage Pump Station and Forcemain Sunset East 73 l/s	\$ 1,096,328	\$ 1,096,328		
Sewage Pump Station and Forcemain Sunset West 11.5 l/s	\$ 777,240	\$ 777,240		
<u>Sanitary Sewer Trunks</u>				
Lora Bay Share of Thornbury works Huron Street (500m of 600mm)	\$ 617,691	\$ 553,198	\$ 20,003	\$ 44,490
Lora Bay Share of Thornbury works Sewage Pumping Station	\$ 723,831	\$ 648,255	\$ 23,441	\$ 52,135
Lora Bay Share of Thornbury works Duplicate Forcemain (1100m of 300mm)	\$ 423,066	\$ 378,893	\$ 13,701	\$ 30,472
Lora Bay Share of Thornbury works Siphon and easement	\$ 947,441	\$ 848,518	\$ 30,682	\$ 68,241
Total Capital Cost	\$ 11,029,692	\$ 9,556,736	\$ 454,069	\$ 1,018,887

2. Allocation of the Capital Cost of the Sewage Collection Works

	Service Area 1	Service Area 2	Service Area 3
Growth Related Units	1311	12	53
Non Growth Related Units - Benefitting	88	0	0
Non Growth Related Units - Future Benefitting	205	46	76

	Service Area 1	Service Area 2	Service Area 3
Growth Related Share of Capital Costs	\$ 7,811,023	\$ 87,870	\$ 391,782
Non Growth Related Share of Capital Costs	\$ 1,745,713	\$ 366,199	\$ 627,105

3. Capital Cost of the Sewage Plant

Total Capital Cost \$25,588,248

(See Town of The Blue Mountains Development Charges Background Study – February 2010)

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-law No. 2011 - _____

Reference to By-law No. 2009 - 58

Schedule "D"

Capital Sewer Charge (Sewage Collection Works) - With Grinder Pump Unit
(Per Unit)

Allocation of Charges – Sewage Collection Works –

Collection Works 1 - Lora Bay Recoverable 43.6%

Phase 1 (a) and 1(b) services and pumping stations
– no interest payable

Collection Works 2 - Town Reserve 56.4%

All other services – interest payable

Service Area 1 \$8,821 (\$2,315 Collection Works 1) (\$2,996 Collection
Works 2) (\$3,510 Grinder Pump)

Capital Sewer Charge (Sewage Plant) (Per Unit)

Service Area 1 \$5,001

Total Capital Sewer Charge Imposed - With Grinder Pump Unit (Per Unit)

Service Area 1 \$13,822

Capital Sewer Charge (Sewage Collection Works) - Without Grinder Pump Unit
(Per Unit)

Allocation of Charges – Sewage Collection Works –

Collection Works 1 - Lora Bay Recoverable 43.6%

Phase 1 (a) and 1(b) services and pumping stations –
no interest payable

Collection Works 2 - Town Reserve 56.4%

All other services – interest payable

Service Area 1 \$5,311 (\$2,315 Collection Works 1) (\$2,996 Collection
Works 2)

Capital Sewer Charge (Sewage Plant) (Per Unit)

Service Area 1 \$5,001

Total Capital Sewer Charge Imposed- Without Grinder Pump Unit (Per Unit)

Service Area 1 \$10,312

Payment Options

A benefitting owner may elect, by notice of election delivered to the Treasurer by no later than ****, 2011, in the form prescribed by the Treasurer in accordance with section 7, to pay the capital sewer charge in instalments as follows:

Lake Drive Benefiting Properties shown in Service Area 1- With Grinder Pump units

(a) the capital sewer charge (Collection Works 1) of \$2,315 over a period of Fifteen (15) years in four instalments per year. Instalments will be due on the dates the municipal taxes are due in each and every year from and including the first instalment in 2012 to and including the last municipal tax instalment of 2027, and the balance of this capital sewer charge shall be due and payable on the date of the last municipal tax instalment of 2027, and

(b) the capital sewer charge (Collection Works 2) of \$6,506 and the capital sewer charge (sewage plant) of \$5,001 together with interest thereon at the rate of 5.0% per annum over a period of Fifteen (15) years in four instalments per year (which include a portion of the capital sewer charge and interest thereon). Instalments will be due on the dates the municipal taxes are due in each and every year from and including the first instalment in 2012 to and including the last municipal tax instalment of 2027, (such instalments to be applied first in payment of the interest due from time to time, and the balance to be applied in reduction of the capital sewer charge owing) and the balance of these capital sewer charges with interest thereon as aforesaid shall be due and payable on the date of the last municipal tax instalment of 2027.

Lake Drive Benefiting Properties shown in Service Area 1 – Without Grinder Pump Units

(a) the capital sewer charge (Collection Works 1) of \$2,315 over a period of Fifteen (15) years in four instalments per year. Instalments will be due on the dates the municipal taxes are due in each and every year from and including the first instalment in 2012 to and including the last municipal tax instalment of 2027, and the balance of this capital sewer charge shall be due and payable on the date of the last municipal tax instalment of 2027, and

(b) the capital sewer charge (Collection Works 2) of \$2,996 and the capital sewage charge (sewage plant) of \$5,001 together with interest thereon at the rate of 5.0% per annum over a period of Fifteen (15) years in four instalments per year (which include a portion of the capital sewer charge and interest thereon). Instalments will be due on the dates the municipal taxes are due in each and every year from and including the first instalment in 2012 to and including the last municipal tax instalment of 2027, (such instalments to be applied first in payment of the interest due from time to time, and the balance to be applied in reduction of the capital sewer charge owing) and the balance of these capital sewer charges with interest thereon as aforesaid shall be due and payable on the date of the last municipal tax instalment of 2027.