

# THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

## By-law No. 2009-

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

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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 the water system which consists of the water distribution works and the water plant 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 the Council intends to impose a capital water charge upon the future benefitting owners at some later point in time when the water system is extended to provide municipal drinking water service to their properties;

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;

“future benefit” means a benefit accruing to the future benefitting owners which will be derived or derivable from the water system at some later point in time when the water

system is extended to provide municipal drinking water service to their property;

“future benefitting owner” means the registered owner of an estate in fee simple of a future benefitting property as set out in Schedule “B”;

“future benefitting property” means each separately assessed property as set out in Schedule “B”;

“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 and the future 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 and the future 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 Areas set out in Schedule “D” is hereby imposed on each of the benefitting owners in each of the respective Service Areas 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.
7. A capital water charge for the supply of water on a per unit basis in an amount to be determined by the Council will be imposed on each of the future benefitting owners 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.

### **Notification**

8. 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 12.

### **Charges Due and Payable**

9. The capital water charges imposed by this By-law constitute a debt of the benefitting owners to the Town and, subject to section 10, are due and payable on September 18, 2009.
10. In the event a benefitting owner makes the election provided for in section 12 by September 18, 2009 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 12 and the installments provisions as set out in Schedule "D".
11. In the event a benefitting owner fails to make the election provided for in section 12 by September 18, 2009, the full amount of the capital water charge imposed on that benefitting owner by this By-law shall become due and payable on September 18, 2009.

### **Payment Option**

12. (1) A benefitting owner may elect, by notice of election delivered to the Treasurer by no later than September 18, on the election form prescribed by the Treasurer in accordance with section 8, to pay the capital water charge in installments, with interest thereon as set out in Schedule "D".  
(2) Subject to section 12(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**

13. 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.
14. 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**

- 15. 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.
- 16. 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**

- 17. 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**

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

**Schedules**

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

**ENACTED AND PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2009

The Corporation of the Town of The Blue Mountains

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Ellen Anderson, Mayor

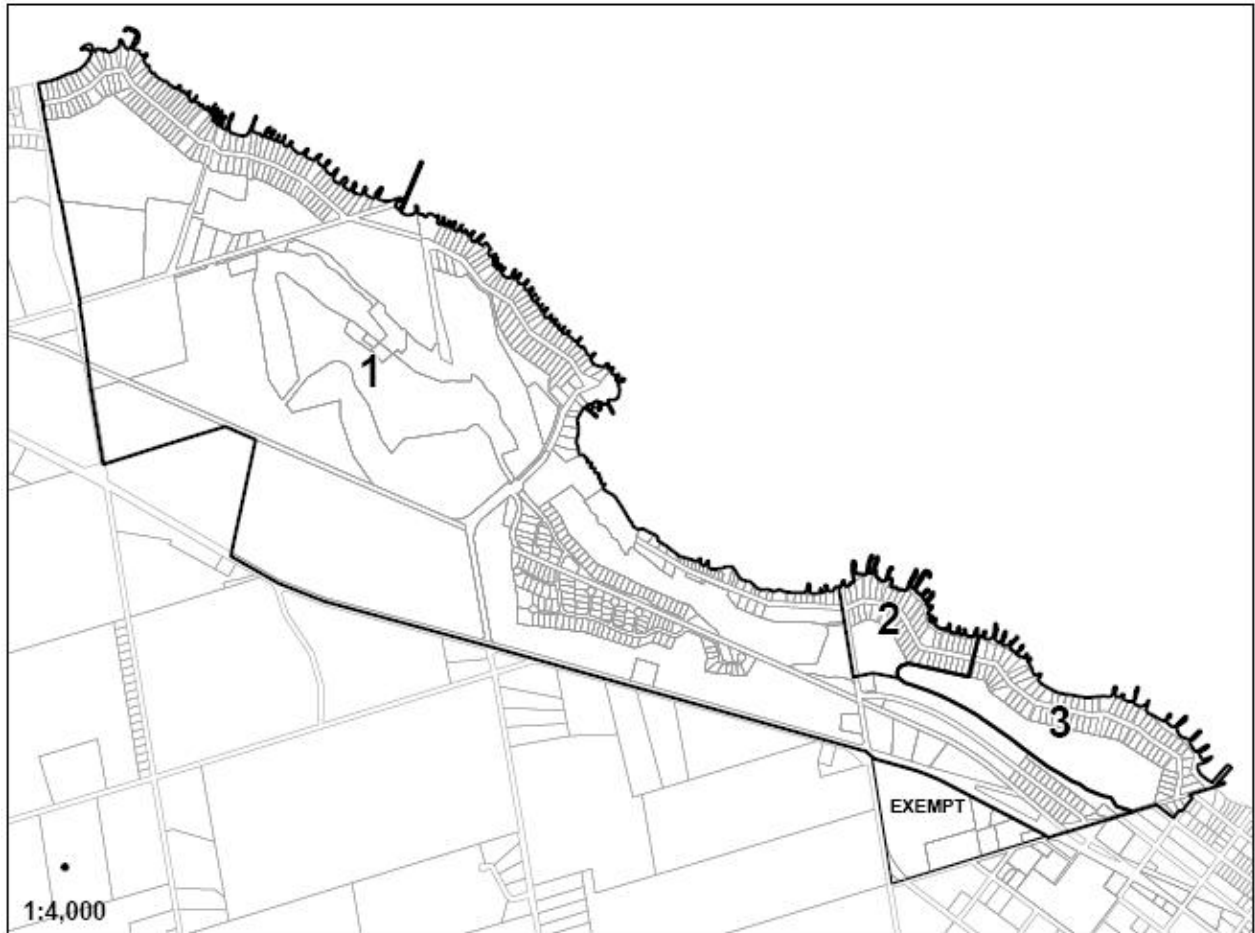
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Corrina Giles, Deputy Clerk

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-law No. 2009 -

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. 2009 -

Schedule "B"

**Benefitting Properties**

SERVICE AREA 1		
ROLL NUMBER	LEGAL DESCRIPTION	NUMBER OF UNITS
15031010000	417325 10TH LINE CON 10 PT LOT 36 RP16R 1209	1
15082000000	207525 HIGHWAY 26 CON 11 PT LOT 36 RP 16R405	1
15083000000		1
15084000000	PART 7 PLAN 931 PT LOT 36	1
15113000000	CON 11 PT LOT 37 PT LOT 39 PLAN 442 LOT 1	1
15114000000	PLAN 442 LOT 2	1
15115000000	PLAN 442 LOT 3	1
15115010000	PLAN 442 LOT 4	1
15115020000	PLAN 442 LOT 5	1
15116000000	PLAN 442 LOT 6	1
15117000000	PLAN 442 LOT 7	1
15117010000	PLAN 442 LOT 8	1
15118000000	PLAN 442 LOT 9	1
15119000000	PLAN 442 LOT 10	1
15120000000	PLAN 442 LOT 11	1
15121000000	PLAN 442 LOT 12 CHRISTIE BEACH EAST	1
15122000000	PLAN 442 LOT 13	1
15123000000	PLAN 442 LOT 14	1
15124000000	PLAN 442 LOT 15	1
15125000000	PLAN 442 LOT 16	1
15126000000	PLAN 442 LOT 17	1
15127000000	PLAN 442 LOT 18	1
15128000000	PLAN 442 LOT 19	1
15129000000	PLAN 442 LOT 20	1
15130000000	PLAN 442 LOT 21	1
15130010000	PLAN 442 LOT 22	1
15131100000	PLAN 442 LOT 23	1
15132000000	PLAN 442 LOT 24	1
15133000000	PLAN 442 LOT 25	1
15134000000	PLAN 442 LOT 26	1
15135000000	PLAN 442 LOT 27	1
15136000000	PLAN 442 LOT 28	1
15137000000	PLAN 442 LOT 29 LOT 30	1
15138000000	PLAN 442 LOT 31	1
15139000000	PLAN 442 LOT 32	1
15140000000	PLAN 442 LOT 33	1
15140200000	PLAN 442 PT LOTS 34,35 RP 16R6786 PART 1	1
15141000000	BLK B RP 16R6786 PART 2 PLAN 442 PT LOTS 35,36,37 PT	1
15142500000	PLAN 442 PT LOTS 36 AND 37 PT BLK B RP 16R7935 PART 1	1
15143000000	PLAN 442 PT LOT 38 PT LOT 39	1
15144000000	PLAN 442 PT LOT 39	1
15145000000	CON 11 PT LOT 38 PLAN 442 KENWOOD DR PT	1
15145010000	CON 11 PT LOT 38	1
15145020000	CON 11 PT LOT 38 RP16R 1422 PARTS 8,9,10	1
15145030000	CON 11 PT LOT 38 RP 16R1422 PARTS 5,6,7	1

15145040000	CON 11 PT LOT 38 RP16R 1422 PARTS 2,3,4	1
15170000000	PLAN 1032 LOT 1 PT LOT 3 RP 16R8551 PARTS 1 & 2	26
15495500000	PLAN 16M8 BLK 19	2
17003000000	TOWN PLOT LOT 13 TO 15 ALICE E/S LOT 13 & 14 LOUISA W/S PT LOTS 46 TO 49 LOUISA E/S	1
17090010000	PLOT PT LT 46 N/E & PT LT 46 TOWN PLOT PT LOT 45 S/W TOWN PLOT LOT 45 N/E LOUISA	1
17147100000	TOWN PLOT PT LOT 40 PT LOT 41 ARTHUR W/S RP 16R373 PT PART 1	1
17148000000	TOWN PLOT PT LOT 41 PT LOT 42 ARTHUR W/S	1
17148100000	TOWN PLOT PT LOT 42 TO PT LOT 44 ARTHUR W/S RP 16R373 PT PART 1	1
17152000000	TOWN PLOT PT LOT 50 PT LOT 51 LOUISA E/S	1
17156000000	LOT 43 ARTHUR E/S TOWN PLOT PT LOT 40 TO PT	1

SERVICE AREA 2		
ROLL NUMBER	LEGAL DESCRIPTION	NUMBER OF UNITS
15033000000	PLAN 723 LOT 1	1
15033010000	PLAN 723 LOT 2	1
15034000000	PLAN 723 LOT 3	1
15034010000	PLAN 723 LOT 4	1
15034020000	PLAN 723 LOT 5	1
15034030000	PLAN 723 LOT 6	1
15034040000	PLAN 723 LOT 7	1
15035000000	PLAN 723 LOT 8	1
15035010000	PLAN 723 LOT 9	1
15036000000	PLAN 723 LOT 10	1
15037000000	PLAN 723 LOT 11	1
15038000000	PLAN 723 LOT 12	1
15039000000	PLAN 723 LOT 13	1
15040000000	PLAN 723 LOT 14	1
15041000000	PLAN 723 LOT 15	1
15042000000	PLAN 723 LOT 16 TO 17	1
15043000000	PLAN 723 LOT 18	1
15043010000	PLAN 723 LOT 19	1
15044000000	PLAN 723 LOT 20	1
15045000000	PLAN 723 LOT 21	1
15046000000	PLAN 723 LOT 22	1
15046010000	PLAN 723 LOT 23	1
15047000000	PLAN 723 LOT 24	1
15054070000	PLAN 723 LOT 39	1
15054080000	PLAN 723 LOT 40	1
15054090000	PLAN 723 LOT 41	1
15054100000	PLAN 723 LOT 42	1
15054110000	PLAN 723 LOT 43	1
15054120000	PLAN 783 LOT 44	1
15054130000	PLAN 723 LOT 45	1
15054140000	PLAN 723 PT LOT 46 RP 16R-7838	1
15054150000	PLAN 723 PT LOT 46 LOT 47 RP16R7838 PART 1	1
15054160000	PLAN 723 LOT 48	1
15054170000	PLAN 723 LOT 49	1
15054180000	PLAN 723 LOT 50	1
15054190000	PLAN 723 LOT 51	1
15054200000	PLAN 723 LOT 52	1
15054210000	PLAN 723 LOT 53	1
15054220000	PLAN 723 LOT 54	1

15054230000	PLAN 723 LOT 55	1
15054240000	PLAN 723 LOT 56 RP 16R6223 PART 1	1
15054250000	PLAN 723 LOT 57 16R6223 PART	1
15054260000	PLAN 723 LOT 58	1
15054270000	PLAN 723 LOT 59	1
15054280000	PLAN 723 LOT 60	1
15054290000	417353 10TH LINE PLAN 723 LOT 61	1

SERVICE AREA 3		
ROLL NUMBER	LEGAL DESCRIPTION	NUMBER OF UNITS
15006000000	CON 10 N PT LOT 35 INCLUDES RP 16R1832 PART 3	1
15007320000	PLAN 753 LOT 32	1
15007330000	PLAN 753 LOT 33 TOG WITH ROW OVER LTS 3 & 25	1
15007340000	PLAN 753 LOT 34	1
15007350000	PLAN 753 LOT 35 TOW WITH ROW OVER LOTS 3 & 5	1
15007360000	PLAN 753 LOT 36	1
15007370000	PLAN 753 LOT 37	1
15007380000	PLAN 753 LOT 38	1
15007390000	PLAN 753 LOT 39	1
15007400000	PLAN 753 LOT 40	1
15007410000	PLAN 753 LOT 41	1
15007420000	PLAN 753 LOT 42	1
15007430000	CON 10 PT LOT 35 ROW PLAN 753 LOT 43	1
15007440000	PLAN 753 LOT 44	1
15007450000	PLAN 753 LOT 45	1
15007460000	PLAN 753 LOT 46	1
15007470000	PLAN 753 LOT 47	1
15007480000	CON 10 PT LOT 35 ROW PLAN 753 LOT 48	1
15007490000	CON 10 PT LOT 35 ROW PLAN 753 LOT 49	1
15007500000	753 LOT 50 LANE BETWEEN LOTS 50 AND 51 CON 10	1
15007510000	PLAN 753 LOT 51	1
15007520000	PLAN 753 LOT 52	1
15007530000	PLAN 753 LOT 53	1
15007540000	PLAN 753 LOT 54	1
15007550000	PLAN 753 LOT 55	1
15007560000	PLAN 753 LOT 56	1
15007570000	PLAN 753 LOT 57	1
15007580000	PLAN 753 LOT 58	1
15007590000	PLAN 753 LOT 59	1
15007600000	PLAN 753 LOT 60	1
15007610000	PLAN 753 LOT 61	1
15007620000	PLAN 753 LOT 62	1
15007630000	PLAN 753 LOT 63 ROW	1
15009000000	PLAN 389 LOT 2	1
15011000000	PLAN 389 LOT 4	1
15012000000	PLAN 389 LOT 5	1
15013000000	PLAN 389 LOT 6	1
15014000000	PLAN 389 LOT 7	1
15015000000	PLAN 389 LOT 8	1
15015010000	PLAN 389 LOT 9	1
15016000000	PLAN 389 LOT 10	1
15017000000	PLAN 389 LOT 11	1
15018000000	PLAN 389 LOT 12	1
15019000000	PLAN 389 LOT 13	1
15020000000	PLAN 389 LOT 14	1
15021000000	PLAN 389 LOT 15	1



15022000000	PLAN 389 LOT 16	1
15023000000	PLAN 389 LOT 17	1
15024000000	PLAN 389 LOT 18	1
15025000000	PLAN 389 LOT 19 TO 20	1
15025100000	PLAN 389 LOT 21	1
15026000000	PLAN 389 LOT 22	1
15027000000	PLAN 389 LOT 23	1
15027010000	PLAN 389 LOT 24	1
15028000000	PLAN 389 LOT 26	1
15028010000	PLAN 389 LOT 27	1
15029000000	PLAN 389 LOT 29	1
15029010000	PLAN 389 LOT 30	1
15029020000	PLAN 389 LOT 31	1
15029100000	PLAN 389 LOT 28	1
15048000000	PLAN 723 LOT 25 W PT LOT 26	1
15049000000	PLAN 723 E PT LOT 26 E PT LOT 27	1
15050000000	PLAN 723 LOT 28	1
15051000000	PLAN 723 LOT 29	1
15052000000	PLAN 723 LOT 30	1
15053000000	PLAN 723 LOT 31	1
15054000000	PLAN 723 LOT 32	1
15054010000	PLAN 723 LOT 33	1
15054020000	PLAN 723 LOT 34	1
15054030000	PLAN 723 LOT 35	1
15054040000	PLAN 723 LOT 36	1
15054050000	PLAN 723 LOT 37	1
15054060000	PLAN 723 LOT 38	1
17153000000	TOWN PLOT LOT 47 TO 49 ARTHUR E/S	1
17214100000	RP 16R3276 PART 1 TOWN PLOT PT LOT 45 PEEL S/S	1
17214110000	TOWN PLOT PT LOT 45 PEEL S/S	1
17214120000	TOWN PLOT PT LOT 45 PEEL S/S LOT 45 NE HURON & PT ALBERT	1
17214200000	RP 16R4679 PART 2	1

### Future Benefitting Properties

SERVICE AREA 1		
ROLL NUMBER	LEGAL DESCRIPTION	NUMBER OF UNITS
15086000000	CON 11 PT LOT 37 PLAN 931 LOT 1	1
15086010000	CON 11 PT LOT 37 PLAN 931 LOT 2	1
15086020000	JDGP 931 LOT 3	1
15086030000	PLAN 931 LOT 4	1
15086040000	PLAN 931 LOT 5	1
15087000000	PLAN 931 LOT 6	1
15088000000	PLAN 931 LOT 7	1
15089000000	LOT 8 TO 9 CON 11 PT LOT 37 PLAN 931	1
15090000000	PLAN 931 LOTS 10 & 11	1
15090010000	LOT 12 TO 14 RP 16R2720 PARTS 1 & 2 CON 11	1
15091000000	CON 11 PT LOT 37 PLAN 931 LOT A5 TO 17	1
15092000000	PLAN 931 PT LOTS 34,35,36 RP 16R3735 PART 1	1
15092010000	PLAN 931 PT LOTS 35 AND 36 RP 16R3735 PART 2	1
15092020000	PLAN 931 PT LOT 36 RP 16R3735 PART 3	1
15093000000	PLAN 346 LOT 1 PLAN 931 LOTS 18 TO 19	1
15094000000	PLAN 346 LOT 2 PLAN 931 LOT	1
15094010000	PLAN 346 LOT 3 TO 4 PLAN 931 LOT 21 TO 22	1
15095000000	PLAN 346 LOT 5 TO 6 PLAN 931 LOT 23 TO 24	1

15096000000	PLAN 346 LOT 7 PLAN 931 LOT	1
15096010000	PLAN 346 LOT 8 WITH ROW OVER PLAN 931 LOT 26	1
15098000000	PLAN 346 LOT 9 LOT 10 PLAN 931 LOT 27 TO 28 PLAN 346 BLK A	1
15099000000	PLAN 346 LOT 11	1
15100000000	PLAN 346 LOT 13	1
15101000000	BLK A PLAN 346 LOT 14 INC ROW OVER	1
15102000000	PLAN 346 LOT 15 PLAN 931 LOT	1
15103000000	PLAN 346 LOT 16	1
15104000000	PLAN 346 LOT 17 PLAN 931 PT LOT 32	1
15105000000	PLAN 346 LOT 18	1
15106000000	PLAN 346 LOT 19 INC ROW OVER BLK A	1
15107000000	PLAN 346 LOT 20	1
15107010000	PLAN 346 LOT 21	1
15108000000	PLAN 346 LOT 22	1
15109000000	PLAN 931 PT LOT 37,38,39 RP3R 2921 PART 1	1
15110000000	PLAN 931 PT LOTS 39 & 40 RP 16R4182 PART 3	1
15110050000	PLAN 931 PT LOTS 40,41,42 RP 16R4182 PART 2	1
15110080000	PLAN 931 PT LOTS 42,43,44 RP 16R4182 PART 1	1
15111000000	CON 11 PT LOT 37 PLAN 931 LOT 45	1
15002000000	208048 HIGHWAY 26 CON 10 PT LOT 35 RP 16R4481	1
15002020000	CON 10 PT LOT 35 RP 16R2688 PART 3	1
15002030000	CON 10 PT LOT 35 RP 16R4481 PARTS 2, 4	1
15002100000	COLLINGWOOD CON 10 PT LOT 35 RP 16R139 PT PART 1	1
15172000000	137 SIDEROAD 39 CON 12 PT LOT 40	1
15173000000	153 SIDEROAD 39 CON 12 PT LOT 40	1
15174000000	157 SIDEROAD 39 CON 12 PT LOT 40	1
15174050000	LOT 40 RP 16R 1933 PART 1 165 SIDEROAD 39 CON 12 PT	1
15174100000	167 SIDEROAD 39 CON 12 PT LOT 40 RP16R 1933 PART 2	1
15174150000	CON 12 PT LOT 40 RP 16R1933 PART 3	1
15176000000	CON 12 PT LOT 40 RP 16R311 PART 1	1
15176010000	CON 12 PT LOT 40	1
15178000000	PLAN 477 LOT 1	1
15179000000	PLAN 477 LOT 2	1
15180000000	PLAN 477 LOT 3	1
15181000000	PLAN 477 LOT 4	1
15182000000	PLAN 477 LOT 5	1
15183000000	PLAN 477 LOT 6	1
15184000000	PLAN 477 LOT 7	1
15185000000	PLAN 477 LOT 8	1
15186000000	PLAN 477 LOT 9	1
15187000000	PLAN 477 LOT 10	1
15187010000	PLAN 477 LOT 11	1
15188000000	PLAN 477 LOT 12	1
15188050000	PLAN 477 LOT 13	1
15188100000	PLAN 477 LOT 14	1
15189000000	PLAN 477 LOT 15	1
15190000000	PLAN 477 LOT 16	1
15191000000	PLAN 477 LOT 17	1
15192010000	PLAN 515 LOT 1	1
15193000000	PLAN 515 LOT 2	1
15194000000	PLAN 515 LOT 3	1
15194010000	PLAN 515 LOT 4	1
15195000000	PLAN 515 LOT 5	1
15196000000	PLAN 515 LOT 6	1
15197000000	PLAN 515 LOT 7	1
15198000000	PLAN 515 LOT 8	1

15199000000	PLAN 515 LOT 9	1
15199010000	PLAN 515 LOT 10	1
15199020000	PLAN 515 LOT 11	1
15200000000	PLAN 515 LOT 12	1
15201000000	PLAN 515 LOT 13	1
15202000000	PLAN 515 LOT 14	1
15203000000	PLAN 515 LOT 15	1
15203010000	PLAN 515 LOT 16	1
15203020000	PLAN 515 LOT 17	1
15204000000	PLAN 515 LOT 18	1
15205000000	PLAN 515 LOT 19	1
15206000000	PLAN 515 LOT 20	1
15207000000	PLAN 515 LOT 21	1
15207010000	PLAN 515 LOT 22	1
15207020000	PLAN 515 LOT 23	1
15208000000	PLAN 515 LOT 24 PT LOT 25 RP 16R7005 PART 1	1
15209000000	PLAN 515 LOTS 26 AND 27 PT LOT 25 AND RP 16R7005 PART 2	1
15210000000	PLAN 515 LOT 27	1
15211000000	PLAN 515 LOT 28	1
15211010000	PLAN 515 LOT 29	1
15211020000	PLAN 515 LOT 30	1
15211030000	PLAN 515 LOT 31	1
15211040000	PLAN 515 LOTS 32 AND 33	1
15211060000	PLAN 515 LOT 34	1
15211070000	PLAN 515 LOT 35	1
15211080000	PLAN 515 LOT 36	1
15211090000	PLAN 515 LOT 37	1
15212000000	PLAN 515 LOT 38	1
15212050000	PLAN 515 LOT 39	1
15213000000	PLAN 515 LOT 40	1
15213010000	PLAN 515 LOT 41	1
15213020000	PLAN 515 LOT 42	1
15213030000	PLAN 515 LOT 43	1
15213040000	PLAN 515 LOT 44	1
15213050000	PLAN 515 LOT 45	1
15213060000	PLAN 515 LOT 46	1
15213070000	PLAN 515 LOT 47	1
15213080000	PLAN 515 LOT 48	1
15214000000	PLAN 515 LOT 49	1
15215000000	PLAN 515 LOT 50	1
15215010000	PLAN 515 LOT 51	1
15216000000	CON 12 PT LOT 40	1
15216010000	CON 12 PT LOT 40	1
15216040000	CON 12 PT LOT 40	1
15216050000	CON 12 PT LOT 40	1
15216060000	CON 12 PT LOT 40	1
15216070000	CON 12 PT LOT 40 RP 16R1191 PART 2	1
15216080000	CON 12 PT LOT 40 RP 16R3196 PART 1	1
15216090000	CON 12 PT LOT 40 RP 16R3196 PART 2	1
15216100000	CON 12 PT LOT 40 RP 16R3196 PART 3	1
15216110000	CON 12 PT LOT 40 RP 16R3196 PART 4	1
15216120000	CON 12 PT LOT 40 RP 16R3196 PART 5	1
15217010000	PLAN 560 LOT 1	1
15217020000	PLAN 560 PT LOT 2	1
15217030000	PLAN 560 LOT 3 & PT LT 2	1
15218000000	PLAN 560 LOT 4	1

15219000000	PLAN 560 LOT 5	1
15220000000	PLAN 560 LOT 6	1
15221000000	PLAN 560 LOT 7	1
15221010000	PLAN 560 LOT 8	1
15222000000	PLAN 560 LOT 9	1
15223000000	PLAN 560 LOT 10	1
15224000000	PLAN 560 LOT 11	1
15224010000	PLAN 560 BLOCK A & B	1
15225000000	PLAN 560 LOT 12	1
15226000000	PLAN 560 LOT 13	1
15227000000	PLAN 560 LOT 14	1
15228000000	PLAN 560 LOT 15	1
15229000000	PLAN 560 LOT 16	1
15230000000	PLAN 560 LOT 17	1
15231000000	PLAN 560 LOT 18	1
15232000000	PLAN 560 LOT 19	1
15233000000	PLAN 560 LOT 20	1
15234000000	PLAN 560 LOT 21	1
15234010000	PLAN 560 LOT 22	1
15234020000	PLAN 560 LOT 23	1
15234030000	PLAN 560 LOT 24	1
15234040000	PLAN 560 LOT 25	1
15234050000	PLAN 560 LOT 26	1
15235000000	PLAN 560 LOT 27	1
15235010000	PLAN 560 LOT 28	1
15235020000	PLAN 560 LOT 29	1
15236000000	PLAN 560 LOT 30	1
15237000000	PLAN 560 LOT 31	1
15237010000	PLAN 560 LOT 32	1
15237020000	PLAN 560 LOT 33	1
15237030000	PLAN 560 LOT 34	1
15237040000	PLAN 560 LOT 35	1
15237050000	PLAN 560 LOT 36	1
15237060000	PLAN 560 LOT 37	1
15237070000	PLAN 560 LOT 38	1
17001000000	TOWN PLOT LOT 17 ALICE E/S	1
17002000000	TOWN PLOT LOT 16 LOUISA W/S PT LOT 16	8
17002100000	TOWN PLOT PT LOT 16 ALICE E/S RP 16R661 PART 1	1
17002020000	TP PT LOTS 15,16 SW LOUISA RP 16R2492 PART 1	1
17002100000	PT PARK LOT 16 NE RP 16R5174 PART 3 RP 16R6519 PART 1	1

**THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS**

*By-law No. 2009 -*

**Schedule “C”**

**1 .Description and Capital Cost of the Water Distribution Works**

<u>Water Mains</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 m3)	\$ 2,856,000	\$ 2,557,802	\$ 92,489	\$ 205,709
Lora Bay Water Booster Pumping Station	\$ 1,785,423	\$ 1,785,423		
<b>Total Capital Cost</b>	<b>\$ 9,180,552</b>	<b>\$ 8,863,716</b>	<b>\$ 98,270</b>	<b>\$ 218,566</b>

**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 **\$32,590,500**

(See Town of The Blue Mountains Development Charges Background Study - March 2005)

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-law No. 2009 -

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, 10<sup>th</sup> Line Booster Station and Reservoir – no interest payable

Distribution Works 2 - Town Reserve 22.7%

All other services – interest payable

Service Area 1	\$5,334 (\$4,123 Distribution Works 1) (\$1,211 Distribution Works 2)
Service Area 2	\$1,467 (\$1,134 Distribution Works 1) (\$333 Distribution Works 2)
Service Area 3	\$1,460 (\$1,129 Distribution Works 1) (\$331 Distribution Works 2)

**Capital Water Charge (Water Plant)**  
(Per Unit)

Service Area 1 only \$3,887

**Total Capital Water Charge Imposed**  
(Per Unit)

Service Area 1	\$9,221
Service Area 2	\$1,467
Service Area 3	\$1,460

**Payment Option**

A benefitting owner may elect, by notice of election delivered to the Treasurer by no later than September 18, 2009, in the form prescribed by the Treasurer in accordance with section 8, to pay the capital water charge in installments as follows:

SERVICE AREA 1

(a) the capital water charge (Distribution Works 1) of \$4,123.00 over a period of Twenty (20) years in four installments per year. Installments will be due on the dates the municipal taxes are due in each and every year from and including the two final installments of 2009 to and including the last municipal tax installment of 2029, and the balance of this capital water charge shall be due and payable on the date of the last municipal tax installment of 2029, and

(b) the capital water charge (Distribution Works 2) of \$1,211.00 and the capital water charge (sewage plant) of \$3,887.00 together with interest thereon at the rate of 6.0% per annum over a period of Twenty (20) years in four installments per year (which include a portion of the capital water charge and interest thereon). Installments will be due on the dates the municipal taxes are due in each and every year from and including the two final installments of 2009 to and including the last municipal tax installment of 2029, (such installments 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 installment of 2029.

### SERVICE AREA 2

(a) the capital water charge (water distribution works-1) of \$1134.00 over a period of Four (4) years in four installments per year. Installments will be due on the dates the municipal taxes are due in each and every year from and including the two final installments of 2009 to and including the last municipal tax installment of 2013, and the balance of this capital water charge shall be due and payable on the date of the last municipal tax installment of 2013, and

(b) the capital water charge (water distribution works-2) of \$333.00 together with interest thereon at the rate of 6.0% per annum over a period of Four (4) years in four installments per year (which include a portion of the capital water charge and interest thereon). Installments will be due on the dates the municipal taxes are due in each and every year from and including the two final installments of 2009 to and including the last municipal tax installment of 2013, (such installments 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 installment of 2013.

### SERVICE AREA 3

(a) the capital water charge (water distribution works-1) of \$1129.00 over a period of Four (4) years in four installments per year. Installments will be due on the dates the municipal taxes are due in each and every year from and including the two final installments of 2009 to and including the last municipal tax installment of 2013, and the balance of this capital water charge shall be due and payable on the date of the last municipal tax installment of 2013, and

(b) the capital water charge (water distribution works-2) of \$331.00 together with interest thereon at the rate of 6.0% per annum over a period of Four (4) years in four installments per year (which include a portion of the capital water charge and interest thereon). Installments will be due on the dates the municipal taxes are due in each and every year from and including the two final installments of 2009 to and including the last municipal tax installment of 2013, (such installments 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 installment of 2013.