

BY-LAW NUMBER 27-2017

of

THE REGIONAL MUNICIPALITY OF DURHAM

being a by-law to authorize the construction of a watermain and the imposition of a water works rate upon the owners or occupants of lands who derive a benefit from the construction of a watermain (“water works”) to be constructed on Scugog Line 6, in the Township of Scugog, in the Regional Municipality of Durham (the “Lands”).

WHEREAS the Regional Municipality of Durham proposes to construct water works in the Township of Scugog, in the Regional Municipality of Durham, on Scugog Line 6 at an estimated cost of \$1,400,000.00 and to impose a water works rate upon the owners or occupants of the Lands who derive or will or may derive a benefit from the water works;

AND WHEREAS Section 5 of Ontario Regulation 586/06 under the Municipal Act, 2001, S.O. 2001, C. 25 authorizes a municipality to impose a fee or a charge for capital costs related to sewage or water services or activities;

AND WHEREAS it is desirable that the water works to service the Lands be constructed as improvements to the water works system of The Regional Municipality of Durham.

AND WHEREAS the estimated cost of the water works is \$1,400,000.00 and it is proposed to recover a portion of the cost of the water works in the sum of \$206,714.22 through frontage charges together with interest thereon at the rate of six (6%) percent per annum, through the imposition of a water rate on the owners or occupants of the Lands who derive or will or may derive a benefit from the water works.

AND WHEREAS the Regional Council did approve this project and thereby declared the construction of the water works to be desirable in the public interest, and it being necessary for such construction to finance a sum not exceeding \$654,000.00.

NOW, THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a By-law of the Regional Municipality of Durham by the Council thereof as follows:

1. A water works rate is hereby imposed upon the owners or occupants of the Lands and in the amounts and with the frontages as set out in Schedule “A”.
2. A water works rate shall be imposed for a period of ten (10) years and shall be computed as a metre frontage rate per annum on the Lands that receive an immediate benefit from the water works.
3. The owners or occupants of the Lands may pay the total rates hereby imposed in equal annual instalments over a period of ten (10) years or may commute such water works rate for a lump sum cash payment as shown in Schedule “A”.
4. The total estimated cost of the water works described in Committee of the Whole Report COW-63-2017, dated March 1, 2017 is \$1,400,000.00 which will be financed as follows:

Regional Approved Financing

Item #70 (Scugog Line 6 from Hwy 12 – west to Hwy 7A) \$654,000

Other Financing

Grant Funding (Small Communities Fund  
Through Township of Scugog) 540,000

Property Owner's Share to be debentured  
Estimated Frontage Charges 206,000

Sub-total 746,000

**Total Financial** **\$1,400,000**

5. Schedule "A" attached hereto forms part of this By-law.
6. The Regional Municipality of Durham ("Region") shall approve the Township of Scugog to construct the water works to service the Lands at an estimated cost of \$1,400,000.00.
7. The water works shall be carried on and extended under the superintendence and according to the direction of the Commissioner of Works of the Region.
8. The total estimated cost of the water works is \$1,400,000.00 and it is proposed to recover the sum of \$206,714.22 together with interest thereon at the rate of six (6%) percent per annum, through the imposition of a water rate on the owners or occupants of the Lands who derive or will or may derive a benefit from the water works.
9. The sum of \$206,714.22 will be debentured for a period not exceeding ten (10) years, which will be retired by the imposition of a water rate on the owners or occupants of the Lands who derive or will or may derive a benefit from the water works.
10. Pending the issue and sale of debentures in the total sum of \$206,714.22, the Region may borrow upon the credit of the Region at large by way of temporary advances, such sum or sums as may be required for that purpose but not exceeding in aggregate the sum of \$206,714.22 and the Chair and Treasurer of the Region are hereby authorized to sign and deliver to the lender such promissory note or notes as may be required from time to time for the repayment of the monies so borrowed at such rate of interest as may be agreed upon with the lender and to affix to such promissory note or notes the seal of the Region.
11. In respect of the temporary advances authorized by this by-law, the Chair and the Treasurer of the Region are hereby authorized to hypothecate to the lender as collateral security for any sum or sums so borrowed and interest thereon, any debentures which may be issued to defray the cost of the water works undertaken under this by-law, and the proceeds of the sale of the said debentures or as much thereof as may be necessary shall be paid to the lender in satisfaction of the sum or sums so borrowed and interest thereon.

12. This by-law shall be deemed to come into force and effect on the 10th day of May, 2017.

The By-law Read and Passed on the 10th day of May, 2017.

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Roger Anderson, Regional Chair and CEO

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Ralph Walton, Regional Clerk

**Petition for Water - Scugog Line 6 - Township of Scugog**

**Schedule A**

Owner	Description of Property	Frontage Subject to Sewer Rates (Metres)	Total Cost To Be Imposed Over 10 Yrs. At \$17.26 /Metre/Yr	Annual Installment Over 10 Years	Lump Sum Cash Payment \$127.00	Current Yr. MPAC Value of Property
345388 Ontario Inc. 130 Ram Forest Road Stouffville, ON L4A 2G8 18 20 010 004 277 00	Pt. Lot 13, Con 6, now Part 1, Plan 40R-19741  <b>Re: 1205 Scugog Line 6</b>	80.189	\$13,840.62	\$3,432.09	\$10,184.00	\$846,500.00
Brenda Baker <b>1215 Scugog Line 6</b> Port Perry, ON L9L 1B2 18 20 010 004 277 50	S. Pt. Lot 13, Con 6, now Part 2, Plan 40R-20774 and, Part 1, Plan 40R-20816	52.121	\$8,996.08	\$2,230.78	\$6,619.37	\$352,500.00
1441701 Ontario Ltd. 215 Water Street Port Perry, ON L9L 1C4 18 20 010 004 279 20	Pt. Lot 13, Con 6, now Part 1, Plan 40R-20774  <b>Re: 1225 Scugog Line 6</b>	9.140	\$1,577.56	\$391.19	\$1,160.78	\$477,000.00
Northcreek Development Corp. 23 Lesmill Road Suite 111 Toronto, ON M3B 3P6 18 20 010 004 279 01	Pt. Lot 13, Con 6, now Parts 4 and 5, Plan 40R-18803 <b>(Rear frontage of 1296 Reach Street)</b>  <b>Re: Vacant Lot</b>	150.361	\$25,952.31	\$6,435.45	\$19,095.85	\$543,750.00
<b>4 Easy Street</b> Port Perry, ON L9L 0A1 18 20 010 004 278 20	Lot 1, Plan 40M-2100 (short Side) Corner Lot - Long Side 176.920 m  <b>Re: 4 Easy Street</b>	61.310	\$10,582.11	\$2,624.07	\$7,786.37	\$3,051,000.00

2125000 Ontario Ltd. <b>1 Easy Street</b> Port Perry, ON L9L 1B2 18 20 010 004 278 00	S. Pt. Lot 13, Con 6, now Parts 2 and 3, Plan 40R-18167  <b>Re: 1 Easy Street</b>	82.280	\$14,201.53	\$3,521.58	\$10,449.56	\$3,054,000.00
Kersten's Grain Limited 431 Scugog Line 6 Port Perry, ON L9L 1B2 18 20 010 004 279 00	Pt. Lot 14, Con 6, now Parts 1, 2, and 3, Plan 40R-18803  <b>Re: Vacant Lot</b>	595.062	\$102,707.70	\$25,468.65	\$75,572.87	\$480,000.00
1559219 Ontario Inc. <b>1401 Scugog Line 6</b> Port Perry, ON L9L 1B2 18 20 010 004 296 00	Pt. Lot 15, Con 6, now Parts 1 and 2, Plan 40R-10590  Brock Adamson 905-952-0520	163.300	\$28,185.58	\$6,989.24	\$20,739.10	\$3,474,250.00
2239916 Ontario Inc. Sewer Technologies 124 North Port Road Port Perry, ON L9L 1B2 18 20 010 004 29603	Pt. Lot 15, Con 6, now Now Part 1 & 2, Plan 40R-29033  c/o Louis Bergeron <b>Re: 1421 Scugog Line 6</b>	68.313	\$11,790.82	\$2,923.80	\$8,675.75	\$43,437.50
2546425 Ontario Limited Louis Bergeron c/o 124 North Port Road Port Perry, ON L9L 1B2 18 20 010 004 29601	Pt. Lot 15, Con 6, now Parts 3 and 4, Plan 40R-29033  <b>Re: 1431 Scugog Line 6</b>	70.511	\$12,170.20	\$3,017.87	\$8,954.90	\$43,437.50

Bryan Ressor <b>1461 Scugog Line 6</b> Port Perry, ON L9L 1B2 18 20 010 004 302 00	Pt. Lot 15, Con 6	293.596	\$50,674.67	\$12,565.91	\$37,286.69	\$660,750.00
Cedarouge Farm Limited C/O Bryan Reesor <b>1461 Scugog Line 6</b> Port Perry, ON L9L 1B2 18 20 010 004 302 50	Pt. Lot 15, Con 6  <b>Re: Vacant Lot</b>	4.690	\$809.49	\$200.73	\$595.63	\$206,250.00
TOTAL		1,630.873	281,488.680	69,801.364	\$207,120.87	\$13,232,875.00

**300mm Watermain to be constructed;  
2/3 cost will be paid by Federal and Provincial Government funding; therefore only 1/3 of frontage rate charged.**