

MUNICIPALITY OF CHATHAM-KENT

Public Utilities Commission

To: Mayor and Members of Council

From: Tom Kissner
General Manager
Chatham-Kent Public Utilities Commission

Date: April 22, 2015

Subject: Preliminary Assessing By-law for Heron Line and Big Pointe Waterline Extension (Dover Township)

Recommendations

It is recommended that:

1. The Heron Line and Big Pointe Waterline Extension Project and the necessary By-law under Part XII of the Municipal Act, 2001 be approved.
2. Administration be authorized to borrow monies towards the project by the issuance and sale of debentures. Pending the sale of the debentures, the Mayor and Treasurer are authorized to make such temporary borrowing as may be required in order to meet the payments due to vendors.

Background

A Heron Line and Big Pointe Waterline petition was submitted to the Chatham-Kent Public Utilities Commission (CK-PUC) in October 2014.

Comments

The waterline extension will be connected to the approved 100 mm main east of 6799 Heron Line and continue easterly on Heron Line, for a distance of approximately 1200 m. The system will also tee off at the intersection at Heron Line and Big Pointe Road and continue south on Big Pointe Road for a distance of approximately 780 m.

A total of four (4) occupied residential properties and two (2) vacant farmland properties exist within the proposed water distribution area.

The estimated cost for the 50 mm diameter waterline installation, including engineering, MOE approvals and HST is \$139,766. The estimated cost per connection including the 2014 Part 12 Charge is \$30,973.

One hundred percent (100%) of the property owners returned the ballots and the ballot results were sixty-eight (68%) in favour of proceeding with the project.

It was indicated to the property owners that CK-PUC would require that a majority of affected property owners be in favour of the project and that, as a guideline, 66% of the returned votes should support the project before administration would recommend that the project proceed to construction.

At a special scheduled April 20, 2015 PUC Commission meeting, CK-PUC approved proceeding with providing water servicing to the residences along Heron Line and Big Pointe Road, based on the approved Waterline Assessment Policy requiring 66% support. The property owners were notified by letter of the vote results and the CK-PUC action.

It is recommended that Council approve the Heron Line and Big Pointe Road Waterline Extension Project By-law as outlined in Schedule "A" and Schedule "B" and the necessary By-law under Part XII of the Municipal Act, 2001.

Council Strategic Directions

The recommendation(s) in this report support the following Council Directions:

- JOBS:**
Everyone in Chatham-Kent who wants to work is able to work in meaningful employment
- PEOPLE:**
Chatham-Kent is a welcoming community where people choose to live, learn, work, and play
- HEALTH:**
Chatham-Kent is a healthy, active, safe, accessible community within a healthy natural and built environment
- FINANCIAL SUSTAINABILITY:**
The Corporation of the Municipality of Chatham-Kent is financially sustainable
 - Has the potential to support **all** Council Directions
 - Neutral issues (does not support negatively or positively)

Consultation

The Engineering and Transportation Division prepared the preliminary engineering information.

Financial Implications

The project will be recovered through assessment.

Prepared by:

Jasen Pidlinsyj, CET
Engineering Technologist
Chatham-Kent PUC

Reviewed by:

Tom Kissner
General Manager
Chatham-Kent PUC

Attachment: Heron Line and Big Pointe Road Assessing By-law

File name - P:\RTC\Water&WasteWater (PUC)\2015\Heron Line & Big Pointe Rd WM \ 2015 04
22 Heron Line & Big Pointe Rd WM report to Council_Preliminary By-law.Docx

BY-LAW NUMBER _____

OF THE CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

A By-Law to authorize the construction of a water works and the imposition of a water rate for the payment of the capital cost of the construction of such water works; **(Heron Line and Big Pointe Road Waterline Extension)**

FINALLY PASSED the day of , 2015.

WHEREAS the Council of the Corporation of the Municipality of Chatham-Kent authorized the Public Utilities Commission for the Municipality of Chatham-Kent to prepare the plans and specifications for the proposed Water Works.

AND WHEREAS a majority of affected ratepayers responded to a vote on the project.

NOW THEREFORE the Municipal Council of The Corporation of the Municipality of Chatham-Kent enacts as follows:

SHORT TITLE

1. This By-law may be cited as the “Heron Line and Big Pointe Road Waterline Extension” Water Works By-law.

DEFINITIONS

2. In this By-law,
 - (1) “Corporation” means the Corporation of the Municipality of Chatham-Kent;
 - (2) “Council” means the Council of the Corporation of the Municipality of Chatham-Kent;
 - (3) “Municipal Act” means the Municipal Act, 2001, as amended from time to time;
 - (4) “Public Utilities Commission” means the Public Utilities Commission for the Municipality of Chatham-Kent;
 - (5) “Service Connection” means the pipe and appurtenances that connects the waterline to the street line;
 - (6) “Street line” means the boundary of a property adjoining a road allowance;
 - (7) “Water Works” means any works for the collection, production, treatment, storage, supply or distribution of water, or any part of such works;
 - (8) “Water Works Rate” means a charge for the capital cost of water works.
 - (9) “Water line” means the distribution pipe which carries the supply of water along the road allowance.

APPLICATION OF BY-LAW

3. The Water Works referred to herein shall be constructed pursuant to the provisions of Part XII of the *Municipal Act, 2001*.
4. Water Works, including waterlines and appurtenances, shall be constructed along the lands shown on Schedule "A" attached hereto.
5. The Public Utilities Commission is hereby authorized to make such plans, profiles, and specifications and furnish such information as may be necessary for the making of a contract or contracts for the execution of the Water Works.
6. The Public Utilities Commission is hereby authorized to cause a contract or contracts for the construction of the said Water Works to be made and entered into, including the administration of a tender process, and to execute any related documentation to give effect thereto.
7. The construction of the Water Works shall be carried out and executed under the direction of the General Manager of Water and Wastewater Services for the Public Utilities Commission.
8. The Treasurer for the Corporation may make such arrangements with the Canadian Imperial Bank of Commerce, a chartered bank in Canada, for the temporary advances of monies to meet the cost of the Water Works pending the completion of the same.
9. The Water Works may be financed over a period not more than forty (40) years at a rate of interest to be determined by the Treasurer for the Corporation. The Water Works shall be paid for by the imposition of a water works rate on the benefiting lands computed by a unit charge for each parcel or parcels of lands, which is a parcel separately assessed according to the last returned assessment roll, or parcels having received severance consent by the date of this By-law, in accordance with the Schedule of Assessment attached hereto as Schedule "B".
10. Only one Service Connection will be permitted for each separate parcel or parcel having received severance consent by the date of the enactment of this By-law, assessed in Schedule "B."

FUTURE CONNECTIONS

11. If a severance occurs on a parcel assessed in Schedule "B," after the date of the enactment of this By-law, the owner(s) of the severed parcel will be required to pay to the Corporation the cost of one unit as set out in Schedule "B."
12. The owner of an existing parcel will be required to pay to the Corporation, the cost of any additional connections to the parcel.

VALIDITY

13. If a court of competent jurisdiction declares any provision or part of this By-law to be invalid or of no force and effect, it is the intention of the Council in enacting this By-law that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

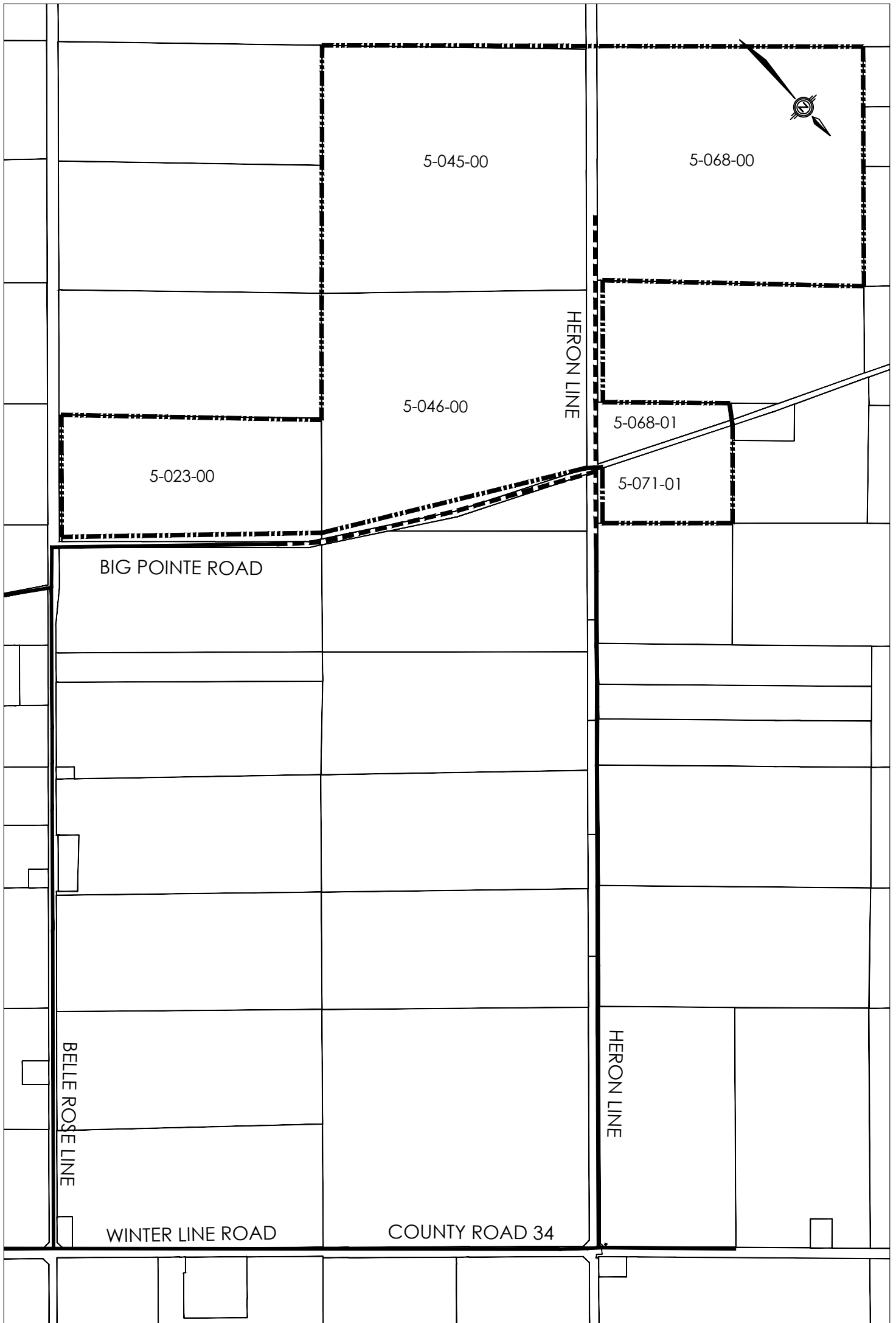
THIS By-law come into full force and effect upon the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME this day of , 2015.

Mayor – Randy R. Hope

Clerk – Judy Smith

SCHEDULE A
Heron Line and Big Pointe Road Waterline Extension



LEGEND

- WATERLINE AREA BOUNDARY
- HERON LINE AND BIG POINTE ROAD WATERLINE
- EXISTING WATERLINE

Schedule B
Heron Line and Big Pointe Road Waterline Extension Project
Preliminary Assessment

<i>ROLL NUMBER</i>	<i>911 NUMBER</i>	<i>ROAD NAME</i>	<i>ZONING ASSESSMENT</i>	<i>WATERLINE ASSESSMENT</i>	<i>Part XII Charge</i>	<i>GROSS PUC ASSESSMENT</i>
365048000506800	6657	HERON LINE	1	\$29,424	\$1,549	\$30,973
365048000506801	6995	HERON LINE	0.25	\$7,356	\$0	\$7,356
365048000507100	5667	HERON LINE	0.25	\$7,356	\$0	\$7,356
365048000504500	5691	HERON LINE	1	\$29,424	\$1,549	\$30,973
365048000504600	25038	BIG POINTE ROAD	1	\$29,424	\$1,549	\$30,973
365048000502300	24940	BIG POINTE ROAD	1	\$29,424	\$1,549	\$30,973